



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.

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.

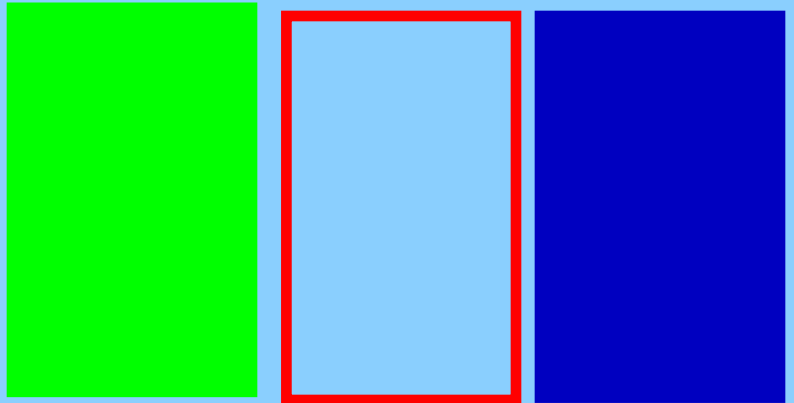
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By this report, the Court accounts to the Caribbean people for its performance from May 1, 2005 to July 31, 2006.



GREETINGS FROM THE PRESIDENT



The Caribbean Court of Justice has from its inception recognised that it has an obligation to account for its performance to the people of the CARICOM countries whom it is intended to serve and who have provided the financing for its operations. One of the most effective ways of satisfying that obligation is by the publication of an annual report. Accordingly, it gives me great pleasure to introduce the first annual report of the CCJ and to invite everyone in the region who has any interest at all in, or concern about, the Court, to read it.

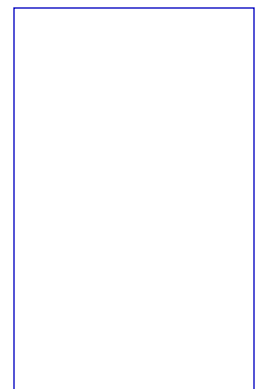
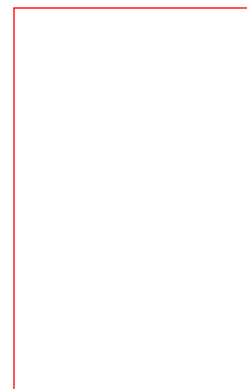
I recognise that it is still far too early to attempt to make any judgment on the performance of the Caribbean Court of Justice, but having had the experience of working through this difficult initial phase of the Court's development with my six fellow Judges and the administrative and technical staff that we have recruited, I have no doubt at all that the Court will, given the opportunity, make the CARICOM region proud of it. I think that readers will find a good deal in the pages of this report to support that optimistic prediction.

On the other hand, I do not hide my disappointment and that of my colleagues that to date only Barbados and Guyana have accepted the Court as their final court of appeal in substitution for the Privy Council. It is to be hoped that other CARICOM countries who are signatories to the Agreement Establishing the Court, will sooner rather than later recognise that the Caribbean Court of Justice can be trusted to determine issues arising within their jurisdictions and processed through their domestic courts, with a level of independence and

competence that matches that of any other Supreme Court in the Commonwealth.

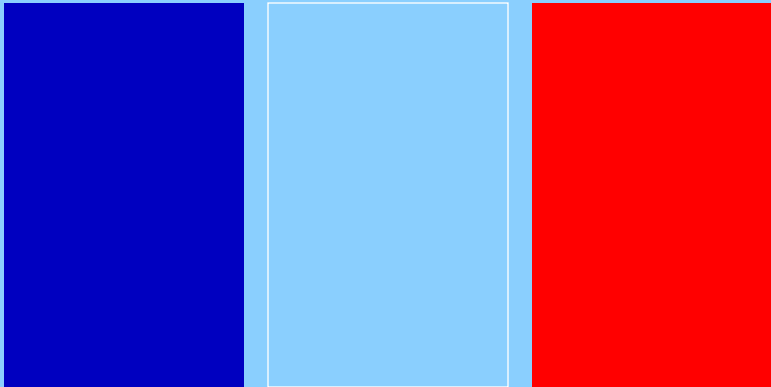
I congratulate the Court Executive Administrator, Master Morris-Alleyne, the Registrar and the rest of the Court's Administrative Unit, on the production of this first annual report and give the assurance that similar reports will be published on an annual basis.

Michael de la Bastide
President





GREETINGS FROM THE COURT EXECUTIVE ADMINISTRATOR



We are pleased to bring to you the first annual report of the Caribbean Court of Justice. This period has been one of great achievement for the Court, which has gone from a dream to a working, functioning reality. None of this could have been possible without a wonderful team of independent judges committed to the cause and with a deep sense of responsibility, the total dedication of a highly competent management team and the support, partnership and enthusiasm of a marvelous staff of Caribbean people.

For most of our readers, this report will provide your first understanding of what we do and what we stand for. Hopefully, you will find in the following pages information which is interesting to you and by which you will agree we account to the Caribbean people.

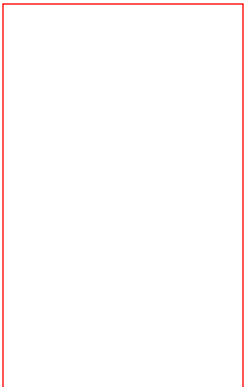
We are keenly aware of the responsibility on our shoulders as the first staff of the CCJ as the systems and standards set in the early years will decide the future well-being of the Court. We are also aware that the Court remains an unknown quantity in the eyes of many of our people and that the novelty of the original jurisdiction will take a while to become part of our regional legal and judicial psyche. In this regard, we also accept our role as builders of public awareness.

I can only describe the period under review as exciting, as we began to fully recognise the wonderful opportunity

presented by the establishment of the Caricom Single Market and Economy and our Caribbean court.

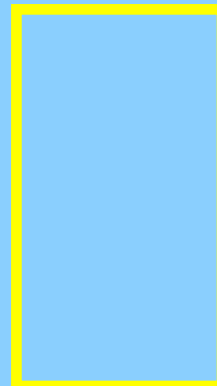
Our vision statement speaks of being worthy of emulation by the courts of the region and the trust and confidence of the people. These are not just words on a page. We live this vision and proudly dedicate ourselves to it, and most sincerely invite Caribbean people everywhere to join with us in making it a reality.

Christie-Anne Morris-Alleyne
Court Executive Administrator





MESSAGE FROM THE REGISTRAR



It is with great pleasure that I invite you to read this the first annual report of the Caribbean Court of Justice. I hope that you find the material contained within these pages to be both informative and thought provoking.

It is not just that this is the first report of the Court but it is for some of you, the first time that you gain an insight into the operation of the Court and meet the staff of the Court. For others, it may be the first opportunity to put a face to a voice on the telephone, and for those of you who attended the Inauguration festivities, it is a chance to renew, through photographs on the following pages, acquaintances made and friendships formed in April 2005.

As Registrar of this Court, I am keenly aware that the early years of the Court's existence are the most crucial in its development, somewhat akin to that of a new-born baby. Unlike a child however this Court is expected to survive beyond our lifetimes and those of our descendants. This Court is unique. It is the only Court in the region with an original jurisdiction. That is only one of the reasons why the establishment of this Court is challenging. It is not simply a question of adopting systems and procedures that may already be in use in the domestic Courts of the region. Issues which are irrelevant to domestic courts may be acutely relevant to the CCJ for example, the different languages spoken by

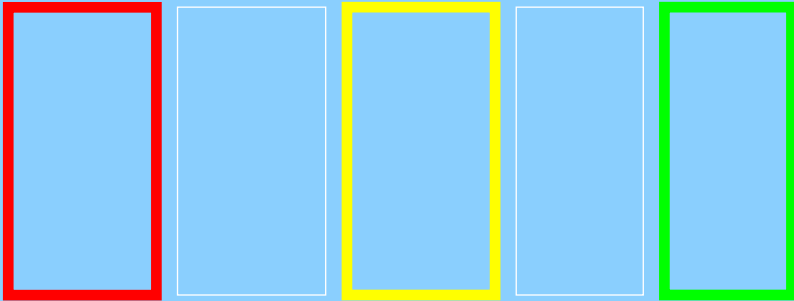
Member States of CARICOM which are now, or may soon become, Contracting Parties to the Agreement. There is as yet no common currency in the region and the right of audience of attorneys admitted to practice in countries within CARICOM which are Contracting Parties to the Agreement establishing the Court but outside of the Schedule to the Council of Legal Education Act are troubling issues. These are but a few of the challenges which the Court faces.

Much has been accomplished in the period under review and there is a lot more to be done. The road ahead is being charted and I firmly believe that the challenges ahead can and **will** be met.

Paula Pierre
Registrar and Chief Marshal



CREATING TRADITIONS- START UP OF THE CCJ



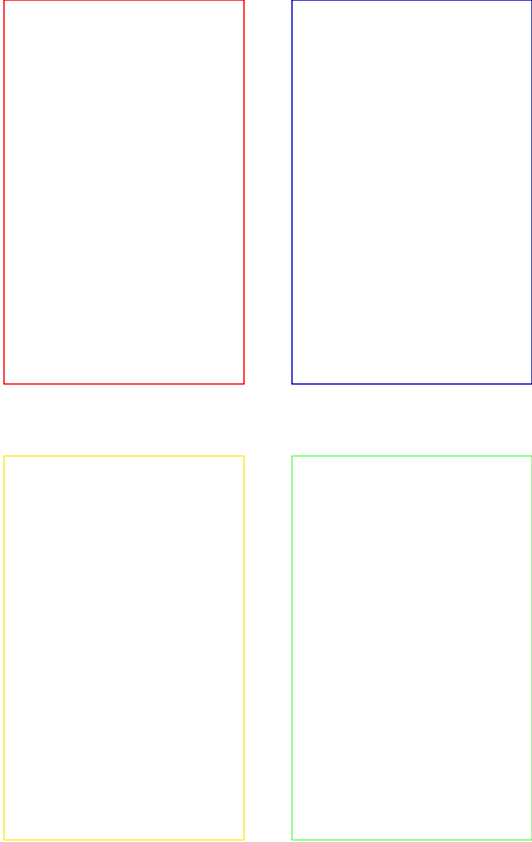
When a new Court is being created in a nation it has the walls of a traditional policy and operative framework. When a new Court is being created without the traditional framework provided by single nationhood it is being created on a clean canvass....

Decisions must be made on seemingly simple issues such as what will the judges wear? How are they to be addressed? Will they bow? How will attorneys dress to address the Court? Will they address the Court from the bar table? What will the seal of the Court look like? When will it be used? When will the court vacation be? How will the court deal with public holidays in different member states? Which flags will be flown? When? How will judgments be delivered? How will cases be cited? How will judgments be formatted? How will transcripts be formatted? What will filing stamps look like? How will they account?

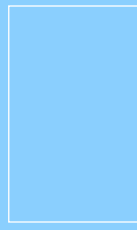
In making these decisions we are creating traditions and each tradition must be created with thought and consideration for the future of the institution being created and what it means to the development of the Caribbean region.

Blue robes signify the Caribbean Sea which touches our shores and binds us together – the pure and strong gold band signifies the strength of the Caribbean sun which warms us all. We are not Lords over serfs, we are Honourable men and women of the Caribbean, working for our Caribbean and we bow in unison to the Caribbean people whom we serve. We are the Court of each member state so dress as you would at home, for you are at home. Our seal speaks of equality, justice, and our Caribbean Community whose united flag we fly

while recognizing our individual nationhood. We are of and for the Caribbean people so we account to them fully as we work for them. Our judgments are clear and serious and considered and our stamps, seals, logos and flags say that we are here and we are real and on this all, we build our Caribbean judicial tradition.



**THE JUDGES OF THE
CARIBBEAN COURT
OF JUSTICE**



**The Right
Honourable
Mr. Justice
Michael de la
Bastide, TC**



**The Honourable
Mr. Justice
Nelson**

**The Honourable
Mr. Justice
Pollard**



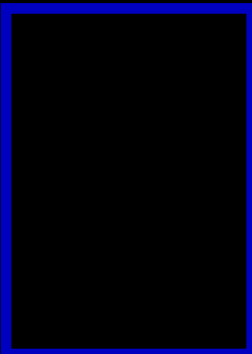
**The Honourable
Mr. Justice
Saunders**



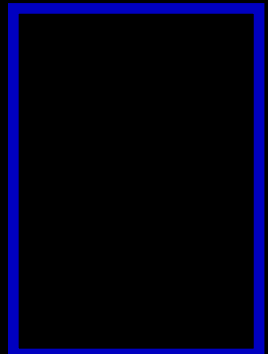
**The Honourable
Mme. Justice
Bernard, CCH,
OR**



**The Honourable
Mr. Justice Wit**



**The Honourable
Mr. Justice
Hayton**



ABOUT THE CARIBBEAN COURT OF JUSTICE

The Caribbean Court of Justice (CCJ) is the regional judicial tribunal established by the Agreement Establishing the Caribbean Court of Justice. It was inaugurated in Port of Spain, Republic of Trinidad and Tobago on April 16, 2005. The Court has been created with a dual jurisdiction-

- as a final appellate court for those member states which wish to use its services (in this regard, it replaces the Judicial Committee of the Privy Council (PC) in England for those countries which accessed the PC as their final court of appeal) , and
- in its original jurisdiction as an international court with the exclusive jurisdiction to interpret and apply the Revised Treaty of Chaguaramas and to decide disputes arising under it. The Treaty established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME).

January 1, 2006, marked the commencement of the Caribbean Single Market. At the official ceremony to mark the event on January 30, 2006, Caribbean Heads of Government heralded the day and stated clearly their intention to forge ahead with the Caribbean Single Economy in order to inaugurate it in 2008. The Caribbean Court of Justice in its Original Jurisdiction is critical to the CSME in that it will be the authoritative voice on the interpretation of the Treaty.

To ensure independence of the members of the Court, a novel approach has been taken to the appointment of judges of the CCJ and to the financing of the court and commission. Firstly, Judges of the CCJ are appointed by an independent Regional Judicial and Legal Services Commission whose composition should offer comfort to the citizens of the region. The President of the CCJ chairs the Commission. Of its 11 members, four are to be appointed on the recommendations of the legal fraternity; two are to be chairpersons of national judicial and public service commissions, two are to be appointed by the Secretary General of CARICOM and the Director-General of the OECS jointly after consultation with non-Governmental organisations. Provisions of the agreement also address the security of tenure of Judges and give extensive criteria for selection. Removal of Judges from office requires an affirmative recommendation of a tribunal established for the

purpose. The President of the Court is appointed by the Heads of Government of participating States **on the recommendation of the Commission** and may be removed for cause only on the recommendation of the Commission acting on the advice of a tribunal established for the purpose. The Caribbean Community is the only integration movement whose Judges are not directly appointed or elected by States!

To further ensure the independence of the Court, the Heads of Government have set up a US \$100 m Trust Fund to meet the expenses of the Court. The Trust Fund is capitalized in an adequate amount so as to enable the expenditures of the Court to be financed by income from the Fund. In this way, the expenditures of the Court including the remuneration of the Judges would not be dependent on the disposition of Governments. Significant capital expenses have been assumed by the host Government in that the building of the CCJ is being provided by Trinidad and Tobago.

The Regional Judicial and Legal Services Commission

The Regional Judicial and Legal Services Commission which is established by the Agreement Establishing the Caribbean Court of Justice has responsibility for:

- recommending to the contracting parties a person to hold the office of President of the court. (The recommendation for President is accepted or rejected by a majority vote of three-quarters of the Contracting Parties, but if they reject the recommendation they may not substitute their own nominee).
- Making appointments to the office of Judge of the Court.
- Making appointments of officials and employees of the Court and determining their salaries, allowances, terms and conditions.
- With the approval of the conference of Heads of Government, determining the salaries, allowances and terms and conditions and other benefits of the President and Judges of the Court.

- Exercising disciplinary control over the judges of the court other than the President and over officials and employees of the Court.
- Recommending to the contracting parties the removal of the President. (This recommendation is accepted or rejected by a majority vote of three-quarters of the contracting Parties).

In the exercise of their functions, the members of the Commission may neither seek nor receive instructions from any body or person external to the Commission.

The chart below shows who comprises the Regional Judicial and Legal Services Commission and by whom they are nominated:

NOMINEE	NOMINATING BODY
Chairman of the Commission (the President of the Court)	
Two persons	jointly by the Organisation of the Commonwealth Caribbean Bar Associations and the Organisation of Eastern Caribbean States Bar Association
One chairman of the Judicial Services Commission of a contracting Party selected in rotation in the English alphabetical order for a period of three years	
The chairman of a Public Service Commission of a Contracting Party selected in rotation in the reverse English alphabetical order for a period for three years	
Two persons from civil society	jointly by the Secretary-General of the Community and the Director General of the OECS for a period of three years following consultations with regional non-governmental organisations (NGO's)
Two distinguished jurists	jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculties of Law of any of the Contracting Parties and the Chairman of the Council of Legal Education
Two persons	jointly by the Bar or Law Associations of the Contracting Parties
If any nominating body or person fails to make nomination within thirty (30) days of a written request to do so,	the nomination is made jointly by the Heads of Judiciaries of the Contracting Parties

The first members of the RJLSC assumed office on August 21, 2003

The Members of the RJLSC during the period of this report are as follows:

Commissioner	Duration of Membership
The Rt. Hon. Michael de la Bastide TC	18.8.04 - present
Sir David Simmons, KA, BCH	20.8.03 – 19.8.06
The Rt. Hon. Sir Vincent Floissac, CMG., QC	20.8.03 – 19.8.07
Prof. Aubrey Bishop, OR, CCH, B.Sc, LL.M	21.8.03 – 19.8.07
Ms. Gloria Gray, B.Sc., M.Sc.	21.8.03 – 20.8.09
Dr. Magda Hoever-Venoaks, M.Sc., Ph.D	21.8.03 – 19.8.07
Ms. Nelcia Robinson, B.Sc.	21.8.03 – 20.8.09
Dr. Lloyd Barnett, OJ	20.8.03 – 19.8.07
Mr. Allan Alexander SC	20.8.03 – 19.8.07
Mr. Othniel Sylvester C.M.G., QC	21.8.03 – 14.3.06
Mr. Kenneth Lalla CMT, SC	20.8.03 – 20.8.04
Ambassador Christopher Thomas CMT., D.Laws	20.8.04 – 19.8.06
Dr. Joseph Archibald, QC	24.5.06 – 19.8.07

The Registrar and Chief Marshal of the Caribbean Court of Justice is the Secretary to the RJLSC.



Centre: Ms. Paula Pierre, *Secretary to the RJLSC,*
Right: Ms. Mary Barrow, *Executive Secretary, RJLSC*
Left: Mr. Hucliffe Samuel, *Driver, RJLSC*

The RJLSC's offices are housed in the CCJ building and the administrators and staff of the Court also support the RJLSC in that the CEA and the Financial Comptroller manage the RJLSC's funds, the Court Protocol and Information Department provide services for the RJLSC, as facilities and some assets are shared, these are managed by the Facilities, Assets and Office Management Unit and other members of administration and staff provide various services as required to ensure the proper functioning of the RJLSC.

Financing the Court: The Caribbean Court of Justice Trust Fund

In order to fund the Caribbean Court of Justice in perpetuity, a Trust Fund of US\$100 million has been established. It is administered by a Board of Trustees drawn from regional entities.

The Preamble of the Revised Agreement Establishing the CCJ Trust Fund recognizes the importance of adequate and secure funding to the sustainability, independence and credibility of the Court. It states:

"The Parties to the Agreement Establishing the Caribbean Court of Justice:

***Cognisant** that the Court is indispensable for the good governance of the Caribbean Community;*

***Recognising** the critical role of the Court in the efficient administration of Justice in the territories of the Contracting Parties to the Agreement establishing the Court;*

***Recognising** further that the Court is vital for the structured and efficient functioning of the CARICOM Single Market and Economy;*

***Noting** the provisions of Article XXVIII of the Agreement establishing the Court which requires the expenses of the Court and the Commission to be borne by the Contracting Parties to the Agreement establishing the Court;*

***Conscious** that the financial viability of the Court is essential for its efficiency, effectiveness and independence in the performance of its functions;*

***Bearing in mind** the decision of the Twenty-Third Meeting of the Conference of Heads of Government of the Caribbean Community concerning the capital and recurrent expenditures of the Court;*

***Determined** to promote and safeguard the independence, integrity and credibility of the Court,*

Have agreed ":

THE FUNCTIONS OF THE BOARD

Article VII of the Revised Agreement determines the functions of the Board of Trustees. It states,

"1. The Board shall be responsible for directing the operations of the Fund, and, for this purpose shall, in particular, exercise the following functions:

- (a) evaluate the performance of the Fund;*
- (b) establish with the approval of the Members guidelines for prudential investment of the resources of the Fund;*
- (c) establish with the approval of the Members the financial regulations of the Fund;*
- (d) appoint the Executive Officer of the Fund;*
- (e) authorize the provision of resources required for the biennial capital and operating budget of the Court and the Commission submitted by the Executive Officer;*

- (f) *appoint an investment manager or managers to manage the investments of the Fund in accordance with the investment guidelines for the Fund;*
- (g) *approve the annual report on the performance of the Fund for transmission to the Members;*
- (h) *approve the capital and operating annual budget of the Fund;*
- (i) *appoint the external Auditor of the Fund;*
- (j) *submit an annual report to the Members, and*
- (k) *perform such other functions as may be necessary or appropriate for the operations of the Fund.*

2. *The Board may exercise such powers and establish such rules as may be necessary or appropriate in furtherance of its purpose and functions consistent with this Agreement."*

- (h) *The President of the Caribbean Association of Industry and Commerce; and*
- (i) *The President of the Caribbean Congress of Labour.*

2. *There shall be a Chairman and Vice-Chairman of the Board elected by the Board from among its members. The Chairman and Vice-Chairman shall hold office for a period of three years."*

At present, The Board of Trustees of the Caribbean Court of Justice Trust Fund comprises the following persons:

- Dr. Rollin Bertrand (chairman)
- The Honourable Chief Justice Abdulai Conteh
- Mr. Patrick Patterson
- Dr. Bhoendradatt Tewarie
- Mr. Gerry Brooks
- Mr. Elson Jordan
- Mr. Oswald Barnes
- Mr. Michael Archibald
- Prof. Harold Lutchman

The Board has appointed Mr. Richard Kellman as its Executive Officer.

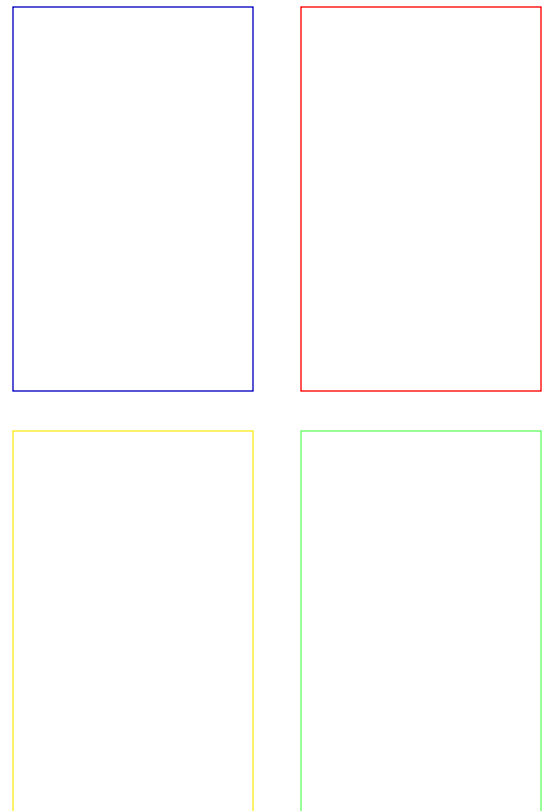
The Trust Fund has its own offices at 22 Cornello Street, Woodbrook, Port of Spain, Trinidad and its own management structure and support services.

THE COMPOSITION OF THE BOARD

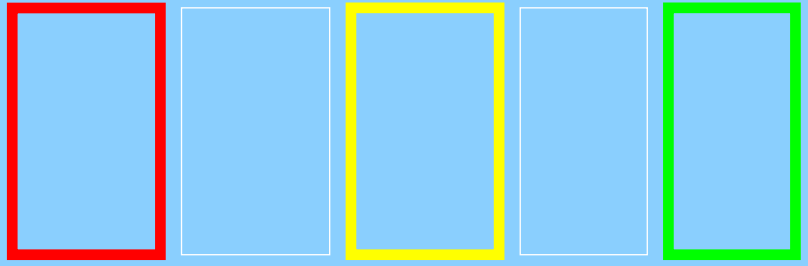
Article VI states,

"1. *Subject to the provisions of this Article, the Board of Trustees shall consist of the following or their nominees:*

- (a) *The Secretary-General;*
- (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;*



ADMINISTERING THE COURT



The CCJ is administered by a Department of Court Administration which is headed by a Court Executive Administrator who reports in turn to the President of the CCJ.

The Court Executive Administrator is responsible to the President of the CCJ for the overall development and management of the Court and provides the leadership necessary for the effective functioning of the organisation.



Right to Left: Master Christie-Anne Morris-Allene, *Court Executive Administrator*, Ms. Geneviev Gray, *Secretary to CEA*, Ms. Wendy Mitchell, *Pool Secretary*

The Department comprises the following units:

Financial Management;
Court Information Systems Management;
Court Protocol and Information Services;
Court Library Services;
Judicial Research Services;
Judicial Support Services;
Court Security Management;
Court Facilities, Assets and Office Management; and
the Registry which is headed by the Registrar who works in partnership with the Court Executive Administrator and is responsible to the President for the court registry operations. The registrars of the courts of the member states of CARICOM which are signatories to the CCJ are responsible to the Registrar as deputy registrars of the CCJ.

The Office of the CEA is responsible for managing the co-ordination of the several units of the Department of Court Administration, for planning and development and for Human Resource Management.



THE MEMBERS OF THE COURT'S ADMINISTRATION UNIT

Left to Right: Mr. Ayinde Burgess, *Systems Administrator*, Mr. Larry Ramoutar, *Financial Comptroller*, Ms. Sandra Sandiford-Carr, *Security Manager*, Master Christie-Anne Morris-Alleyne, *Court Executive Administrator*, Dr. Michael Anthony Lilla, *Court Protocol and Information Officer*, Ms. Paula Pierre, *Registrar and Chief Marshal*, Ms. Jacinth Smith, *Chief Librarian*, Ms. Carlene Cross, *Systems Manager*, Mr. Vaughn Halliday, *Facilities Manager*

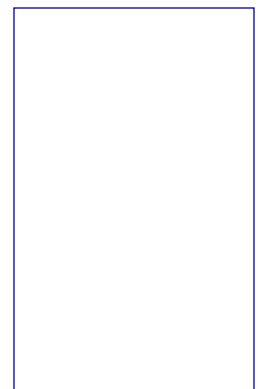
Each unit head in the department is a professional in his area of court administration and the CEA is a professionally trained court administrator.

Both the Court Executive Administrator and the Registrar are also attorneys at law with extensive experience in judicial environments. Working in this organisation structure allows for a partnership approach and thereby permits facilitating management and assisting the Court to uphold its mission and achieve its vision.

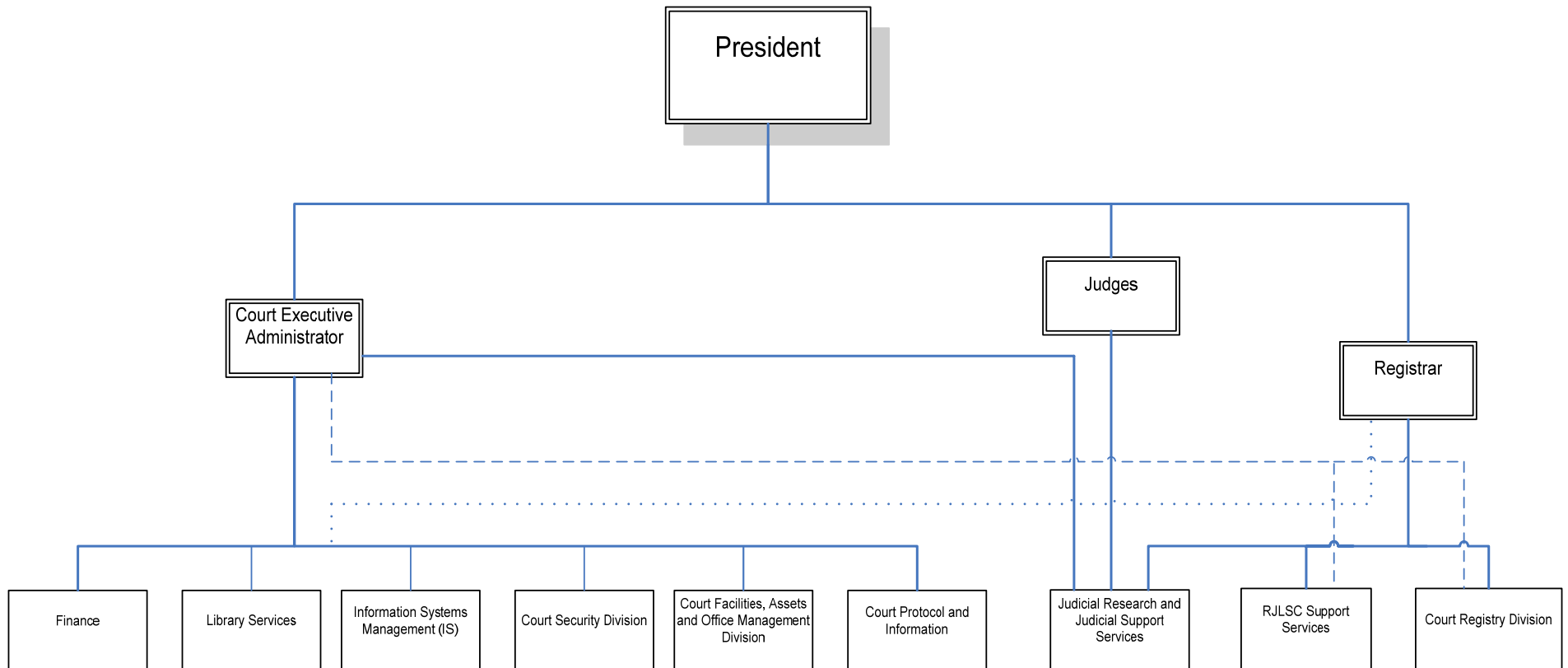
During the period under review, the members of the Court Administration team have undertaken developmental work and corporate planning in order to give the court its legs.

Each unit's plans are implemented in conjunction with those of the other units in order to ensure a team approach to planning and development and interaction between the various limbs of service and administration. Each unit head is expected to know how the work of his unit impacts on the other units and on all of the activities of the organisation. Unit heads are also

expected to know how any failure impacts those activities. The focus is on organisational performance through unit performance, interaction and harmony.



THE ORGANISATION OF THE CCJ



ACCOUNTING FOR PERFORMANCE

Those persons charged with start up of the Caribbean Court of Justice have the distinct honour and unique opportunity to begin the development of a court in the 21st century at a time of judicial renaissance. So much has been studied and written in recent times about courts and judiciaries that the court's founders would be remiss if they failed to study comprehensively and to institute best practices from inception and thus create a modern court which is focused on its customers, independent yet accountable, well-managed, responsive, well-organised and which uses modern technology to the benefit of its customers, and enhances efficiency and its transparency.

Towards this end, the Court has the opportunity to note from inception the now internationally accepted Court Performance Standards¹ and the newer but sound Appellate Court Performance Standards² and to take them into account in establishing systems and in reporting on its performance.

Court Performance and Standards

The Caribbean Court of Justice is unique in that its dual jurisdiction makes it both an international court of first instance and an appellate court. In its first instance role, however, its decisions are not subject to appeal. This therefore presents for the Court a responsibility to adopt high standards which it must maintain. In reviewing the Court Performance Standards and the Appellate Court Performance Standards, the Caribbean Court of Justice has set about developing a framework of court performance standards to address its unique jurisdiction. This framework will eventually be further refined by the inclusion of measures and indicators as the basis for not just setting direction, but for assessing performance as the court develops. In the early years of the Court, the annual report will of necessity address the standards by reporting on activity in the furtherance of the stated standards.

On the following pages therefore are the standards which we have set for the Court and to which we expect the Caribbean people to hold their Court.

¹ As stated by the Commission on Trial Court Performance Standards, the National Centre for State Courts and the Bureau of Justice Assistance, 1990
² Appellate Court Performance Standards Commission and the National Centre for State Courts, June 1999

PERFORMANCE AREA	COMMENT	PERFORMANCE STANDARDS
<i>ACCESS TO JUSTICE</i>	<i>The Court should eliminate barriers to its services. Such barriers can be geographic, physical, economic, and procedural. They can be due to language or to inadequate information given to the court's customers. Additional psychological barriers can be created by mysterious, remote unduly complicated, and intimidating court procedures.</i>	<p><i>Standard 1.1 Public Proceedings</i> <i>The court conducts its proceedings and other public business openly. Courts should be open and accessible and all persons with business before the court should have access to its proceedings.</i></p> <p><i>Standard 1.2 requires the Court to ensure that its facilities are safe, accessible and convenient to use.</i></p> <p><i>Standard 1.3 provides for all who appear before the court and who attend the court to participate effectively without undue hardship or inconvenience.</i></p> <p><i>Standard 1.4 urges all court personnel to accord respect, courtesy and dignity to all with whom they come into contact.</i></p> <p><i>Standard 1.5 requires cost of access to be reasonable. This includes the cost of access to the court's records and proceedings whether measured in terms of money, time or the procedures to be followed.</i></p>
<i>EXPEDITION AND TIMELINESS</i>	<i>All court functions must be performed within a proper, suitable, and reasonable period of time and appellate court systems should resolve cases expeditiously.</i>	<p><i>2.1 Case Processing</i> <i>The Court establishes and complies with recognised guidelines for timely case processing.</i></p> <p><i>2.2 Compliance with Schedules</i> <i>The Court disburses funds promptly, provides reports and information according to required schedules, and responds to requests for information and other services on an established schedule that assures their effective use.</i></p> <p><i>2.3 Prompt Implementation of Law and Procedure</i> <i>The Court promptly implements changes in law and procedure.</i></p> <p><i>2.4 The Court resolves cases expeditiously.</i></p>
<i>EQUALITY, FAIRNESS AND INTEGRITY AND PROMOTING THE RULE OF LAW</i>	<i>The Court must ensure that the rule of law is evident throughout the judicial process and recognises that the quality of the judicial process depends on the principle of the rule of law and the perception that the reviewing court has considered the issues fairly.</i>	<p><i>3.1 Fair and reliable judicial process</i> <i>The Court's procedures and processes faithfully adhere to relevant laws, as well as to the court's procedural rules and established policies which afford each litigant equal protection and due process and thus access to justice.</i></p> <p><i>3.2 Quality of the Judicial Process</i> <i>The Appellate Court system ensures adequate consideration of each case and decisions based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.</i></p> <p><i>3.3 Transparent Court procedures.</i> <i>Rules and procedures are available and open to the public but the decision making process is a cloistered deliberative undertaking.</i></p>

PERFORMANCE AREA	COMMENT	PERFORMANCE STANDARDS
		<p><i>3.4 Clarity of decisions</i> All decisions should be clear, and written judgements and opinions should address the dispositive issues, state the holding and articulate the reasons (or explain the court's rationale) for the decision in each case. The Court's directions to the lower court or tribunal, should be clear when it remits a case for further consideration or proceedings.</p> <p><i>3.5 Production and Preservation of Records</i> Records of all court actions and decisions must be accurately and properly preserved.</p>
<p><i>INDEPENDENCE AND ACCOUNTABILITY</i></p>	<p><i>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.</i></p>	<p><i>4.1 Independence and Comity</i> The Court maintains its institutional integrity and observes the principle of comity in its governmental relations.</p> <p><i>4.2 Accountability for Public Resources</i> The court responsibly seeks, uses, and accounts for its resources.</p> <p><i>4.3 Human Resource Management Practices and Decisions</i> The Court uses fair human resource management practices and decision making.</p> <p><i>4.4 Public Education</i> The Court informs the public of its operations and activities.</p> <p><i>4.5 Response to Change</i> The Court anticipates new conditions and emergent events and adjusts its operations as necessary.</p>
<p><i>ATTAINING AND PRESERVING PUBLIC TRUST AND CONFIDENCE</i></p>	<p><i>Compliance with law is dependent to some degree upon public respect for the Court. While the Court will not always be on the side of public opinion, where performance is good and public communications are effective, trust and confidence are likely to be present.</i></p> <p><i>Where public perception is distorted and understanding is unclear, good performance needs to be buttressed with educational programs and more effective public information.</i></p>	<p><i>5.1 The public perceives the Court and the justice it delivers as accessible.</i></p> <p><i>5.2 Expeditious, Fair, and Reliable Court Functions</i> The public has trust and confidence that the basic court functions are conducted expeditiously and fairly and that its decisions have integrity.</p> <p><i>5.3 Judicial Independence and Accountability</i> The public perceives the court as independent, not influenced by governments or any other stakeholder, and accountable.</p>
<p><i>PROTECTING THE RULE OF LAW</i></p>	<p><i>Appellate Courts have a peculiar responsibility to protect the rule of law by correcting errors, and developing and clarifying the law. The Caribbean Court of Justice in its original jurisdiction also has</i></p>	<p><i>6.1 Opportunity for Multi-Judge Review</i> The Appellate court, exercising mandatory or discretionary jurisdiction, should provide a reasonable opportunity for multi-judge review of decisions made by lower tribunals.</p> <p><i>6.2 Develop and clarify the law</i></p>

	<p><i>this responsibility to develop and clarify the law by interpreting the Revised Treaty of Chaguaramas.</i></p>	<p><i>The Court should develop and clarify the law.</i></p> <p><i>6.3 Error correction</i></p> <p><i>Appellate courts should provide review sufficient to correct errors made by lower courts including intermediate appellate courts.</i></p> <p><i>The ability of the appellate court to correct errors protects the rule of law and improves the manner in which lower courts decide cases and dispense justice. In turn, the intermediate appellate and the trial courts more ably apply the law. The result is increased confidence in the entire judicial process.</i></p>

By this report, the Court accounts to the Caribbean people for its performance during the period beginning May 1, 2005 and ending July 31, 2006.

1. ACCESS TO JUSTICE

Much care has been taken by the Caribbean Court of Justice in ensuring accessibility. The Court faces the challenge of being headquartered in Trinidad and Tobago while serving a constituency from Belize and Jamaica in the north to Guyana in the south. The Caribbean Court of Justice is determined to ensure that the people of the Caribbean know their court and have access to the activities and records of the court.

A safe, non-intimidating and convenient facility

The Court's administration worked with the Ministry of the Attorney General of Trinidad and Tobago which provided the building to create a court building which is welcoming and bright and not in any way intimidating to the customer. The design and internal layout provide ease of use and, in conjunction with a well trained security staff and security systems, a secure setting.

Access by the physically challenged

The Court's administration also worked with the Ministry of the Attorney General of Trinidad and Tobago to ensure that the CCJ building was convenient to sight impaired and to physically challenged customers and staff of the Court. Customer Service staff and Security staff were trained to further assist in this regard.

The languages of the Court

Although the official language of the Court is English, the fact that the Court serves countries speaking three different languages required the Court to take into account English, Dutch and French in all of its dealings. All signage in the building is in three languages and provision has been made for simultaneous interpretation

in the court-rooms, which have interpreters booths with an interpreter solution. The Original Jurisdiction Rules of Court have been printed in English and in Dutch and will be translated into French when Haiti joins the court. The Judges and staff of the Court have been undergoing Dutch language skills development with the assistance of Dr. Zaitoen Badloe-Klaverweide.

The Court's website at www.caribbeancourtjustice.org

The Court has developed a website on which it posts all available information about the court. Judgments of the Court are also placed on the court's website within one hour of delivery by the Court.

Audio digital recordings and digital video recording posted on the website

The Court has adopted several measures to bring the court closer to the people it serves. All proceedings of the Court are recorded using audio digital recording and digital video recording. The video and audio of the court proceedings are placed on the court's website within 2 hours of the completion of the court's sitting.

Public electronic display of documents and exhibits

The use of litigation support technology has also afforded the court the opportunity to ensure that all attorneys, the public and the media in the court can follow the proceedings fully by having any documents or items which are being referred to by the court and/or by counsel displayed on screens which are strategically placed throughout the court-room.

Litigation Support Technology in the court-room

All attorneys are more easily able to present their cases with the use of litigation support technology in the court-room. While all attorneys appearing before the court thus far have used the document reader and most have used their laptops and the electronic highlighter, with the advent of original jurisdiction matters, it is anticipated that the elements of litigation support technology more suited to matters involving testimony and technical submissions will be used. This includes digital video players and possibly smart boards which are not yet acquired or installed. Attorneys and members of the media are also assisted by wireless internet access in the court-room.

Accessible Library Services

In seeking to provide to its customers access to legal knowledge and information consistent with the present and anticipated research needs of the Court, the CCJ Library has identified three strategic aims:

- To provide adequate and timely legal information to the judges and staff of the Caribbean Court of Justice and to the legal profession throughout the Caribbean Community, in the form most comprehensible to all as ready and convenient access to such information is vital to the efficient functioning of the Court;
- To collaborate with existing organisations to maximize the delivery of legal information and to avoid costly and ineffective duplication; and
- To utilize information technology to deliver legal information wherever appropriate.

A Customer focused staff



Left to Right: Customer Service Officers Gina Affonso Smith and Seanna Annisste

The Court places the customer, both internal as well as external, nation as well as individual, at the centre of its operations. It charges itself with an obligation to

possess and disseminate among its personnel a comprehensive understanding not only of the particular customer, but also of the environment from which the customer comes. For litigants, or even just the curious public, to feel confident that they have unfettered access to justice, for example, the customer service provided them by the Court's representatives must be of such a quality that the customer must feel *welcome* and *comfortable* in his interfacing with the Court. It is particularly challenging for this new court to win over the trust, confidence and consequent support of the Caribbean region, and the respect of the wider international community. Personnel are trained in Customer Service Standards, such as "treat all customers with respect", "focus your attention on the customer". Apart from among those whose professional activity demands it, there is a natural public apprehension as regards dealing with courts. The Court subscribes to the belief that personnel sensitive to the tenets of good customer service can assist in dispelling these fears. Good customer service can go some way to disarming or at least attenuating the misgivings of the chary customer, thereby enhancing the court's image and credibility.

The 'clerical staff of the court' are thus employed as 'customer service officers' and are charged with ensuring the upholding of the customer service standards in the organisation's interactions.

Affordable access and time sensitivity

The Court in determining its filing fees has taken into account the economies of the various member states and has consulted with attorneys in the member states. Provision has been made in the court's procedure for limited attendance by attorneys and for meaningful court events and valuable pretrial procedures. The Court has audio conference capability and the court's administration has prepared the court for future use of video conferencing.

The Court is exploring the possibility of access to videoconference facilities for attorneys in Barbados and Guyana which are the two countries which access the court in its appellate jurisdiction.

EXPEDITION AND TIMELINESS

Developing Case Processing Time Standards

Once an appellate court is seised of a matter, the validity of the lower tribunal's decision remains in doubt until the appellate court rules. Delay therefore adversely affects litigants. While the Caribbean Court of Justice has stated time standards in the appellate rules, time standards cannot function without the joint cooperation of lawyers and the court from which the appeal has

come. Appellate courts recognise that a number of factors including the appellate court's lack of direct supervision over lower tribunals, local legal culture and legal complexity as well as adequacy of resources of those responsible for processing appeals have an effect on the time that it takes to resolve cases. Time standards applicable to appellate court cases should be responsive, when appropriate, to the special needs of individual cases provided that this does not sacrifice the quality of appellate justice.³ The Caribbean Court of Justice has established timelines in the Original Jurisdiction Rules as well. Internally, the Registry has been assessing the real time necessary for actions to be completed by the Registry in order to prepare time standards and customer charters. Standards for the availability of audio and video records of the court's proceedings have been set as have standards for availability of judgments. It is anticipated that a phased introduction of standards will be completed within the next two years of the Court's operations. It is however acknowledged that they will be continuously reviewed having regard to the early stage of the Court's development.

Prompt disbursement of funds

The financial and accounting business of the Court includes the payment for goods and services. In order to engender confidence in the court as an entity conducting business, it is therefore necessary to ensure prompt payment of bills. It is the policy of the Court's administration to pay bills promptly.

Provision of Reports and Information

The Court has the responsibility to provide several reports some of which are required on a regular basis and some of which are required on an ad hoc basis. During the period covered by this report, the Court was requested by CARIFORUM and UNDP to supply information on its operations and did so in a timely and complete manner. The Court provided all reports and information requested by the Board of Trustees which did not compromise independence and did so quickly taking only the time which was required to ensure accuracy. The Court is required to submit to the Caribbean Development Bank its audited accounts within six months of the close of its financial year and has done so. The Finance and Accounting Division of the Court's Administration states in its statement of standards that :

"It is a performance standard of the division that all reports are submitted on time and that financial statements are completed according to generally accepted accounting principles and submitted for audit in a timely manner." .

The Court is regularly asked to provide information to the media, organisations and individuals and does so

through its Court Protocol and Information Division whose strategic goals include:

- to ensure easy accessibility for all to accurate, user-friendly information, disseminated and delivered in a timely and courteous manner;
- to assist in sustaining a high quality of interaction between the Court and all its interlocutors, thus ensuring a customer-service oriented organisation in which personnel possess a sound knowledge of Court processes.

Monitoring of Legal and Judicial developments in the region

The Court recognises its responsibility to monitor constantly the legal and judicial developments in the region as well as the trends within CARICOM. The Court's Administration through the Court's library, Judicial Research Officers, Registry and Protocol and Information Division monitor developments through court and parliament websites, newspapers and magazines of the region, judgments of national courts, gazettes, and any other available material in order to keep the court abreast of legal and judicial developments in the region.

EQUALITY, FAIRNESS AND INTEGRITY AND PROMOTING THE RULE OF LAW

The Court's Library Collection Development

Adequate and timely legal information is an essential tool of the court if it is to rule accurately and justly on the matters brought before it and thus promote the rule of law. The court sits in banc, judges and those assisting in the judicial process such as judicial research officers should have ready access to needed materials. Therefore, it is essential that multiple copies of critical publications are readily accessible. Thus the library's mandate is to maintain a comprehensive collection of material that will serve the needs for current legal information and legal research. The collection is being developed so that it will emphasize and be responsive to the practice and interpretation of the law.

The provision of material to meet the needs of the court in its Original jurisdiction in dealing with the myriad trade, community and competition issues likely to arise out of the interpretation of the Revised Treaty of Chaguaramas also constitutes a serious challenge. These are relatively new areas of law. The Court must rely heavily on the jurisprudence of other international tribunals concerned with the interpretation and application of regional economic movements, such as the courts of the European Community. The Library is the main resource in the region for these new areas of law. The collection development policy is also taking into account that Suriname's position is unique, in that the

³ Appellate Court Performance Standards and Measures, National Centre for State Courts and the Appellate Court Performance Standards Commission, 1999

majority of its legal literature is in Dutch and some must be translated into English.

Proceeding on the assumption that all or a majority or just some of the member states of the Caribbean Community will ultimately accede to the appellate jurisdiction, there will be a need to have a selection of material that addresses the peculiar features of the Roman-Dutch system in Guyana, the Quebec code in St. Lucia and the fact that Suriname's legal system is based on civil law principles. The collection development policy seeks to support the promotion of the rule of law.

The CCJ Rules and the promotion of the rule of law.

A study of the Caribbean Court of Justice (Appellate Jurisdiction) Rules and the Caribbean Court of Justice (Original Jurisdiction) Rules will reveal the Court's dedication to the principles of natural justice and quality in the judicial process. The rules have been drafted to provide for adequate and appropriate consideration of each case.

Publication of the Rules of Court

The Rules of Court have been published and are available for sale in both hard copy format and on Compact Discs. They are also available on the Court's website. While they may not be printed from the website, they may be read and used for reference there.

Clear Decisions and Judgments

The judgments of the Court are placed on the website and are made available to the Judiciaries, Law Schools and media in the region and the court expects that they will be the subject of scholarly study and discussion. The Court subscribes to the view that judgments should conform to the principle of clarity and that they address the dispositive issues, state the holding clearly and articulate the reasons for the decision. It is expected that as the court continues to produce judgments, there will be feedback as to their clarity from those who read them.

The Court's orders are prepared by the Registrar who has ensured that the principle of clarity is maintained.

As the registrars of the courts of the member states are deputy registrars of the Caribbean Court of Justice, this provides an excellent method of ensuring that when the Court remits a case to the national court for further consideration or proceedings, any question of the Court's directions not being clear can be ascertained so that the wording of court orders is improved.

Records Management

The Court's record management system has been designed to ensure effectiveness and efficiency. Some record keeping is done in electronic format only, some is in hardcopy only, some is indexed electronically and

some is done in both electronic and hardcopy format. Among the categories of records maintained by the Court are hardcopy case files and records of appeal, electronic audio and video transcripts, electronic copies of transcribed text, judgments in electronic form and in hard copy, accounting and finance records, library records, records of assets, inventory records, records of activity, human resource records and other administrative records. While appropriate care has been taken in terms of disaster recovery and for the preservation of records, a significant portion of the Court's disaster recovery plan is due to be implemented within the next year.

The court's administration has selected JEMS as the preferred case management information system and e-filing system. These will be implemented in the new court year and will assist in case records management. Record management software for finance and accounting and for court library services has also been selected and implemented.

The Court's Facilities Management Unit commissioned a study of the air quality in the Court's library when there was concern about the rapid deterioration of books. With a professional study having been undertaken the appropriate solutions have been designed and will be implemented during the upcoming year.

INDEPENDENCE AND ACCOUNTABILITY

The Caribbean Court of Justice recognises that judicial independence⁴ must be preserved and that the three elements of judicial independence are:

- i) Substantive Independence - which means that in the discharge of his functions a judge is subject to nothing but the law and the commands of his conscience;*
- ii) Internal Judicial Independence - which requires that the judge be independent from directives or pressures from his fellow judges regarding his adjudicative functions;*
- iii) Collective Independence - which extends to the independence of the Judiciary as a whole, as a corporate body and is measured by its administrative independence.*

The Caribbean Court of Justice also recognises that it has a duty to account publicly for its performance.

⁴ Dr. Simon Shetreet in Chapter 52 p. 590 of the volume entitled Judicial Independence: The Contemporary Debate.; Teleford Georges, Independence of the Judiciary Feb, 2000.

The Court has been designed in a most unique way which ensures the absence of political interference in the selection of judges and in the financing of the Court. The judges are selected by a Regional Judicial and Legal Services Commission which appoints the judges and staff of the Court and determines their terms and conditions of employment.⁵ This Commission comprises representatives of bar associations, judiciaries, legal academia and public service commissions as well as civil society.

The Court is financed by a Trust Fund which was set up by the Contracting Parties. The Board of Trustees comprises representatives of labour, business, indigeneous banks and academia.

Independence and Comity

The Court as a new entity in the Caribbean has embarked on the development of good relations with the Conference of Heads of Government, the Conference of Heads of Judiciary, the Council of Legal Education and all national governments, oppositions, judiciaries, labour movements and business communities. This is done with a clear understanding of its legal and organisational boundaries and with respect by all for its independence.

Towards this end, the President, Mr. Justice Saunders and the Court Executive Administrator visited Jamaica and met with the Prime Minister, Leader of the Opposition, Chief Justice and Judges, lawyers, representatives of the labour movement and of the business community among others. The President and the Court Executive Administrator also attended the opening of the CARICOM Heads of Government Conference in St. Kitts. The President met with the Chairman of Caribbean Development Bank and the Secretary General of CARICOM as well as with the Prime Minister of St. Lucia and the Attorney General of Barbados.

Budgeting, Procurement, Expenditure and Audit

The Court's budget procedure is based on a strategic planning process. In September and October 2006, the Court undertook a strategic planning process and developed unit plans to take the court forward. These unit plans formed the basis of the 2006 budget and will form the basis of the biennial budget for 2007/2008.

In June 2005, the Court developed a procurement policy and procurement procedures. This policy was reviewed by the Commission as it also addresses procurement for the Commission.

⁵ The President is selected by the Commission but is formally appointed by the Heads of Government. The Heads may veto a selection by agreement of 75per cent of the Heads of Government, but they may not substitute a nominee. The terms and conditions of the President and Judges are decided upon by the Commission but approved by the Heads of Government and are not subject to change to their disadvantage.

During the year under review, the Court twice revised the budget downward. This annual report includes the financial report of the Court. Auditors were selected using the procurement policy and procedures. The Court received an unqualified audit of the 2004 and 2005 financial year from the Court's auditors. In addition, no significant internal control weaknesses were reported by the Court's auditors for 2004 and 2005. The Audited Financial Statement is appended to this report.

Human Resource Practices and Decisions

The Human Resource Policy of the organisation is based on

- A commitment to address the issue of staffing with a detailed study of need
- A commitment to social justice
- The highest standards of integrity and conduct
- A belief in equal opportunity
- Respect for diversity
- A dedication to Training and Development
- A belief in Teamwork
- Effective and harmonious industrial relations
- Accountability
- Health and Safety
- The well-being of the Employee

Public Education

The goal of the Court's Public Education and Information Programme is to ensure that the nature, purpose and function of the Caribbean Court of Justice become clearly understandable to all in an easily accessible way. The Court has embarked on the regular provision of information on the Court and the commission through all the media: print, audio and visual. Over and above provision of information and education to the public through the media, however, the Court has undertaken a public outreach programme, through which it interfaces directly with the Caribbean public, either by inviting groups into the Court for contact sessions, or by taking its message "on the road" as it were, into the very heart of constituent communities.

ATTAINING AND PRESERVING PUBLIC TRUST AND CONFIDENCE

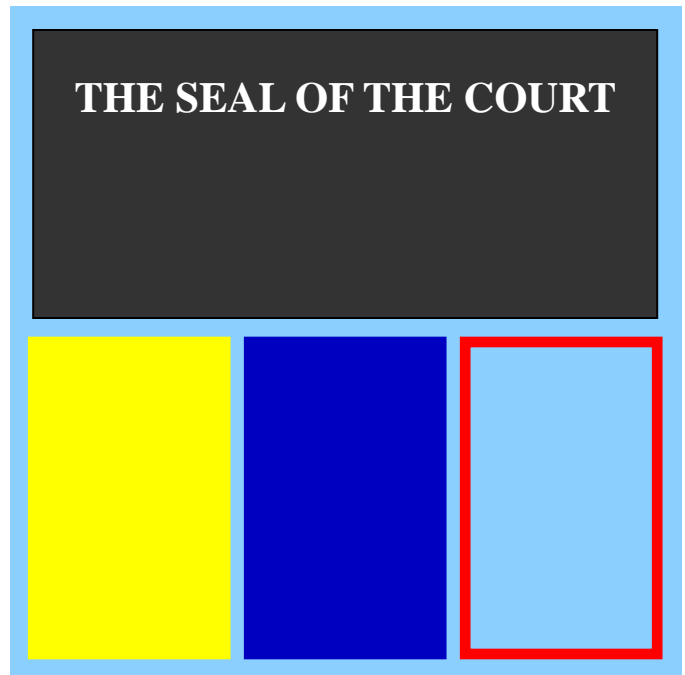
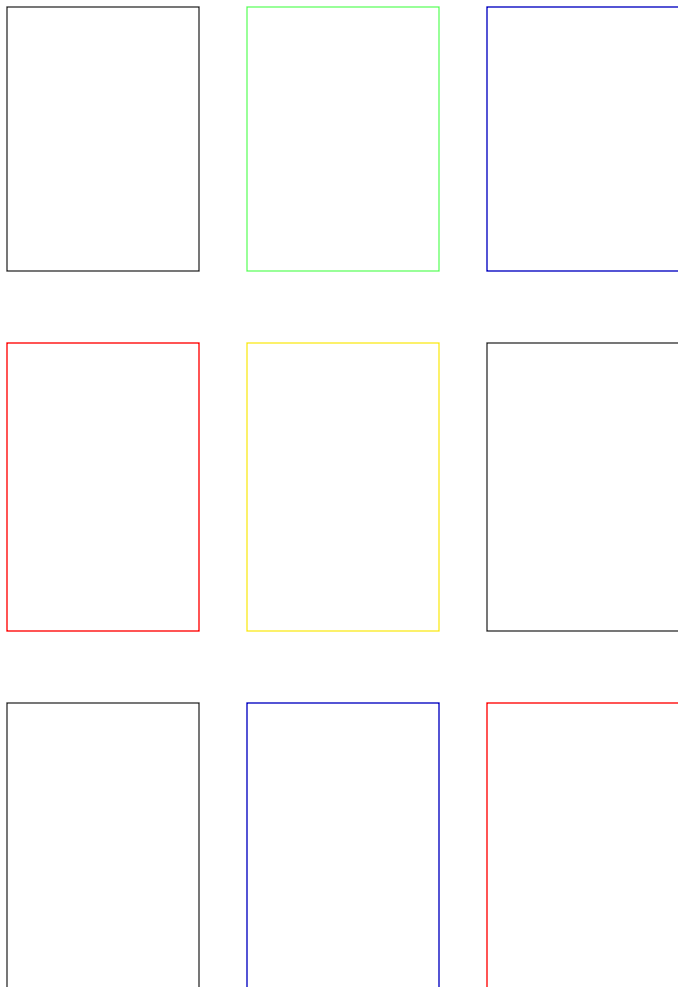
It is said that to maintain the trust and confidence of those that use them, as well as others that are affected by their decisions, international courts need appropriately qualified judges competent in the subject matter addressed by the court, capable of operating in the working language of the court, and meeting the highest standards of integrity and independence. If the process of international judicial selection is legitimate, then the outcomes of the deliberations of international judges are likely to command respect from the audiences to which judgements are directed, making the courts more

effective. The Caribbean Court of Justice stands favourably in this regard. The detailed requirements on qualifications of judges and the 'unusual innovation' of selection for an international court enhance the transparency of judicial selection procedures and thus creates trust and confidence.

The public perception of the Court however is still not crystallised. With the Court still in the early days of its development and with many as yet unfamiliar with its workings, as well as the fact that there has been much misinformation, the Court has to go about gaining the trust and confidence of the people. This, the Court recognises can only be achieved through public education, good work and high standards and levels of performance.

PROTECTING THE RULE OF LAW

The Court is of the view that as it delivers more judgments, using independence of thought, integrity and sound reasoning it will develop and clarify the law in the region and facilitate the development of a true Caribbean jurisprudence.



Article 111 of the Agreement Establishing the Caribbean Court of Justice provides that "the Court shall have and use, as occasion may require, a Seal having a device or impression with the inscription "Caribbean Court of Justice."

A competition was held to invite designs for the seal and logo of the Court. Regulations were drafted by the Commission and the competition was advertised regionally. Several entries were received and the winning design, that of the scales of justice evenly balanced with the letters 'CCJ' entwined between the scales, signifies the mission of a Court that will dispense justice equally and fairly to all.

The design of the CCJ shows the "J" of Justice supporting the Caribbean Community. The two interlocking C's are in the form of broken links in a chain, symbolizing both unity and the break with our colonial past.

The Seal competition was won by two young men, Mr. Brent Matthew and Mr. Shaun Ashing, of Trinidad and Tobago.

PAPERS AND ADDRESSES

Caseflow Management in a Unified Family Court: A Caribbean Experiment. XIV Commonwealth Law Conference; London, England; 13 September 2005; Rt. Hon. Mr. Justice Michael de la Bastide, PCCJ

The Impact of Corruption Within the Court System on its Ability to Administer Justice. XIV Commonwealth Law Conference; London, England, 14 September 2005; Hon. Mme. Justice Bernard, JCCJ

Gender and the Law: Strategies to Combat Violence Against Women. Ministry of Community Development, Culture and Gender Affairs Distinguished Lecture and Workshop Series; Trinidad & Tobago, 26 September 2005; Hon. Mme. Justice Bernard, JCCJ

The impact of the CSME and the CCJ on the Legal Profession in the Caribbean. Annual Dinner of the Law Association of Trinidad & Tobago; Port of Spain, 14 October 2005; Hon. Mr. Justice Saunders, JCCJ

Ethics in the Legal Profession. Hugh Wooding Law School, University of the West Indies St. Augustine (Trinidad & Tobago), 31 October 2005; Rt. Hon. Mr. Justice Michael de la Bastide, PCCJ

The Administration of Justice in Montserrat and the Impact of the Volcanic Activity. Annual Police Week of Activities; Montserrat, 03 November 2005; Hon. Mr. Justice Saunders, JCCJ

The Promotion and Enforcement of Women's Human Rights Within the Judicial Systems of the Caribbean. University of the West Indies (Cave Hill), Barbados, 18 November 2005; Hon. Mme. Justice Bernard, JCCJ

The Role of the Caribbean Court of Justice: An Overview. Conference of Society of Trusts & Estates, Barbados, 03 February 2006; Hon. Mr. Justice Hayton, JCCJ

The Role of the Caribbean Court Of Justice (CCJ) in the Private Sector's Life. Regional Manufacturers' Meeting; Trinidad & Tobago, 04 February 2006; Hon. Mr. Justice Wit, JCCJ

New Final Appellate Courts in the Commonwealth and the Doctrine of Precedent. Commonwealth Meeting of Justices and Registrars of First/Regional Appellate Courts; Wellington, New Zealand: 20-24 February 2006 and Canberra, Australia: 27 February-2 March 2006; Hon. Mr. Justice Nelson, JCCJ

The CSME: Is this a rebirth of Federation? Norman Manley Law School, Jamaica, 09 March 2006; Hon. Mr. Justice Saunders, JCCJ

The following papers were delivered by Judges and Administrators of the Caribbean Court of Justice between 1 May 2005 and 31 July 2006. Each heading provides the title of the paper and is followed by the event at which it was presented, the place and date of the event and the author of the paper.

The Role of the Caribbean Court of Justice in the Caribbean Single Market and Economy. Central Bank of Barbados: Conference on the CARICOM Single Market and Economy: "Toward CSME and Beyond", Barbados, 5 May 2005. The Rt. Hon. Mr. Justice Michael de la Bastide, PCCJ

The Caribbean Court of Justice, Conference of Trinidad and Tobago Communication Specialists, Government Information Service, Trinidad, May, 2005. Master Christie-Anne Morris-Alleyne, Court Executive Administrator

Acceptance Speech. Caricom Triennial Award for Women; St. Lucia, July 2005; Hon. Mme. Justice Bernard, JCCJ

The Caribbean Court of Justice and the Caricom Single Market and Economy. Caribbean Commercial Law Workshop of the University of the West Indies; Loews Hotel, South Beach, Florida; 01 September 2005, Hon. Mr. Justice Nelson, JCCJ

Judicial Supervision of Executive Action in the Caribbean. Telford Georges Memorial Lecture; Faculty of Law, University of the West Indies (Cave Hill), Barbados, 31 March 2006; Rt. Hon. Mr. Justice Michael de la Bastide, PCCJ

The Caribbean Court of Justice and its Relationship with the Caricom Single Market. Olive Trotman Memorial Lecture Series; Barbados, 05 May 2006; Hon. Mme. Justice Bernard, JCCJ

Putting Things Right and the Caribbean Court of Justice. VII William G. Demas Memorial Lecture; Montego Bay, Jamaica, 16 May 2006; Rt. Hon. Mr. Justice Michael de la Bastide, PCCJ.

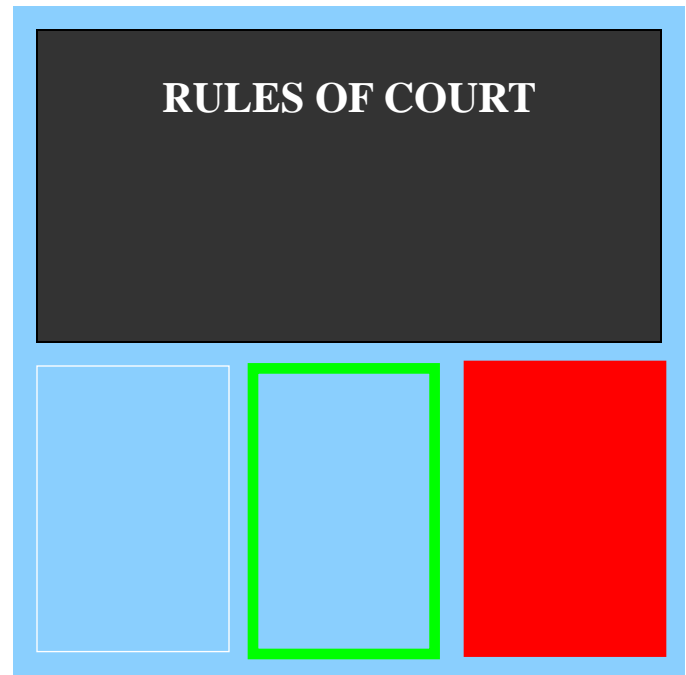
The CCJ and the CSME. CSME Business Forum, St. John's, Antigua & Barbuda, 24 May 2006; Hon. Mr. Justice Pollard, JCCJ

The Establishment and Operations of the Caribbean Court of Justice. Public Service Association Five-Day In-House Training Programme in Industrial Relations; City Hall, San Fernando, Trinidad & Tobago, 6 July 2006; Ms. Carlene Cross, Systems Manager

How Can the Private Sector Access the Caribbean Court of Justice? Barbados Chamber of Commerce & Industry Luncheon, Barbados, 26 July 2006; Hon. Mr. Justice Wit, JCCJ



CCJ President delivers the Inaugural Telford Georges Memorial lecture



The Agreement Establishing the Caribbean Court of Justice provides for Rules of Court to be made by the President in consultation with five Judges of the Court. The President and Judges first undertook the important task of drafting Original Jurisdiction Rules of Court. This involved the review of the Rules of Court of other International Courts including the International Court of Justice, the Court of Justice of the Common Market for Eastern and Southern Africa, the Court of Justice of the European Communities, the Court of First Instance of the European Communities and the Rules of Court of the Eastern Caribbean, Jamaica and Trinidad and Tobago. Work on these Rules began on 7th March 2005 but was interrupted first by preparations for the Inauguration of the Court and then by the more urgent need to finalise the Appellate Jurisdiction Rules.

Over a six week period beginning in May 2005 the Appellate Jurisdiction Rules were drafted and finalized. As in the case of the Original Jurisdiction Rules, the President and Judges reviewed not only the Statutory Instruments which allowed the Caribbean territories to

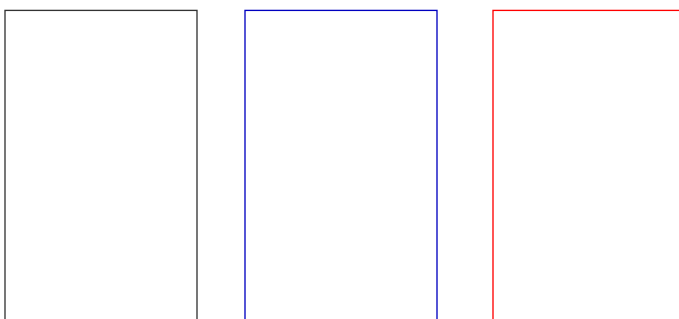
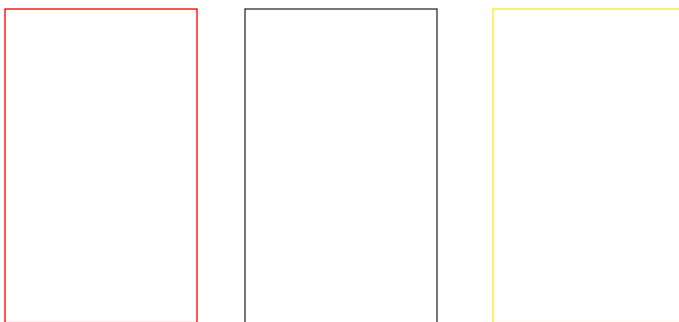
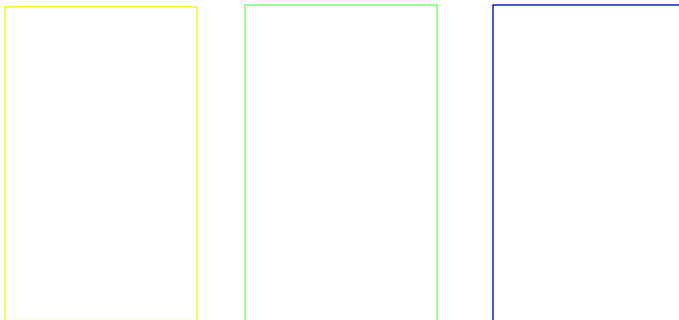
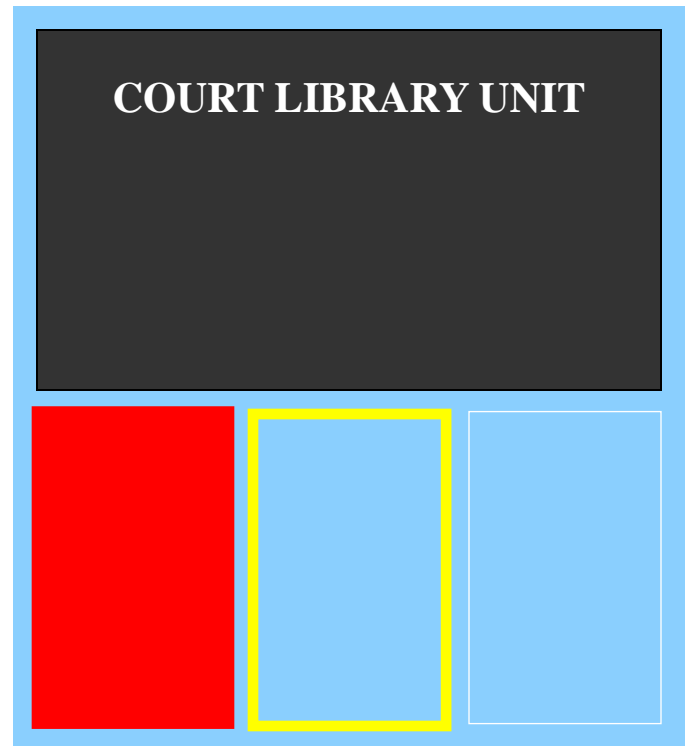


access the Judicial Committee of the Privy Council but also the House of Lords Rules and the Rules of Court of the Eastern Caribbean, Jamaica and Trinidad and Tobago.

The Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 came into force on 24th June 2005. The Original Jurisdiction Rules were subsequently finalized and made on 24th March 2006.

The Appellate Jurisdiction Rules were amended on 27th June 2006 to allow applications for leave to appeal as a poor person to be made to the Court of Appeal of a Contracting Party as well as to the Caribbean Court of Justice.

The Caribbean Court of Justice (Original Jurisdiction) Rules were also amended on 14th July 2006 and have been translated into Dutch.



The Library of the Caribbean Court of Justice was established on February 14, 2005 to provide legal information resources and services to officers of the Court and the legal profession. The establishment of the library comes in an era when the lawyer's tools are no longer restricted to the traditional textbooks, law reports and other specialised sets. Technological developments are having a major impact on the development of law library collections and the delivery of library services. Electronic resources are now standard features within any modern judicial library facility.

MISSION

The Library's mission is to provide access to legal knowledge and information consistent with the present and anticipated research needs of the Court.

VISION

The Library of the Caribbean Court of Justice supports the information needs of the Court and the practising bar in the contracting member states of the Caribbean Community. It aims:

- *To provide adequate and timely legal information to the judges and staff of the Caribbean Court of Justice and to the legal profession throughout the Caribbean Community, in the form most comprehensible to all types of users, bearing in mind that ready and convenient access to such information is vital to the efficient functioning of the Court;*



Right to Left: Ms. Jacinth Smith, *Chief Librarian*, Ms. Sheryl Washington-Vialva, *Library Assistant*, Mr. George Thomas, *Messengerial Assistant*

- *To collaborate with existing organisations to maximize the delivery of legal information and to avoid costly and ineffective duplication;*
- *To utilize information technology to deliver legal information wherever appropriate.*

GOALS

The main goals of the Library are:

- To develop information resources which will meet the current and future information needs of the Court.
- To provide high-quality and timely legal research and legal reference services to the judges, staff, and outside users.
- To develop policies for information handling services - acquisitions, processing, access, distribution and control of resources.
- To ensure the preservation of the Library's collections for current and future use, using appropriate preservation techniques and technologies.
- To provide the necessary management skills so that the Library will maintain an outstanding workforce with the skills, resources and dedication to deliver a range of high quality services.

Collection Development

The Library was first housed in two small offices on the 5th Floor of the Unit Trust Corporation (UTC) Building until May 2006 when it moved to its new facility and location. Space was of a premium so acquisitions were limited to mainly textbooks, reference material and law reports of the region. Access to other material was provided through subscription to a number of

commercial electronic databases – Westlaw, LexisNexis, LexisNexis Butterworths, CariLaw and Times Law Report, as well as Internet interlibrary loans.

The collection was bolstered by two donations to the Court to mark its inauguration. The Judicial Committee of the Privy Council presented a set of the official Law Reports from its library and The Republic of Trinidad and Tobago's High Commissioner to London donated a set of the Criminal Law Review.

Staff

The library is staffed by a chief librarian and a court library assistant. The Chief Librarian, Ms Jacinth Smith, former Librarian of the Supreme Court of Barbados, was appointed in February 2005.

Mrs Sheryl Washington-Vialva, former Librarian of the Attorney General Chambers, Republic of Trinidad and Tobago, was appointed Court Library Assistant in April 2006.

Continuing Staff Development and Training

The Library's top priority is to provide the best possible service to its patrons. This is achieved by maintaining an outstanding work force with opportunities for continuing education and development.

In January 2006, a one week workshop aimed at the techniques of law reporting was held at the CCJ. The workshop focused on organising case law collections and preparing law reports for publication in both hard copy and digital format. It was conducted by Professor Velma Newton, Law Librarian at the Faculty of Law, University of the West Indies. Participants included the library staff, the judicial research assistants and other librarians and attorneys-at-law from a number of legal institutions.

Library staff also attended the annual meeting and seminar of the Caribbean Association of Law Libraries (CARALL) in July 2005 and 2006. In 2005, the seminar included a presentation on Risk Management and Insurance for Libraries which dealt with conducting a risk assessment survey, identifying library specific risks in the Caribbean, choosing the right insurer and understanding the insurance policy.

The 2006 annual meeting and seminar was held in the Republic of Trinidad and Tobago and the Court hosted the participants for one day. The Chief Librarian was re-elected to the post of Assistant Secretary/Public Relations Officer.

The staff also received training in Westlaw and LexisNexis Butterworths.

Services

The Main Library is located on the ground floor of the Court and is open to members of the legal profession from the region between the hours of 8.15 a.m. to 4.00 p.m. Other persons wishing to use the Library must apply in advance of their visit for permission. It is a reference library. A card operated photocopier is available in the Library and computers with access to the Internet are available for use by patrons of the Library.

There are two other collections, the Judges' Library which is located on the third floor and the Court Administration Unit's Library which is on the second floor. These collections are restricted for use by the judges and staff of the Court.

Library Management System

A number of library management systems were examined before Inmagic Genie, a Web-based library automation solution was chosen. This system will support all library functions including the online catalogue, circulation, acquisitions, cataloguing and management reporting. The Library was unable to install the system until it moved to the new location. The installation process commenced in June 2006 and is expected to be completed by August 2006.



Library Assistant using INMAGIC Genie

Vision and Direction for the Future

The Library will continue to develop, organize and make available a comprehensive collection of legal and law-related materials in both print and electronic format to serve the information needs of the Court by:

1. Creating and implementing a collection development plan which defines the library's collection emphasis in light of the increasing availability of electronic resources, the Court's dual jurisdiction, and the responsibility to provide a print collection of both archival and current material.

Special collections on International law and Trade, Competition law, Community law and Caribbean legal and law-related material will also be developed as the Library will be one of the primary institutions for such material.

The Library will regularly reassess the balance between online and hardcopy resources so as to ensure that the best information alternatives are delivered to the patrons in the most cost-effective manner.

2. Providing a web presence for the library by developing a web page on the Court's website. This will provide access to the online catalogue, guides and electronic resources held by the Library as well as hypertext links to regional and international information resources.
3. Implementing a Photocopying and Document Delivery Service. A debit card operated photocopier and a facsimile machine were installed and an email service implemented. In the coming year the Library plans to market this service throughout the region.
4. Developing and maintaining programs to preserve the Library's collection.
5. Continuing the staff training and development plan which embraces continuing education and development for all staff.
6. Developing benchmarks of exemplary service levels and ensuring that those benchmarks become standard in the everyday process.



Research Assistant using the Library

INFORMATION SYSTEMS MANAGEMENT

6. To assist in the process of empowering internal customers and external customers to maximise productivity through court technology and
7. To enhance the existing basic audio digital recording system to provide customers with audio, video and writing capture solutions.

The Information Systems Division



Right to Left: Ms. Carlene Cross, *Information Systems Manager*, Ms. Lavaughn Agard, *Information Systems Clerk*, Mr. Ayinde Burgess, *Systems Administrator*, Mr. Janak Maraj, *Information Technology Support Officer*, Ms. Sonia Thompson, *Information Technology Support Officer*

Mission of the Information Systems Division

To provide and support internal customers with the tools and training necessary to perform their duties in an effective, efficient and judicious manner, while supporting our external customers (attorneys at law, litigants, member states, public) with technology to allow access to the Court's services.

Vision of the Information Systems Division

The Information Systems Division aims to provide cost effective technology, service and support which meets the needs of its users and is worthy of emulation by the Courts of the region.

Objectives of the Information Systems Division

The main objectives of the Information System Division include:

1. To support the work of the Court by providing relevant technology solutions;
2. To implement infrastructure to facilitate court technology, communication and court administration;
3. To provide timely and reliable access to information through the use of robust and flexible case management information systems solutions;
4. To provide a reliable and cost effective means of communication between the Court and member states to enable access to justice;
5. To recommend and provide hardware, software, assistive technology solutions and training to enable internal users to maximize their efficiency;

Staffing

The Systems Division is staffed as follows:

- (1) Court Information Systems Manager
- (1) Court Systems Administrator
- (2) Court Information Technology Support Officers
- (1) Court Information Systems Clerk

The Division currently multi-tasks in terms of planning, systems design, acquisition, development, implementation, web site interface and operational support to end users on four floors.

Training

The IS staff must keep abreast of the current and future trends in technology with emphasis on the needs of the court. Training has taken many forms including conferences, seminars, on-line classes, webinars and judicial IS support user groups. It is expected that training will be a continuous part of staff development of the Division.

The operations of the Court must instill confidence in the people of the region that the Court and its staff are knowledgeable and are experienced in their areas of administration or operations. This includes staff at the sub-Registries in the region. Systems and processes must be planned, secure, well documented and executed by trained professionals who understand the unique environment of the Court. Training is an ongoing component of the Information Systems Division.



Members of the Information Systems Division attended the Caribbean Courts Information Technology Group Conference in Trinidad

Report on the operations of the Systems Division for the period May 2005 to July 2006.



First Matter: Preparing the makeshift court-room at UTC

The Court was originally supposed to be at the UTC location for a period of six months. The Court however moved after more than a year at the UTC location during which time research, planning, selection and acquisition of hardware and software were done in preparation for the move from a single floor operation to a multi-level building operation.

The Conference Room at the UTC location which accommodated the Regional Judicial Legal Services Commission (RJLSC) and other meetings and served as a Conference Room for in-house activities was also converted to a court-room when required. The multi-purpose room was networked to allow for communication by the judicial officers, court support officer and attorneys appearing before the Court.

For the operations of the court-room a basic Audio Digital Court Recording system was installed and instituted. At this location presenting attorneys were introduced to addressing the Court from a lectern which was linked to the audio digital court recording system. The audio was digitally recorded to a hard drive in the court-room and replicated real-time to another hard drive at a remote location.

At the end of each day the audio transcript was copied to CDs and produced for sale to customers (attorneys, litigants and the public). The production process also included the design and packaging of the end product for sale. At the end of the day, the audio transcript was also uploaded to the court's website at www.caribbeancourtsofjustice.org thereby making it accessible to the public. These measures contribute to the Court's adherence to international court performance standards by giving the public access to the Court's proceedings from remote locations. The hard copy transcript was subsequently produced by the secretarial support staff.

Basic multimedia hardware was also acquired for use in presentations.

Report on the operations of the Systems Division at the CCJ building located at 134 Henry Street, Port of Spain,

The Court's new temporary location is a four-storey building located at 134 Henry Street, Port of Spain. This is not a purpose-built building for the Court but was an empty shell which was subdivided to provide Court services. At this location the staff complement of the Information Systems Division remains at five, all of whom support the operations of the organisation.

The Information Systems Division as part of the Court Administrative Unit supports the Court's strategic plan, the operations of the Court and the needs of the end users.

Court-room Technology

At this new temporary location there are two court-rooms but only one is operational at this time. It has been designed to accommodate some of the most up to date court-room technology. This was implemented with the idea of assisting in the litigation process by providing tools such as the visual presenter, DVD/VCR player, and facilities to present from a laptop at the litigation support unit. Monitors have been provided for the judges, attorneys at law, judicial support officers, media and the public so that documents and evidence presented may be viewed by all.

Located in the court-room are two booths which will accommodate interpreters for hearing of matters in multiple languages. Also located to the rear of the court-room is a technology booth which is manned by a support officer who provides technical assistance to the Court as required.

Wireless internet access has been provided for the attorneys at law, media and public in the court-room.



A view of the multimedia lectern in the court-room



The court-room showing public monitors

Audio/Video Digital Court Recording

Audio/Video Digital Court Recording solutions have been provided to assist in the accurate recording of testimony and submissions in the Court. The selected software is For The Record (FTR).

The FTR solution comes with software which is used by the Judicial Support Officer to make annotations in Court. Judicial Officers also use their laptops together with the annotating software to make time-stamped notes for later use with the audio/video transcript of the case. The Court is testing the Write Link solution from FTR to assist judicial officers who prefer to write notes in

court. This new product also integrates with the audio/video transcript from the hearing using time stamped notes.

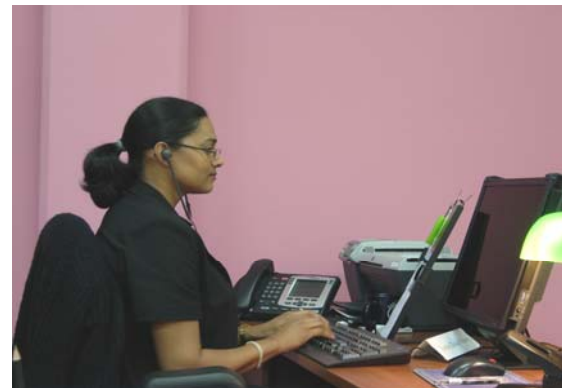
A portable audio digital solution has also been acquired as the Court is itinerant. Due to the limited infrastructure in many courts in the region, this solution includes wireless components such as microphones, a document reader, a laptop to be used for recording with the FTR software and sturdy cases to protect the equipment when traveling through the region.

Support for Judicial Officers

Judicial Officers have all been provided with laptop computers and multi-function hardware (printer, fax and copier) for use either in the office in a networked environment or in a mobile environment away from the office. To complement this tool, judicial officers have also been provided with internet access which enables them to use online legal databases, annotating software for notes in court and the Microsoft Office suite for use in a networked office environment.

Secretarial and Administrative Support

Secretaries have been provided with computers and printers in a networked environment. As they have been trained as transcriptionists, they have also been provided with basic tools for transcription and the necessary hardware and software to support the technology.



Secretary, Ms. Sherry-Ann Ramhit transcribing using FTR

Finance and Accounting

The Finance Department together with the Information Systems Division have selected, acquired and been trained in the use of the Accounting module of the Microsoft Great Plains software. There are plans to acquire other modules of the software in the future.

Current Projects

Case Management Information System

The Court Registry must be prepared for the filing of cases and the provision of service to customers in any member state. The members of staff at the Registry have been provided with technology tools.

A case management solution, Judicial Enforcement Management Systems (JEMS), has been selected to meet the unique needs of the Court in tracking the progress of cases from filing to disposition. The base end-user licences (5) have been purchased and are being customised in accordance with the rules of the Court.

This software is currently used in Trinidad and Tobago, Jamaica, and the Eastern Caribbean States; all member states of CARICOM. It is also used within the region in the Cayman Islands, The Bahamas and Bermuda. The other territories who are signatories to the Court and who do not use JEMS (Suriname, Guyana, Barbados and Belize) also do not as yet have a case management information system. The vendor is therefore familiar with the region, its people and the judicial processes.

JEMS also attaches an audio or video file from the audio/video digital court recording system to the electronically stored proceedings. This will benefit the Court's records and retrieval systems so that all the information related to a matter will be easily sourced by persons with the designated authority.

E-Services

The Information Systems Division is responsible for maintaining the Court's e-services which includes e-filing which is specific to the registry, as well as web development and e-mail services. Web development and maintenance of the website is currently done in-house by the Information Support Officers. At present, hosting of the web and e-mail servers is outsourced, but it is expected that IS staff will manage these servers internally in the near future.

Interpreters and Translators

Suriname as a member of the Caribbean Court of Justice introduces a multilingual aspect to all systems information. Planning must also include the flexibility of adding a third language to the Court's system.

Interfaces for e-filing, public access, interpreters solutions, software for the generation of multilingual Court documents, support to multilingual staff through the provision of software and other tools need to be sourced and acquired. The Court must be seen as a Court for the people of the region and not one that is cloistered in secrecy or faced with language barriers.

The Danish Interpretation System has been selected for use in the court-room as the solution for interpreters and will be implemented.

The Library and Judicial Research Officers

The Chief Librarian together with the Systems Division have selected INMAGIC as the library management software. This software assists in making information available to internal and external users globally via its online interactive interface. The information ranges from catalogues and periodicals to databases specific to the region.

At the new temporary location the library is equipped with computers, printers, scanners and internet access. Assistive technology for screen magnification will also be provided for persons with low vision.



Mr. George Thomas making use of the Library's Vend Card Photocopying Services

Judicial Research Assistants have been provided necessary tools to utilize the resources of the library – computers, printers, and internet access to conduct research.

Human Resource Management

For the purpose of planning, the Systems Division has identified the need for an integrated HR solution which will include a payroll option.

Staff Access Kiosk (SAK)

As most inter office communication in the building is done by e-services, kiosks are being strategically deployed within the building to allow members of staff who are not in fixed locations (security officers, drivers, and messengers) to have access to e-mail, internet, and selected printing services.

Future Projects

Imaging and Document Management

Images of documents are also to be attached to filings as part of the case management information solution. This will enable both authorised internal and external users to view the image of the original document filed. As a means of records management this places the original hard copy in a safe document storage vault while the imaged document is stored electronically onsite or offsite and is accessed by authorised users.

E- filing

As the Court is regional, JEMS also allows for the integration of E-filing with its case management information system. E-filing will enable attorneys at law, authorised personnel at the regional sub-Registries and self-represented litigants to file documents, search and follow the progress of a case through the use of a specially designed secure interface. Public access will be gained through a secure private network to allow authorised regional customers admission to search and view data. It will also allow the Court to access its records and information when not at the seat of the Court in Trinidad through the secure private network.

The implementation of E-filing is scheduled to begin after the CMIS has been put into operation.

Fees and Electronic Payments

Systems will be put in place to receive fees and payments from credit and debit cards for electronically filed documents. Courts in the region do not at present accept fees in this format as financial institutions charge service fees and processing fees for the provision of electronic banking services. As a regional Court however fee payment is an integral part of acceptance of filings electronically. The physical and networking infrastructure of the registry and sub-Registries will be important to the chosen payment solution.

These system measures reinforce the performance standard of ease of access to justice by ensuring that our customers are not required to come to Trinidad to file documents related to cases.

Sub-Registries

The sub-Registries are important customers of the Court. To date, research is still being conducted on the physical and network infrastructure as well as the communications providers and service availability of each. Data is being collected so that a true position could be ascertained which will guide our future Information Systems planning.

Each sub-Registry will need to be provided with hardware such as computers, a printer and a scanner to have access to the services provided by the Court.

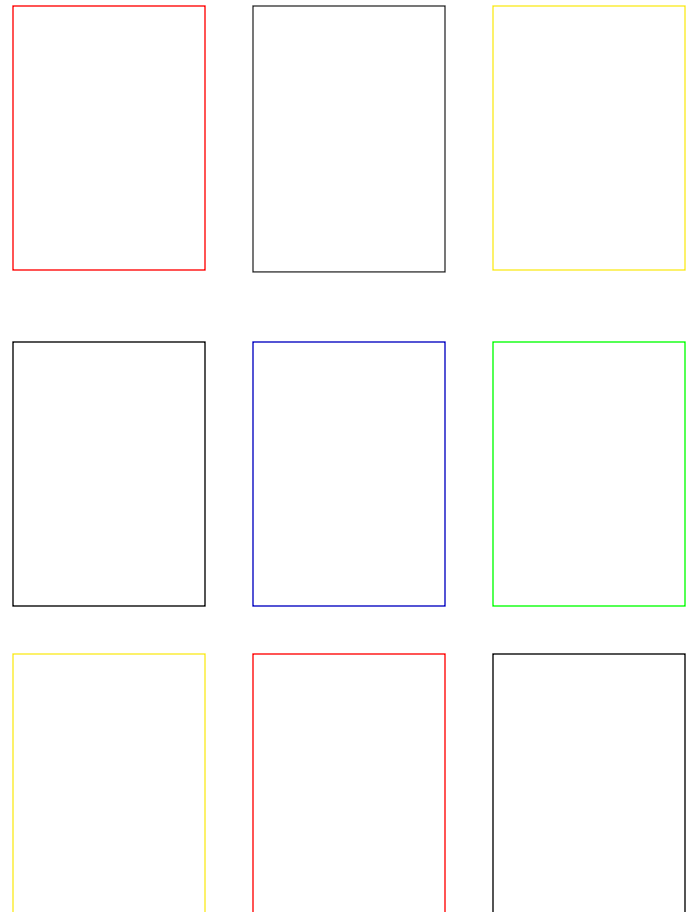
Communications access will also be required by the sub-Registries.

Telecommunication Technology – Video Conferencing

Video conferencing in Courts especially where there is a need to communicate regionally, is important in order to satisfy the standards of access to justice, expedition and timeliness, and to enhance public trust and confidence. This can be achieved by using technology which includes video conferencing built on a robust networking and communications infrastructure.

Because of the distance and geographical location of the territories it is important that access is gained to the Court by its customers (judicial officers, member states, attorneys at law, CARICOM, litigants, students and general public) through various means. The Court must therefore reach its customers through walk-ins, networking technology, video conferencing, web technology, telephones and fax.

In keeping with the Division's vision of providing access to the Court, through the use of technology, Voice Over Internet Protocol (VOIP) solutions are being used to lower communication costs.



COURT FACILITIES, ASSETS & OFFICE MANAGEMENT UNIT

The Court Facilities, Assets & Office Management Unit comprising the Court Facilities Manager and the Office Manager, is responsible for all aspects of maintenance management of the courts facilities and assets, and the efficient provision of Office Supplies.

Mission

The Court Facilities, Assets & Office Management Unit's primary function is to assist the Caribbean Court of Justice in fulfilling both its mission and vision, by proactively maintaining and continuously striving to improve the Court's Facilities, Assets and Office Systems in an efficient, reliable, innovative and cost-effective manner.

Goals

- To assist the Court in achieving its vision by anticipating, and seeking solutions to the emerging challenges connected with the Court's Facilities, Assets and support systems.
- To plan, design, implement and manage an efficient maintenance management system for the Court, aimed at ensuring (i) zero percent unscheduled downtime through preventative maintenance, and (ii) the preservation of the value of the Court's assets.
- To devise adequate procedures and standards relating to Facilities, Assets and the provision of Office Supplies, to be implemented by the Court in order achieve the goals of the Unit.
- To maintain the physical environment and assets of the organisation in a manner worthy of emulation by the courts of the region.
- To satisfy internal customers by competently maintaining a comfortable, efficient and functional work environment.
- To procure and manage goods and services in keeping with the Court's procurement policy.
- To increase efficiency through the implementation of a computerised inventory and asset management system.
- To increase efficiency through the development of appropriate correspondence management systems
- To seek ways to improve the unit's service to the Court.



Right to Left: Mr. Vaughn Halliday, *Manager Facilities, Assets and Office Management Unit*, Mr. Nigel Payne, *Office Manager*

Court Facilities & Assets

The Court's facilities consist at present of one four-storey building located at #134 Henry Street with an average floor space of 12,600 sq ft per floor, and 10,260 sq ft of outdoor parking facilities with the ability to accommodate forty-one (41) vehicles. Included in the building are two state of the art court-rooms of approximately 2000 sq ft each. Each court-room has seating accommodation for seven (7) Judges, seven clerks (7), eighteen (18) attorneys, eight (8) media personnel in special accommodation and forty-eight (48) public spectators. Other assets within the building also include the computer hardware, office equipment, furniture and fixtures. In addition the Court also has a fleet of eight vehicles, seven of which are assigned to the Judges, while one is the Court's utility vehicle.

General Report

The Court's stay at the UTC Building was expected to be a brief one of three months to accommodate the renovations of the proposed temporary location on Henry St. However these renovations were not completed until the following year. Consequently, as the Court grew, the physical size of the temporary seat of the Court at 5th Floor UTC Building, placed severe limitations on the operations of the Court, and was insufficient to meet the needs of customers and staff.

The conference room was adapted to enable it to be easily reconfigured as the need arose to accommodate meetings of the Regional Judicial and Legal Services Commission, training, all other meetings, as well the sittings of the Court.

During Court sittings, public seating (including media) was limited to eighteen (18) tightly spaced chairs and seating at the makeshift bar table was at a premium of twelve (12) seats. Staff, including Judges who were located in areas through which the public had to access the court-room were temporarily relocated during court sittings. The Security Locker Room was used as the Robing Room and the Registrar & Chief Marshal's Office was used as the Registry and briefing rooms.

The UTC Building's security measures were designed for a financial institution and did not necessarily cater for a Court to which it was vital for the public to have access. The UTC's management was kind enough to work with the Court to accommodate the Court's requirements as best it could.

The UTC also graciously accommodated the Court in their basement parking facility despite the severe space limitations. The Court's critical parking needs were

further accommodated by designation by the TT Police Service of a few parking spaces on lower St. Vincent Street.

Renovations were carried out at the UTC building in May 2005 to accommodate a fifth and a sixth Judge, who were sworn in at the CCJ in June 2005. However, there were other vacancies within the Court which could not be filled as there was no space to accommodate new personnel.

The Caribbean Court of Justice relocated to #134 Henry Street during May 2006. This move was executed in one week in a well coordinated and phased manner which ensured that the Court remained open and functioning during the move.



Moving in to 134 Henry Street

Apart from the logistics of the relocation itself, the move from a cramped single floor office facility, to one in which the Court operations are now spread over four floors in a new facility, with additional staff, has in itself provided several new challenges to the Facilities, Assets and Office Management Unit. Additional furniture and office equipment were required to accommodate the expanded operations. Furthermore, it became necessary to re-design basic systems and procedures to suit the new facility.

Since the building at Henry Street was not initially designed to be a court facility, it was necessary that it be renovated to approximate a purpose-built court building. This has provided certain challenges to the Facilities Unit and several concerns with the building services have arisen and are being addressed by the Unit.

Consequently, since the Court's relocation to #134 Henry Street, the Facilities Unit has focused primarily on procuring and implementing the basic fixtures, furnishings and operating systems that were needed for a new facility, as well as overcoming the initial difficulties experienced with some of the building

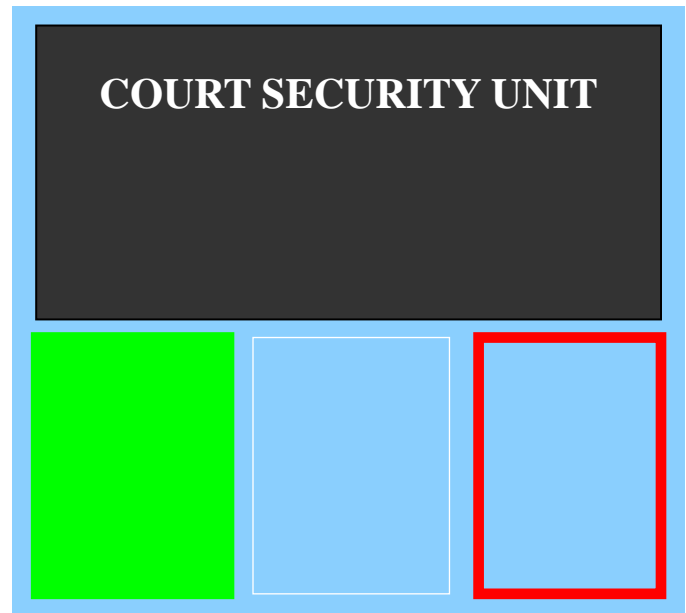
systems. These tasks are briefly summarized below as follows:

- Procuring and installing the necessary furniture and equipment.
- Installation of blinds and other fixtures throughout the building.
- Assessing the need for privacy film and installing same as necessary.
- Negotiation of Maintenance & Janitorial contracts.
- Planning systems of waste disposal.
- Contracting Pest Control services.
- Addressing Fire Prevention issues and purchasing safety supplies.
- Managing completion of minor building modifications.
- Undertaking other repairs and establishing technical service schedules.
- Resolution of electrical problems within the building.

Plans for the Unit

Plans include:

- The implementation and maintenance of a computerized preventative maintenance system.
- The implementation and maintenance of a computerized inventory and asset management program.
- The implementation and maintenance of correspondence and office management systems.
- The construction of adequate storage and changing/locker room facilities to accommodate both male and female janitorial and security personnel.
- Training.
- Setting of unit performance and quality standards.
- Instituting and maintaining systems of Quality Control.
- Preparing for the design and construction of the facility to be the permanent home of the Caribbean Court of Justice.



Left to Right: *Court Security Manager*, Ms. Sandra Sandiford-Carr, *Security Supervisors*, Mr. Ozni Smith, Mr. Christopher Hoyte, Mr. Mark Hughes

VISION OF THE COURT SECURITY UNIT

To ensure an environment that is accessible and convenient for the people of the Caribbean Community, where the safety and security of persons, property, records and other information are provided and maintained.

MISSION OF THE COURT SECURITY UNIT

The Court Security Unit shall provide excellence in security services to ensure:

- Appropriate access to the court and its facilities
- The reasonable convenience and accommodation of users of the court
- The safety of all users of the court
- The security of property, records and other information under the purview of the Court

INTRODUCTION

At its meeting on the 18th November 2005, the Regional Judicial and Legal Service Commission agreed to the creation of a Court Security Unit consisting of one Court Security Manager, four Security Supervisors and twenty Security Officers.

The Court Security Manager was appointed on the 2nd March, 2006 and the other posts in the Unit, with the exception of one security supervisor, were filled in June and July 2006. The members of the Unit have extensive experience in the security industry and specialized training in safety and security. Additionally, many also have experience in court-house security.

Court-house security is defined as the feeling of safety, combined with the measures taken to provide that feeling of safety, against personal injury, property

damage, and the loss of records and other information housed in the court-house. On the other hand, the principle of free access to justice requires a convenient and safe environment where all users of the court are free from fear and intimidation. Members of the public, employees, lawyers, judges and other judicial officers must feel safe if they are to carry out their duties in an unhindered, fair and impartial manner.

The challenge of the Court Security Unit however is to ensure that while there is this feeling of safety, free access to the entire judicial process is ensured.



SECURITY SUPERVISORS AND OFFICERS

Front Left to Right: Mr. Alec Baptiste, Ms. Veronica Brooks, Mr. Kevin Thorne, Ms. Catherine Narine, Mr. Everard Khellwan, Ms. Michelle Andrews, Mr. Joel Bernard

Middle Left to Right: Mr. Ozni Smith, Ms. Claudia Belfon-Williams, Ms. Erica La Barrie, Ms. Anson Figaro, Ms. Dianne Silverton, Mr. Earl Weeks, Mr. Whitfield Pilgrim, Mr. Stewart Matthews

Back Left to Right: Mr. Kevin Williams, Mr. Howard Marcelle, Mr. Cleve Bennett, Mr. Christopher Hoyte, Mr. Marlon Williams, Mr. Richard Lewis, Mr. Jerry Clarke, Mr. Mark Hughes

STRATEGIC GOAL OF THE COURT SECURITY UNIT

The strategic goal of the Unit is to ensure an accessible, convenient, safe and secure environment for the impartial dispensation of justice at the Caribbean Court of Justice.

In order to achieve this goal a number of objectives were identified.

OBJECTIVES OF THE COURT SECURITY UNIT

To establish a court security unit committed to excellence in security services by providing relevant training and ensuring the development of all security staff.

To ensure that all staff and other users of the court are sensitized to their role in making the court-house and its facilities safe.

To develop and maintain an integrated security system using the most appropriate physical and electronic components.

To adopt and continuously refine 'best practices' in judicial security standards.

To establish and maintain professional working relationships with relevant agencies.

To provide professional security and safety advice and solutions to the Court.

ACTIVITIES OF THE COURT SECURITY UNIT

Training

Training for all members of staff and others with whom we must interact is an integral part of the security policy at the Caribbean Court of Justice. For the period under review the Court Security Manager participated in two important training programmes, *Court Management Fundamentals* and *Disaster Planning-An Introduction to Business Continuity*. In the last quarter of 2006, the other members of the Unit will receive training in Emergency/Evacuation Procedures, Court Protocol, Basic First Aid and Emergency Drills. Additionally, all members of the Unit and other designated members of staff will be trained as Fire Wardens. A security and safety training plan is being developed by the Unit and this plan will identify training needs for the Court Security Unit and all other members of staff in the areas of safety and security. The main objective of this plan will be to provide staff with the necessary safety and security skills needed to ensure that they can perform effectively in

any situation that threatens their safety and security of and that all other users of the court.

Key staff members will be provided with relevant safety and security training including basic bomb threat procedures

The attitudes and behaviour of all users of the court, especially members of staff, can increase the safety of the court-house and make it more accessible and convenient to use. In this regard, a special security awareness programme is being designed for all members of staff, and user friendly basic safety and security information will be available to members of the public.

Security Equipment

The main components of an electronic security system will be implemented at the Caribbean Court of Justice in the last quarter of 2006 and the first quarter of 2007. The system will include among other things:

- An Access Control System to allow a single point of entry for the public, a separate judicial entrance from a secure parking area and restricted access to some areas in the facility;
- An Alarm System to detect intrusions, give warnings and alerts;
- A Closed Circuit Television System (CCTV) to provide continuous surveillance and monitoring of persons and property;
- A Screening System to prevent unauthorised items from entering the facility.

The screening system will consist of two x-ray baggage machines, walk-through metal detectors and mail scanning facilities.

Security and Safety Policies and Procedures

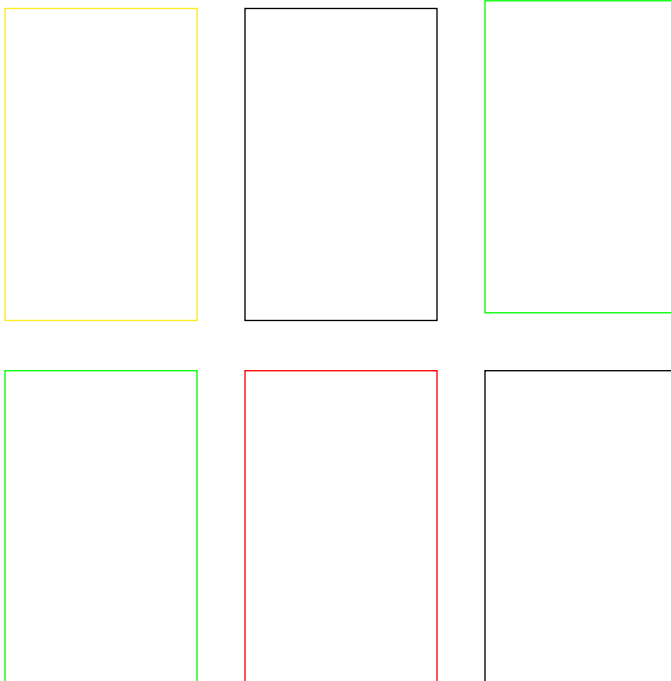
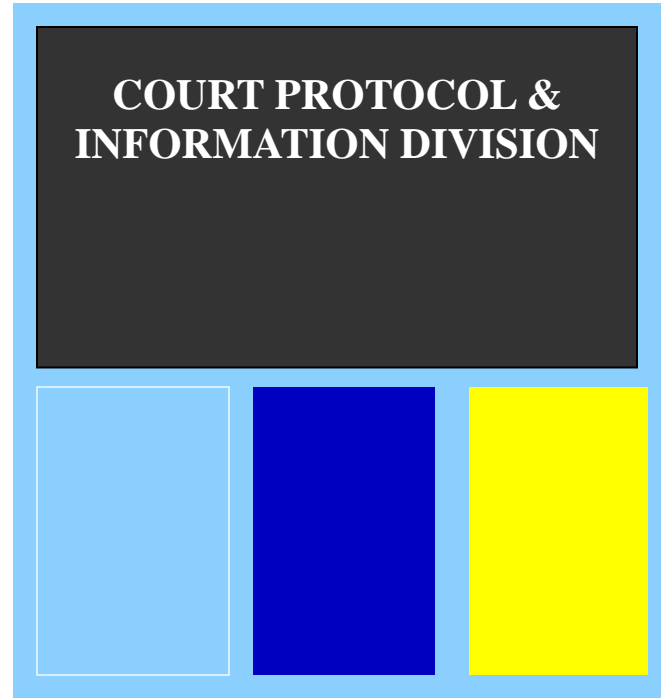
For the period under review, a number of security procedures were developed by the Court Security Unit. Safety policies and procedures were also developed by the Unit in conjunction with the Facilities Department. The security policies included a screening/searching policy, an identification card policy and an access control policy. The security procedures included procedures for each security post on the compound.

These policies and procedures will be reviewed on a continuous basis to ensure that they are in keeping with the best practices in judicial security standards. The safety policies included the parking policy and the mail policy.

Establishing and Maintaining Professional Relationships

For the period under review, a number of professional relationships will be maintained such as those established with the Trinidad and Tobago Police Service, the Trinidad and Tobago Fire Service, the Trinidad and Tobago Judiciary Security Service and the Trinidad and Tobago Red Cross Society. These relationships have been of immense benefit to the Court Security Unit and the Court itself as training, professional assistance and expert advice have been received and in some instances this has been free of charge.

New relationships will also be established with other governmental agencies in the region in order to ensure the development of emergency procedures and the sharing of resources and information.



MISSION STATEMENT OF THE CPID

The Caribbean Court of Justice Protocol & Information Division works towards providing protocol services of the highest quality to the Court and its guests and is the principal organ in the meaningful exchange of information between the CCJ and its regional and international interlocutors, both protocol and information being provided in a courteous, timely and efficient manner.

THE VISION OF THE CPID

The Caribbean Court of Justice Protocol & Information Division provides easily accessible customer-sensitive service characterised by courtesy and efficiency and in a manner so transparent and of such integrity as to inspire universal trust and confidence.

STRATEGIC GOALS

- to ensure the professional discharge of services in relation to protocol;
- to ensure easy accessibility for all to accurate, user-friendly information, disseminated and delivered in a timely and courteous manner;
- to educate the court's public about the Court
- to assist in sustaining a high quality of interaction between the Court and all its interlocutors, thus ensuring a customer-service oriented organisation in which personnel possess a sound knowledge of Court processes.

STRATEGIC OBJECTIVES

- the development of a human resource framework to ensure that the Protocol & Information Unit is adequately and competently staffed;
- the development of a training strategy to improve and maintain the competence and skills of the unit and the wider organisation with respect to all matters under its purview;
- the documentation of procedures and policies on matters pertaining to the Caribbean Court of Justice;
- dissemination of information through an integrated Public Education and Information Programme, aimed at local, regional and international consumers through audio-visual media and outreach programmes;
- the management of all Court events in an efficient, cost-effective and professional manner.
- effective liaison with the respective agencies of the Member States.

The CPID is responsible for all aspects of protocol, information, customer service and non-judicial support for judicial officers.

Between 1 February 2005 and 31 July 2006, the CPID comprised:

Dr. Michael Anthony Lilla, Court Protocol & Information Officer (CPIO) who assumed duty on 01 February 2005;

Ms. Lisa Furlonge, Secretary to the CPIO, who assumed duty on 01 February 2005; Ms. Denise Dickenson, Tea Assistant, who assumed duty on 01 July 2005;



Left to Right: Dr. Michael Anthony Lilla, *Court Protocol and Information Officer*, Ms. Lisa Furlonge, *Secretary*



Ms. Denise Dickenson,
Tea Assistant

Protocol

The Caribbean Court of Justice is an international tribunal with certain privileges and immunities. These bring with them certain responsibilities. The CPID is the administrative section charged with the responsibility of providing protocol services of various kinds to the Court and the Regional Judicial & Legal Services Commission (RJLSC). The division has thus striven to ensure that the conduct of the Court's affairs, both public and internal, is of the kind traditionally associated with such bodies. Over the period under review, the CPID:

- provided airport assistance for international travel;
- provided organisational assistance at formal events;
- represented the Court in its dealings with CARICOM, Ministries of Foreign Affairs, as well as diplomatic missions based in Trinidad & Tobago;
- represented the Court in its dealings with the various Trinidad & Tobago service agencies with which it must interact, such as, the Customs & Excise Department; the Immigration Division of the Ministry of National Security; the Ministry of Health through the Regional Health Authorities;
- represented the Court in its dealings with agencies and organisations outside of Trinidad & Tobago;
- has been the Court's "voice" in its interaction with local, regional and international entities, ensuring that the nature and responsibilities of the Court are understood and the Court perceived and treated appropriately.

During the period under review, the following callers were formally received at the Court:

- His Excellency Howard Strauss, High Commissioner for Canada (7 October 2005);
- His Excellency Sten Ask, Ambassador of Sweden (17 November 2005);

- His Excellency John Michell, High Commissioner for Australia;
- Ms. Gloria de Mees, Chargée d'Affaires of the Embassy of the Republic of Suriname;
- Chief Justice Brian Alleyne, Acting Chief Justice of the Eastern Caribbean Supreme Court.

Information (as Public Education)

The CPID understands that there is much ground to cover in bringing the CCJ into the daily awareness of the Caribbean and international public. The division is charged with providing information on the Court and the Commission through all the media, print, audio and visual. In 2005-2006, the provision of information to the public has been essentially through media releases and interviews of Court personnel (principally the President) by the local, regional and international media.

A Public Education and Information Programme is currently underway. The goal of this is to ensure that the nature, purpose and function of the Caribbean Court of Justice become clearly understandable to all in an easily accessible way.

Completed Public Education projects:

- **About the Caribbean Court of Justice**
This is a 28-page 8½ x11 full-colour brochure, intended to serve as a primer on the Court, providing simple information on the history, structure and personnel of the Court, the RJLSC and the Board of Trustees, in a handy format.
- **Code of Judicial Conduct**
The Caribbean Court of Justice Code of Judicial Conduct has been printed in an 8 ½ x 5 ½ 10-page brochure.
- **Inauguration Commemorative Book**
The Inauguration of the CCJ was a historic moment in Caribbean development. This small commemorative volume contains addresses delivered on Inauguration Day, greetings from foreign Heads of Judiciary and an array of colour photographs capturing highlights of this historic event.
- **Media Day**
The Court moved from Level 5 of the Unit Trust Corporation Financial Centre at 82 Independence Square in Port of Spain to a new building at 134 Henry Street, Port of Spain. The Court seized the opportunity of the move to hold a Media Day on Tuesday 13 June 2006. The regional and Trinidad & Tobago-based media were invited to tour the new building, during which Court personnel, inclusive of Judges,

interfaced with representatives of the media to respond to their queries and to keep the regional public at large abreast of developments at the Court. The Media Day agenda included:

- Welcome by the Court Executive Administrator (CEA) and the CPIO;
- Tour of public areas of the building and meeting with Court and RJLSC personnel;
- a media conference involving the President of the Court, members of the RJLSC and the CEA;
- a discussion among the Judges of the CCJ and prominent representatives of the regional media.

A media production company was engaged to record the Media Day proceedings with a view to producing both short and long videos for airing across the Caribbean and beyond. The purpose of these videos is to bring the CCJ to the people.

- **Regional Visit**

Trinidad & Tobago is the Seat of the Court. The Court does not however assume that all persons desirous of finding out about it will be able to access its information services in Trinidad & Tobago.

With this in mind, a CCJ delegation visited Jamaica where they met with several persons and groups

- **The Court Website**

www.caribbeancourtofjustice.org

The CPID is responsible for the content of the court's website. During this period, it has been radically reconstructed.

The website provides information on the Court, the Regional Judicial and Legal Services Commission and the Board of Trustees and carries important documents germane to the Court's existence, such as the Revised Treaty of Chaguaramas, the Agreement Establishing the Court and the Headquarters Agreement. Some of the website content has been translated into Dutch, the official language of Suriname. There are plans to eventually have all written text available to the user in both languages.

Dutch

The Republic of Suriname is a member of the Court. While many Surinamese are conversant with English, the Court's administration nonetheless believes that some competence in Dutch among the majority anglophone members of its staff is necessary.

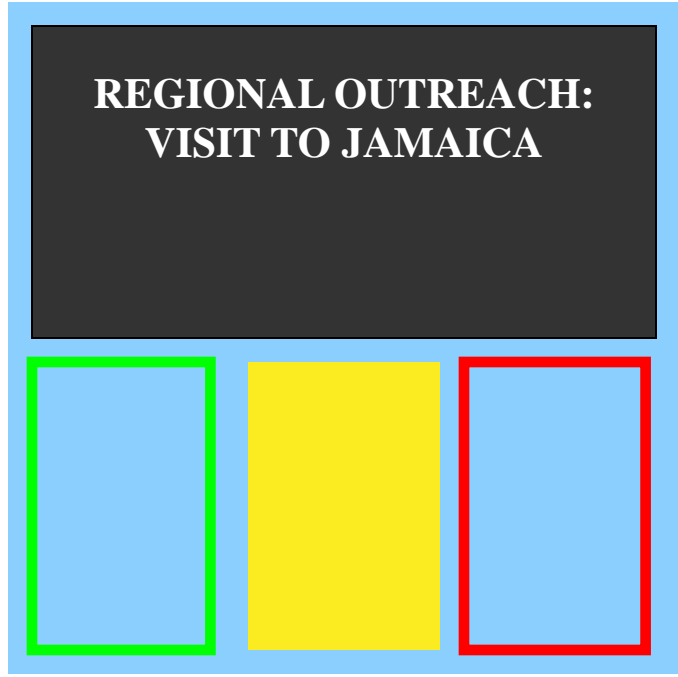
Mrs. Zaitoen F. Badloe-Klaverweide, a national of Suriname, was engaged to conduct audio-lingual tutorials, which began in March 2005. Material used in classes include a student manual and CD-ROMs. During the period under review, staff and Judges commenced Dutch language classes.



Above and below: Dr. Zaitoen Badloe-Klaverweide giving direction in the Dutch language to Judges and staff of the CCJ



The Court's taking possession of its new building at Henry Street and the increase in matters for hearing by the CCJ have had their own significance for the CPID as the provision of trilingual signage for the four floors of the building has been the division's responsibility.



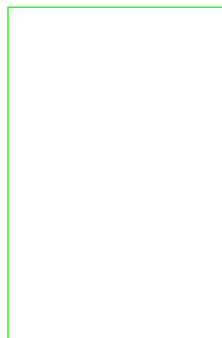
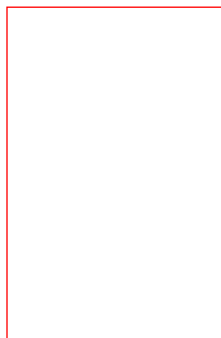
In October, 2005, the President of the CCJ was invited by the Jamaica Chamber of Commerce to visit Jamaica to address both a breakfast meeting and a lunch meeting. The opportunity was taken to pay courtesy calls on several persons in Jamaica. The President was accompanied by The Hon. Mr. Justice Saunders and Master Morris-Alleyne, the Court Executive Administrator.



The President and Mr. Justice Saunders with Trade Union leaders



The President addresses students and staff of the Norman Manley Law School and the Faculty of Law, Mona





The President and Justice Saunders visited with the Director and staff of the Dispute Resolution Foundation of Jamaica

During the four day stay in Jamaica, the CCJ team held discussions with The then Prime Minister of Jamaica, The Hon. P.J. Patterson and his guests, the Hon. Bruce Golding, Leader of the Opposition, The Judiciary, representatives of the ACP-EU Joint Parliamentary Association, the Bar, the Dispute Resolution Foundation, students and staff of the Norman Manley Law School and the Faculty of Law, the media, Leaders in the Trade Union Movement, and citizens and community leaders of the Mt. View community of East Kingston.

This very successful visit was one which the Court wishes to mirror throughout CARICOM in a effort to get to know the region better and to have the region know its Court.

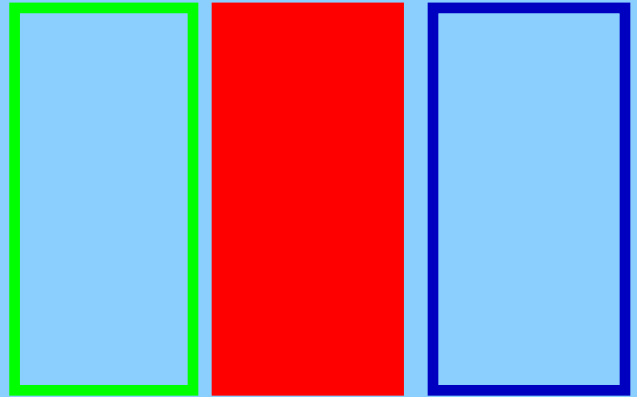


The President, Justice Saunders and the CEA with community leaders participating in the Peace Initiative in Mountain View, Kingston



The President and Justice Saunders with Leader of the Opposition, the Hon. Bruce Golding and the Hon. Dorothy Lightbourne

FIRST MEETING OF REGISTRARS AND COURT EXECUTIVE ADMINISTRATORS OF THE REGION



On completion of the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005, the first meeting of Registrars and Executive Court Administrators was convened. Over a three day period from 6th to 8th July 2005, Registrars from the CARICOM region met and discussed the Appellate Jurisdiction Rules 2005, the draft Original Jurisdiction Rules, highlights of the Agreement establishing the Caribbean Court of Justice, the functioning of sub-Registries, and the role of the 'local deputy registrar' in the Original Jurisdiction Rules, the role of the 'proper officer' in the Appellate Jurisdiction Rules and the right of audience of attorneys appearing before the Court.

Registrars also had the benefit of attending an address given by Mr. Jim McMillan of the National Center for State Courts at the opening session of the JEMS/IT User Group of the Caribbean Meeting, which was being held in Trinidad and Tobago at the same time and in which the Caribbean Court of Justice Information Systems Unit was heavily involved. The Registrars and IT Users also shared another session at which the Court Executive Administrator and the Registrar of the Caribbean Court of Justice made presentations on an Overview of the CCJ and an Overview of the Operations of the Court and the implications for Court IT in the region.

The first meeting was deemed to be successful and it was resolved that, as a regional body, Registrars and Executive Court Administrators should meet on an annual basis to discuss problems and solutions relating to the efficient implementation of the Rules of Court.



Participants at the Registrars' and CEAs' meeting

The following persons joined the Court Executive Administrator and the Registrar of the Caribbean Court of Justice at this Inaugural meeting:

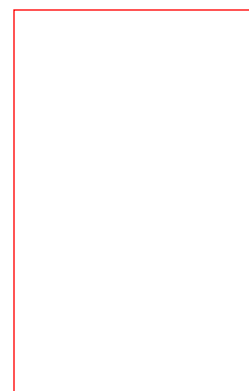
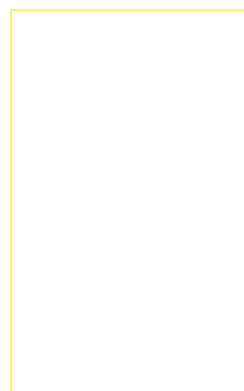
Name	Country	Position held
Mr. Carden Clarke	Antigua and Barbuda	Deputy Registrar Supreme Court
Ms. Sandra Mason	Barbados	Registrar of the Supreme Court
Ms. Minnet Hafiz	Belize	Registrar of the Supreme Court
Mr. Reginald Winston	Dominica	Registrar and Provost Marshal
Mr. Greg Girard	Eastern Caribbean Supreme Court	Court Executive Administrator
Mr. Robert Branch	Grenada	Registrar of the Supreme Court
Ms. Sita Ramlal	Guyana	Registrar of the Supreme Court
Ms. Audre Lindo	Jamaica	Registrar of the Supreme Court
Mrs. Sherna Reid-Crosse	Jamaica	Registrar of the Court of Appeal
Ms. Pearletta Lanns	St. Kitts	Registrar of the Supreme Court
Mrs. Kimberly Cenac-Phulgence	St. Lucia	Registrar of the Supreme Court
Mr. Etienne Ranchor	Suriname	Registrar High Court of Justice
Ms. Evelyn Ann Petersen	Trinidad and Tobago	Registrar of the Supreme Court
Ms. Nicole Ramcharan-Ramdass	Trinidad and Tobago	Registrar of the Environmental Commission
Mr. Andrew Dalip	Trinidad and Tobago	Registrar of the Tax Appeal Board
Mr. Noel Inniss	Trinidad and Tobago	Registrar of the Industrial Court



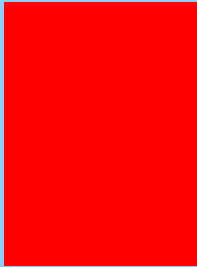
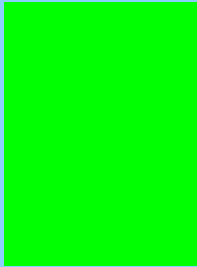
The Hon. Mr. Justice Saunders speaks with Ms. Audre Lindo, Registrar of the Supreme Court of Jamaica



Master Christie-Anne Morris-Allene, and Ms. Paula Pierre at Registrars' and CEAs' Meeting



THE REGISTRY OF THE CARIBBEAN COURT OF JUSTICE

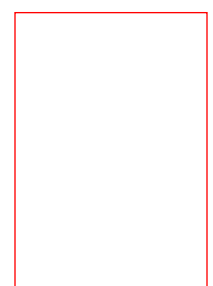
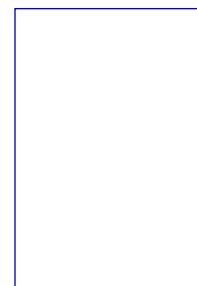
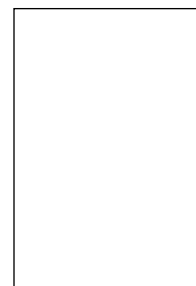
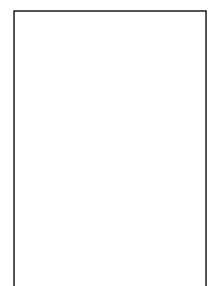
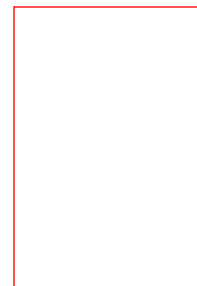
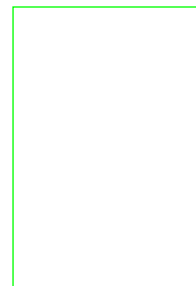
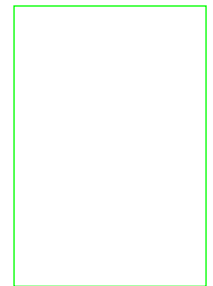
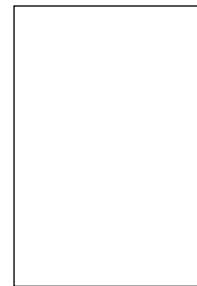
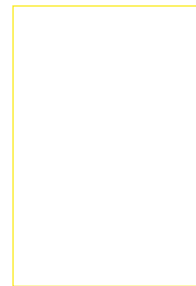


The Registry Supervisor, Mr. Nandlal Hardial, is a citizen of Trinidad and Tobago and brings to the job 31 years of experience in the Judiciary of Trinidad and Tobago, of which over 15 were with the Court of Appeal where he acted as the Section Manager.

The Court Support Officer, Ms. Jacqueline Swaby, is a citizen of Jamaica and previously worked as a Court Clerk in the Court of Appeal of Jamaica. Together they are responsible for the receipt of all documents in the Registry, recording of all log notes in Court, the records management of the Registry, receipt of fees, preparation of orders and records of appeal as well as liaising with the staff of the sub-Registries.

Prior to moving into its first real home the space allocated to the Registrar's Chambers on the 5th Floor of the Unit Trust Corporation building, served as the Registry of the Court in the first year of the life of the Court after its Inauguration on 16th April 2005.

Like the Registry, the space allocated to the first courtroom of the Caribbean Court of Justice served also as a Conference Room for both the Court and the Commission.



Left to Right: Ms. Paula Pierre, Registrar and Chief Marshal, Ms. Heather Dyer-Thompson, Secretary

The Registry of the Caribbean Court of Justice claimed its first home when the Court and Commission moved to 134 Henry Street, Port of Spain. The Registry is located on the ground floor of the building and has two members of staff apart from the Registrar and the Registrar's Secretary.



Ms. Jacqueline Swaby, Court Support Officer, Mr. Nandlal Hardial, Registry Supervisor, review a document online

JUDICIAL WORK OF THE COURT

This application made in, a libel case, was heard on 8th and 9th August, 2005 in the first home of the Court at Level 5, Unit Trust Corporation Financial Centre at 82 Independence Square Port of Spain.



Registrar displays the first notice of appeal

The cramped surroundings did not hamper the first sitting of the Court. This first sitting was memorable for many reasons, not least of which was the bomb scare which occurred during the lunch break on 8th August 2005. Special leave to appeal was granted and the notice of appeal was filed on 19th August 2005 and the appeal was heard on 7th November 2005.

A total of six appeals and seven applications for special leave to appeal and special leave to appeal as a poor person were filed in the appellate jurisdiction of the Court during the period under review. No matters were filed in the original jurisdiction of the Court as at 31st July 2006.

The first matter filed in the Caribbean Court of Justice was an application for special leave to appeal filed on 15th July 2005 in the Registry at 5th Floor Unit Trust Corporation Financial Centre in the matter of Barbados Rediffusion Service Limited v. Asha Mirchandani, Ram Mirchandani & McDonald Farms Ltd.



Registrar stamps the first matter to be filed in the CCJ



Court-room view from bar tables

The following attorneys at law appeared before the court in its first year

- Sir Henry Forde Q.C
- Mr. Hal Gallop
- Mr. C. Anthony Audain
- Mr. Clement Lashley Q.C.
- Mr. David Thompson
- Ms. Onika E. Stewart
- Ms. Shaunita Jordan
- Dr. R. Cheltenham Q.C.
- Mr. Benjamin E. Gibson
- Ms Mandisa Breedy
- Mr. Vashist Maharaj
- Mr. Mohabir A. Nandlall
- Mr. Roger Forde Q.C
- Mr. Brian Barrow
- Mr. M. Adrian King
- Ms. Peta-Gay Lee-Brace
- Mr. Gino Persaud
- Ms. Wendy Maraj
- Mr. Alair P. Shepherd Q.C.
- Mr. Phillip McWatt
- Mr. Douglas Mendes S.C.
- Mr. C. A. Nigel Hughes
- Mr. Roger Yearwood
- Mr. Steven Fraser
- Ms. Jo-Ann Barlow
- Mr. Stanley I. Marcus S.C.
- Mr. Frank James
- Ms. Gwendolyn I .Bristol
- Mr. Sean Cazabon
- Ms. Candace Raphael

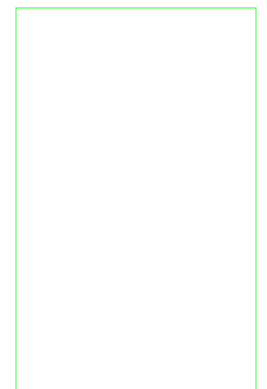
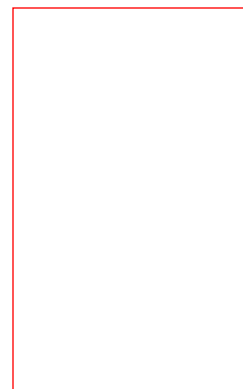
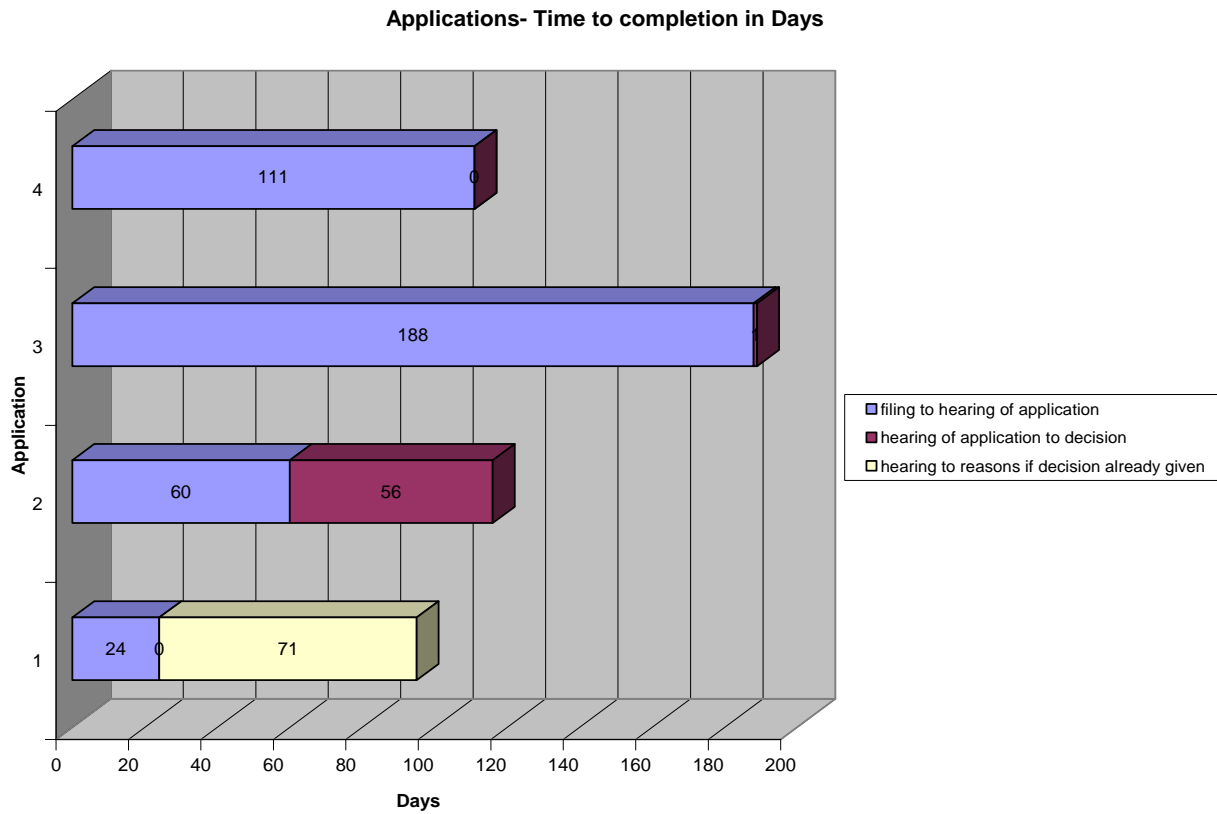
Table 1 below indicates the matters filed in the appellate jurisdiction during the period under review by type and country of origin.

July 1 – Dec 31, 2005	BARBADOS	GUYANA
Applications for special leave to appeal	1	-----
Applications for leave to appeal as a poor person	-----	-----
Civil Appeals	2	-----
Criminal Appeals	-----	-----
Jan 1 – July 31, 2006		
Applications for special leave to appeal	2	3
Applications for leave to appeal as a poor person	1	4
Civil Appeals	-----	-----
Matrimonial Appeals	1	-----
Criminal Appeals	2	1
TOTAL	9	8

Table 2 below indicates the status as at July 31, 2006, of matters filed

Type of Matter	No. filed	No awaiting action by local court	No awaiting action by parties	No awaiting action by CCJ Registrar	No awaiting decision by the Court	No decision given but awaiting reasons	Number disposed of
Applications for special leave to appeal	6		1	1			4
Applications for special leave to appeal as a poor person	5	1		1			3
Civil Appeals (incl Constitutional Appeals)	2				1		1
Matrimonial Appeals	1		1				
Criminal Appeals	3		2			1	

Figure 1 below indicates the time to completion in days of applications which were filed with the Court.



JUDICIAL RESEARCH AND JUDICIAL SUPPORT

Western Ontario to have selected students intern at the Caribbean Court of Justice during the university vacation period. The first students joined the Judicial Research Team from May to the end of August 2006.

Secretarial, chauffeur, and messengerial support

Each judge of the CCJ is supported by a Judicial Secretary and a driver. The Secretarial task includes executive and personal assistance as well as transcription. The judges' secretaries have been trained to provide transcription services for the Court. Two secretaries are at present pursuing certificates in court transcription which is a joint programme with the Judiciary of Trinidad and Tobago and the College of Science and Technology of Trinidad and Tobago (COSTATT)



Left to Right: Ms. Jennifer Scipio-Gittens, Ms. Collette Brown, Ms. Sandra Cameron, Ms. Sherry-Ann Ramhit, Ms. Sandra Dee Brown, Ms. Andrea Sohun, Ms. Debra Gibbs

The Judges drivers also provide services to the organisation as court orderlies and marshal's assistants.



The Judges drivers, the Court's drivers/messengers and the Commission's drivers/messengers.

Left to Right: Mr. Sheldon Daniel, Mr. Hucliffe Samuel, Mr. Garvin Padmore, Mr. Oscar Peters, Mr. Selwyn Hart, Mr. Brian Salandy, Mr. Lerick Young, Mr. Jeffrey Benjamin, Mr. Sheldon Cambridge, Mr. Keith Gordon



Right to Left: Ms. Radha Permanand, Ms. Natasha George

The Caribbean Court of Justice has also accepted an offer from the Faculty of Law of the University of



Left to Right: Law students Mr. Jonathan Weisman, and Mr. David Aaron make a presentation to the President on behalf of the Faculty of Law of the University of Western Ontario

REPORT ON COMMONWEALTH MEETING OF JUSTICES AND REGISTRARS OF FINAL/REGIONAL APPELLATE COURTS

and Southern African Court of Justice (COMESA) and the Registrar, Mr. Siphon Zwane S.C., the Honourable Mme. Justice H. N. Donli, President of the Community Court of Justice, Economic Community of West African States (ECOWAS) and Mrs. Altine Abimiku, the personal Assistant to the President.

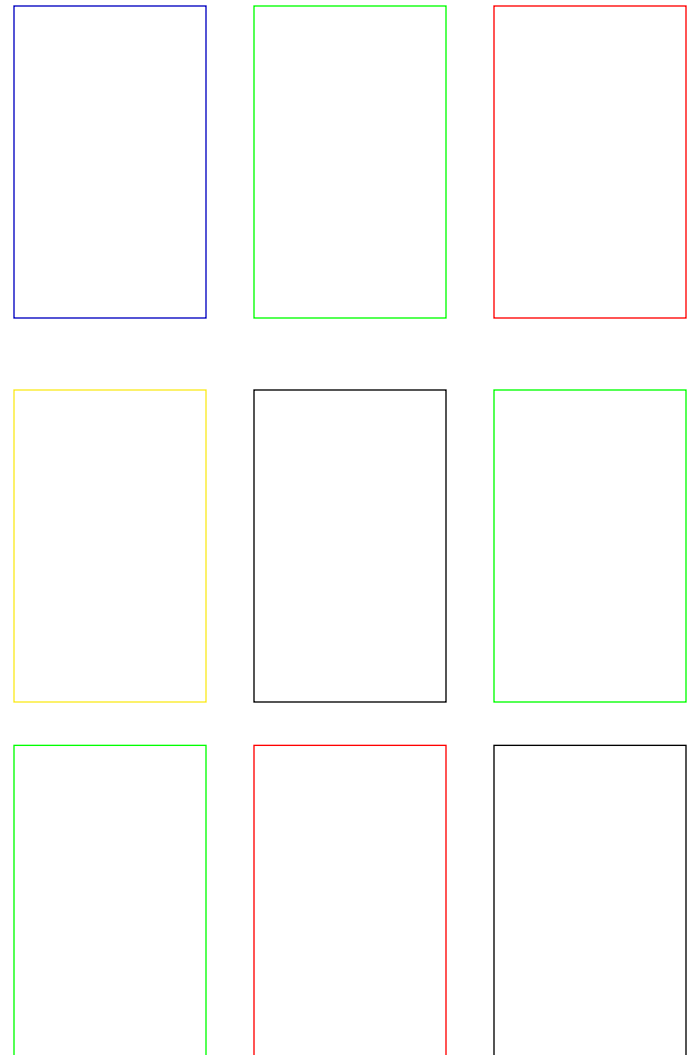
What was immediately apparent from the discussions held and the papers presented at the meeting was the similarity in problems faced initially by all of the more established final Courts which had delinked from the Judicial Committee of the Privy Council viz the lack of confidence in the local judicial material when compared with the Privy Council Judges and first small caseloads which gradually became much heavier.

The discussions with the regional courts revealed common problems connected with the referral to the regional courts of questions relating to the application and interpretation of the Treaty.

During the period 20th February 2006 to 2nd March 2006 the Legal and Constitutional Affairs Division of the Commonwealth Secretariat hosted a meeting of Commonwealth Justices and Registrars. The purpose of this meeting was to 'enhance the sharing of experiences and discussions among newly emerging Courts of the Commonwealth'. The first week of the meeting was held in Wellington New Zealand and the second week in Canberra Australia.



The Caribbean Court of Justice was represented by the President of the Court, the Rt. Honourable Mr. Justice Michael de la Bastide, T.C., the Honourable Mr. Justice Rolston Nelson and the Registrar, Ms. Paula Pierre. Other delegates included Ms. Anne Roland Registrar of the Supreme Court of Canada, The Honourable Justice Nzamba Kitonga, President of the Community of Eastern



COURT FINANCE AND ACCOUNTING DIVISION

bank balances, investing cash in hand to ensure maximum return pending disbursement while facilitating timely draw-downs of funds when needed. The division is also responsible for payroll.

As the Court and Commission are financed by the Trust Fund managed by the Trustees, the Finance and Accounting division is responsible for the receipt of funds from the Trust fund. The division also prepares financial information and reports for grant agencies and assists the Court and Commission in the management of grant funds.

It is a performance standard of the division that all reports are submitted on time and that financial statements are completed according to generally accepted accounting principles and submitted for audit in a timely manner.

During the period under review, the Finance and Accounting Division developed finance and accounting performance standards for the unit and worked with the other divisions of the court's administration to develop other performance standards and policies. The finance and accounting standards address the finance and accounting procedures themselves as well as customer service standards.

Also during this period, the Court Finance and Accounting Division migrated from Peachtree Software to Great Plains software. This software utilises a modular approach, so the Court can license only the functions currently needed, with the option of adding users and additional capabilities in the future. In the upcoming year, using this accounting package, the Court will print all cheques using plain paper, thereby improving security. The migration process from Peachtree accounting software to Great Plains was relatively seamless. The Court however has experienced some formatting and reporting problems but these are being resolved with the software provider.

It is the policy of Court Administration that the organisation be a learning organisation in which continuing education forms part of the organisational culture. Employees of the division therefore attend professional seminars/meetings to keep abreast of reporting changes and the department subscribes to publications providing this information. In this regard, the Financial Comptroller attended several IFRS Workshops in Trinidad as well as a Risk management seminar.

The Court received an unqualified audit of the 2004 and 2005 financial statement from the Court's auditors. No significant internal control weaknesses were reported by the Court's auditors for 2004 and 2005. The Audited Financial Statement is appended to this report.



Left to Right: Mr. Larry Ramoutar, *Financial Comptroller*, Ms. Feli Renwick, *Accounting Assistant*

Absent: Ms. Deborah Williams, *Secretary*

The Court Finance & Accounting Division of the Court's Administration manages the funds of the Court and the Commission. The Court Executive Administrator is the accounting officer and the division is headed by Mr. Larry Ramoutar, Financial Comptroller and includes Ms Feli Renwick, Accounting Assistant and Ms. Deborah Williams, Secretary to the Financial Comptroller.

The division works with senior management to prepare the budget of the Court and Commission and provides financial management support to the Court Executive Administrator. The division is responsible for accounting for all funds received and expended by the Court and prepares financial reports, including the Court's annual financial and cash flow statements, analysis of budgets, and various reports for the RJLSC.

The division is responsible for VAT reporting, represents the court in audits and manages the cash and investments of the Court and Commission by monitoring

2006 Original Budget and Revised 2006 Budget

The agreement establishing the Court and Commission provides for the Court and the Commission to prepare biennial budgets. For the 2006 period, however, it was agreed by the Court, the Commission and the Trustees that a budget would be prepared for 2006 only as it was at that stage difficult to ascertain costs for a two year period accurately.

The original 2006 Budget was finalised by the Court and Commission on 22nd November 2005. An important assumption in the original 2006 Budget was that the Court and Commission would move to new premises, 134 Henry Street, Port of Spain between December 2005 and January 2006.

The Court and Commission did not move until May 2006 and in light of the delay in moving, the Court and the Commission revised the 2006 Budget in June 2006. The Revised 2006 Budget was prepared after some experience had been gained in operating the Court and was also based upon the assumption of zero growth. It reduced the money which the Trustees were required to provide from US\$7.5 million to US\$4.412 million.

Revised Projections 2006 – 2010

In November 2005 at the request of the Trustees, the Court and the Commission prepared projections for a five-year period 2006 to 2010 while noting the fact that the projections were highly speculative as there was no historical knowledge or data on which to base them and the operations of the Court were at that time an unknown quantity.

In June 2006, at the same time as the revision of the 2006 budget, the Court and Commission also revised the five-year projections on the same assumption of zero growth.

The CCJ Trust Fund’s Second Annual Report (page 13) indicates that the expected net return on the long term portfolio of the CCJ Trust Fund was projected at 9% for 2006. Therefore in 2006 the Trust Fund expects to earn a net of approximately US\$8.3 million on the long term funds.

The total cash requirement for the Court and Commission for 2006 is anticipated at US\$4.4 million, that is, only 53% of the projected total interest earned on the long term portfolio in 2006.

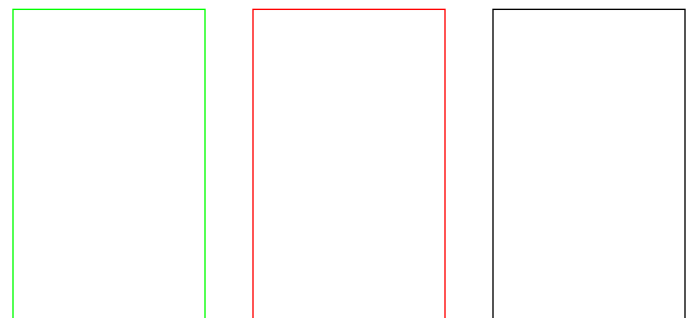
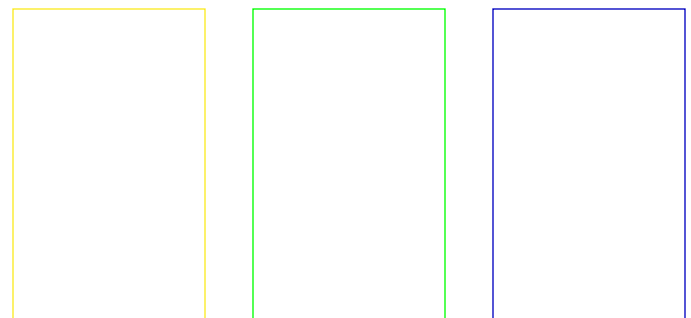
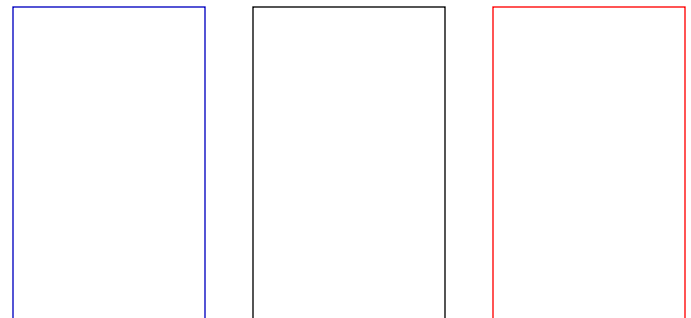
Based upon the Trust Fund’s First Adequacy Report (see paragraph 4.5, page 8) the average long term rate of return on the Fund is expected to be 11% p.a. The net long term rate of return is 9.5% after deducting the Fund’s expenses and outgoings.

These returns are expected to arise after the total expected expenditure of the Court and Commission in each year has been fully provided for at the beginning of that year.

Based on these assumptions the anticipated expenditure of the Court and Commission is substantially less year by year than the net expected return on the Fund.

PROPOSED BUDGET PROCEDURES

Representatives of the Court, the Commission and the Trust Fund met on several occasions to discuss the procedure to be adopted in preparing and finalising the budget of the Court and Commission. At the end of the period under review the parties were trying to reach agreement on a Protocol defining this procedure. Significant progress had been made and it was anticipated that the ongoing discussions would produce a document acceptable to all the parties.



BUILDING A REGIONAL TEAM



Above and below: CCJ team participates in and wins the Annual Family Court Cook Out



President de la Bastide addresses staff at the Christmas Lunch



Staff members decorating the CCJ Christmas Tree

The staff of the Caribbean Court of Justice is a regional grouping. In order to provide efficient and customer focused services to the people of the region, the staff must work like a team. Team building is done through working together and playing together. During the period under review, the staff have built a team by activities as diverse as designing and trimming the tree together, undergoing training together, competing against other courts in the Trinidad and Tobago Family Court Annual Cookout together (and winning), organizing Christmas lunch and dining together, experiencing Carnival crawl together, working out new technology together, getting the makeshift facility ready for the first case of the Court together, moving into the new premises together, doing pop quizzes together and selecting employees of the year together as well as by celebrating successes together.



Judges and staff at the CCJ Christmas Luncheon



Training Together



Getting the makeshift Facility ready together



Getting to know each other



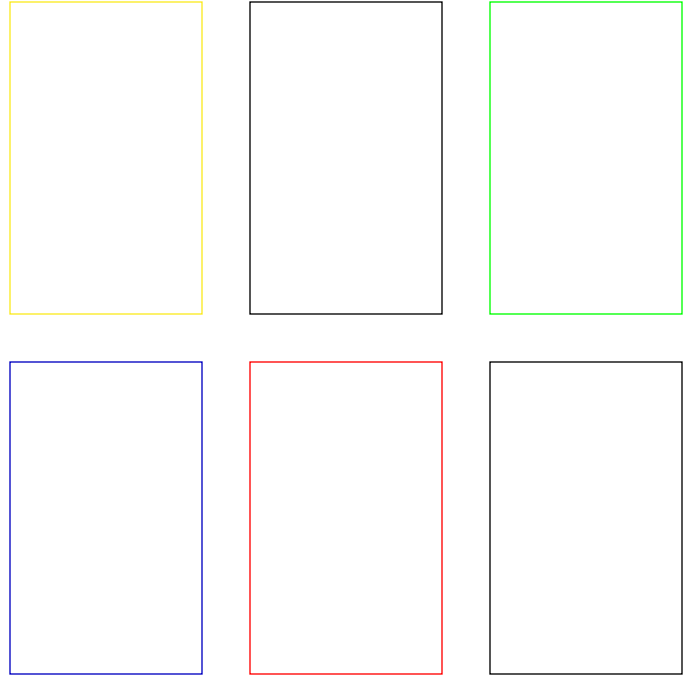
Learning new technology together



Employee of the Year



Ms. Sonia Thompson, Employee of the Year



The Employee of the Year is selected each year at the end of April. Selection of Employee of the Year is made using the following criteria:

- *cumulative tests results for the year,*
- *CARICOM spirit,*
- *going the extra mile,*
- *involvement in the organisation,*
- *respect for colleagues and others in the organisation,*
- *punctuality,*
- *work,*
- *conduct,*
- *team spirit,*

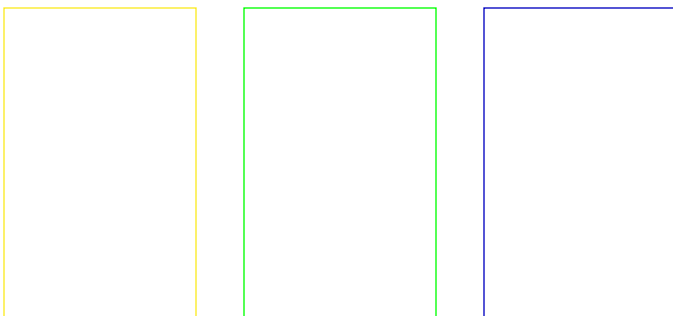
Ms. Sonia Thompson, Information Technology Support Technician was Employee of the Year for 2005-2006.

The Runners up for Employee of the Year for 2005-2006 were:

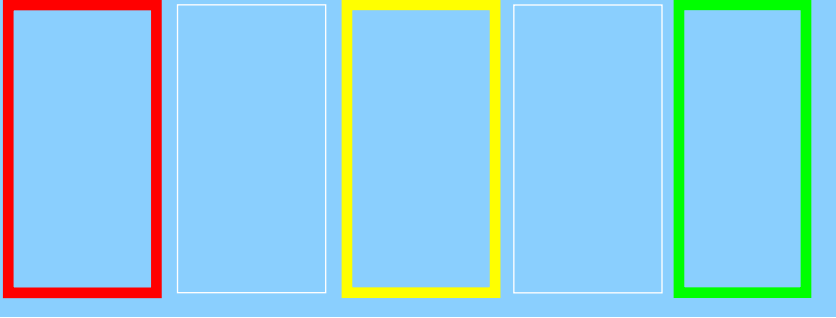
- Mr. Nigel Payne, Office Manager,
- Ms. Denise Dickenson, Tea Assistant,
- Mr. Keith Gordon, Driver/Messenger
- Ms. Andrea Sohun, Secretary
- Ms. Genevieve Gray, Secretary



Employee of the Year Ms. Sonia Thompson with Runners-up.
Left to Right: Mr. Nigel Payne, Ms. Denise Dickenson, Ms. Sonia Thompson, Mr. Keith Gordon, and Ms. Andrea Sohun,. (not in photo: Ms. Genevieve Gray, Secretary)



ACKNOWLEDGEMENTS



This historic first annual report of the Court would not be complete without the Court's administration acknowledging those who have taken time and made an effort to assist the CCJ to get on its feet and to settle into the country of the seat of the Court during the period under review.

- The Permanent Secretary and staff of the Ministry of the Attorney General together with their project managers, architects, and contractors



The CEA with the contractor representatives



Above and below: Builders, craftsmen and technicians



- The management and staff of the Unit Trust Corporation who graciously tolerated the inconvenience of a 'different type' of tenant.
- The Chief Immigration Officer and his staff and in particular, Mr. Wayne Rouff, Acting Immigration Officer IV, who continue to be of great assistance to the court in settling in.
- The Comptroller of Customs and his staff.
- The Commissioner of Value Added Tax and his staff.
- The Permanent Secretary of the Ministry of Foreign Affairs, the Chief of Protocol and their staff for their guidance and assistance.
- The CCJ's contractors, who undertook the elements of the building engineering and outfitting works which were the CCJ's responsibility.
- The staff of our janitorial maintenance contractor who have become such a part of us



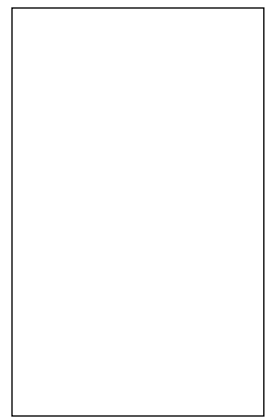
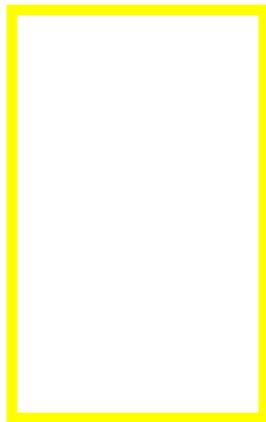
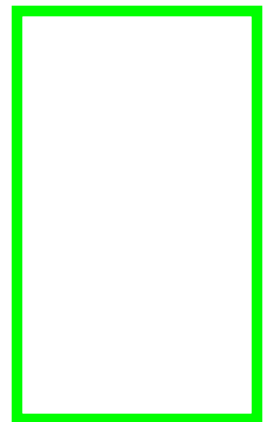
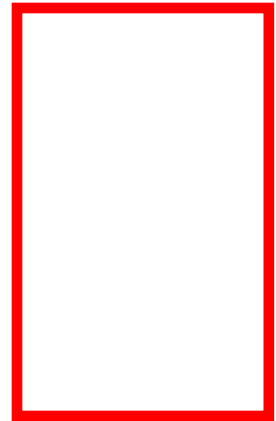
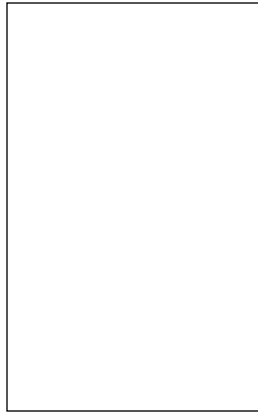
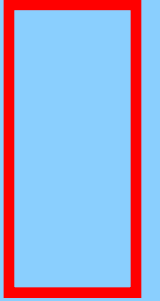
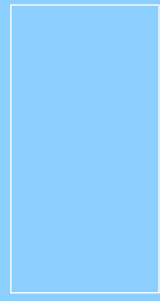
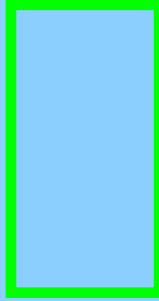
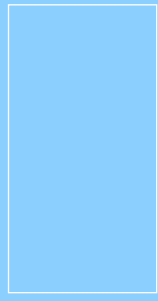
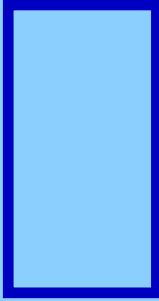
Janitorial Maintenance:

Front Left to Right: Ms. Joanne Downes, Ms. Akeila Andrews, Ms. Damiane "Helen" Gooding, Ms. Pearl Rubin Hall

Back Left to Right: Mr. Christopher Peters, Mr. Joel Hospedales, Ms. Ann Marie James, Ms. Carol Walcott, Mr. Raymond Bishop

- Mr. John Yearwood, whose eye for colour has helped to create the open and bright atmosphere the court's administration wanted.
- The Department of Court Administration of the Judiciary of Trinidad and Tobago, which provided support and services for startup and made the CCJ feel welcome.

APPENDICES



APPENDIX A

AUDITED FINANCIAL STATEMENTS OF THE CARIBBEAN COURT OF JUSTICE
- DECEMBER 31, 2005



Financial Statements of

THE CARIBBEAN COURT OF JUSTICE

December 31, 2005





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Auditors' Report to the Court Executive Administrator of the Caribbean Court of Justice

We have audited the balance sheet of the Caribbean Court of Justice (the Court) at December 31, 2005 and the statements of income, changes in retained earnings and cash flows for the year then ended as set out on pages 2 to 13. These financial statements are the responsibility of the organisation's management. 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 plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Court as at December 31, 2005 and the results of its operations and its cash flows for the year then ended in accordance with International Financial Reporting Standards.

Chartered Accountants

Port of Spain
Trinidad and Tobago, W.I.
May 31, 2006

THE CARIBBEAN COURT OF JUSTICE

Balance Sheet

December 31, 2005

	Notes	2005	2004
ASSETS			
Non-current assets			
Net fixed assets	1	\$ 6,450,354	-
Current assets			
Other receivables	2	1,300,370	-
Cash and cash equivalents		12,210,225	-
Total current assets		<u>13,510,595</u>	-
Total assets		\$ <u>19,960,949</u>	-
ACCUMULATED FUND AND LIABILITIES			
Accumulated fund			
Retained earnings/(accumulated deficit)		\$ 13,778,262	(565,996)
Current liabilities			
Deferred income	3	683,334	-
Due to related party	4	4,906,301	556,996
Other payables	5	593,052	9,000
Total current liabilities		<u>6,182,687</u>	<u>565,996</u>
Total accumulated fund and liabilities		\$ <u>19,960,949</u>	-

See accompanying notes to financial statements.

On behalf of the Caribbean Court of Justice



Court Executive Administrator

Statement of Income

For the year ended December 31, 2005

(with comparative figures for the 5 months ended December 31, 2004)

	Notes	2005	2004
Revenue	6	\$ 34,562,388	-
Administrative expenses	7	(20,218,130)	(565,996)
Surplus (deficit) of income over expenditure for the year/period		\$ <u>14,344,258</u>	<u>(565,996)</u>

See accompanying notes to financial statements.

Statement of Changes in Retained Earnings/Accumulated Deficit

For the year ended December 31, 2005

(with comparative figures for the 5 months ended December 31, 2004)

		Retained earnings
For the five months ended December 31, 2004		
Deficit of expenditure over income for the period	\$	<u>(565,996)</u>
Balance as at December 31, 2004	\$	<u>(565,996)</u>
Year ended December 31, 2005		
Balance as at January 1, 2005	\$	(565,996)
Surplus of income over expenditure for the year		<u>14,344,258</u>
Balance as at December 31, 2005	\$	<u>13,778,262</u>

See accompanying notes to financial statements.

Statement of Cash Flows

For the year ended December 31, 2005

(with comparative figures for the 5 months ended December 31, 2004)

	2005	2004
Cash Flows from Operating Activities		
Surplus (deficit) of income over expenditure for the year/period	\$ 14,344,258	(565,996)
Adjustments to reconcile surplus (deficit) of Income over expenditure for the year/period to net cash from operating activities		
Depreciation	2,150,118	-
Amortisation of deferred income	(227,778)	-
Other receivables	(1,300,370)	-
Due to related party	4,349,305	556,996
Other payables	584,052	9,000
Net cash from operating activities	<u>19,899,585</u>	-
Cash Flows from Investing Activities		
Purchase of fixed assets	<u>(7,689,360)</u>	-
Net cash used in investing activities	<u>(7,689,360)</u>	-
Net increase and cash and cash equivalents at the end of the year/period	\$ <u>12,210,225</u>	-
Analysis of cash and cash equivalents		
Cash on hand and at bank	\$ <u>12,210,225</u>	-

See accompanying notes to financial statements.

Notes to Financial Statements

December 31, 2005

Establishment and Principal activity

The Agreement establishing the Caribbean Court of Justice and the Regional Judicial and Legal Services Commission was signed on 14th February 2001 by the following Caribbean Communities (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 February 15, 2003, bringing the total number of signatories to 12.

The Agreement establishing the Court came into force on 23rd July 2002 and the President of the Court assumed office on 18th August 2004. The Court was inaugurated on 16th April, 2005 in Port of Spain, Trinidad and Tobago.

The first Commissioners took office on 21st August 2003. The Commission 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. It is the Final Appellate Court for those Contracting Parties who wish to access it and it is vested with an original jurisdiction in respect of the interpretation and application of the Treaty Establishing the Caribbean Community. 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 31, 2006.

Significant accounting policies**(a) *Statement of compliance***

These financial statements have been prepared in accordance with the International Financial Reporting Standards and its interpretations issued by the International Accounting Standards Board.

(b) *Basis of preparation*

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

(c) *Reporting currency*

These financial statements have been prepared in Trinidad and Tobago dollars.

Significant accounting policies (continued)**(d) Use of estimates**

The preparation of these financial statements requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results could differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

(e) Fixed assets

Fixed assets are stated at cost less accumulated depreciation and impairment losses. The Court recognizes in the carrying amount of an item of fixed assets, the cost of replacing part of such an item when that cost is incurred if it is probable that the future economic benefits embodied with the item will flow to the Court and the cost of the item can be measured reliably.

All other costs are recognised in the income statement as an expense as incurred.

Depreciation is charged using the straight-line method at the rate of 25% which is designed to write off the cost of the assets over their estimated useful lives.

(f) Other receivables

Other receivables are stated at cost less impairment losses. Impairment losses include any specific provision established to recognize anticipated losses for bad and doubtful debts. Bad debts are written off during the period in which they are identified.

(g) Cash and cash equivalents

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

Significant accounting policies (continued)**(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 in the balance sheet when the Court has a present legal or constructive obligation as a result of a past event, and it is probable that an outflow of economic benefits will be required to settle the obligation. If the effect is material, provisions are determined by discounting the expected future cash flows at a rate that reflects current market assessments at the time value of money and, where appropriate, the risks specific to the liability.

(k) Impairment

The carrying amounts of the Court's assets, other than fixed assets and inventories, are reviewed at each balance sheet 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 income statement.

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.

Notes to Financial Statements

December 31, 2005

Significant accounting policies (continued)**(l) Grants**

Unconditional grants related to the ongoing operations of the Court/Commission are recognised in the statement of income as revenue when the grant becomes receivable. Grants that compensate the Court/Commission 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/Commission 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.

(m) Operating leases

Payments made under operating leases are recognised in the income statement on a straight-line basis over the term of the lease. Lease incentives received are recognised in the income statement as an integral part of the total lease expense.

(n) Foreign currency transactions

Transactions in foreign currencies are translated at the foreign exchange rate ruling at the date of the transaction. Monetary assets and liabilities denominated in foreign currencies at the balance sheet date are translated into Trinidad and Tobago dollars at the foreign exchange rate ruling at that date. Foreign exchange differences arising on translation are recognised in the income statement. Non-monetary assets and liabilities that are measured in terms of historical cost in a foreign currency are translated using the exchange rate ruling at the date of the transaction.

(o) Taxation

Pursuant to the terms of the Agreement establishing the Seat of the Caribbean Court of Justice, signed on 23rd February 2005 between the Court, the Commission and the Government of the Republic of Trinidad and Tobago, the property of the Court and the Commission shall be exempt from:

- (a) any form of direct or indirect taxation
 - (b) customs duties and prohibition and restriction on imports and exports in respect of articles imported or exported for their official use.
-

Notes to Financial Statements

December 31, 2005

1. Net fixed assets

	Computers & Software	Furniture & Equipment	Flags Crests and Seals	Library Books and Materials	Vehicles	Total
Cost or valuation						
At January 1, 2005	\$ -	-	-	-	-	-
Additions	1,630,309	2,118,307	156,145	1,930,711	2,765,000	8,600,472
At December 31, 2005	\$ 1,630,309	2,118,307	156,145	1,930,711	2,765,000	8,600,472
Accumulated depreciation						
At January 1, 2005	\$ -	-	-	-	-	-
Charge for the year	407,577	529,577	39,036	482,678	691,250	2,150,118
At December 31, 2005	\$ 407,577	529,577	39,036	482,678	691,250	2,150,118
Net book value						
At December 31, 2005	\$ 1,222,732	1,588,730	117,109	1,448,033	2,073,750	6,450,354
At December 31, 2004	\$ -	-	-	-	-	-

2. Other receivables

	December 31 2005	5 months to December 31 2004
VAT recoverable	\$ 702,208	-
Other receivables	598,162	-
	\$ 1,300,370	-

Notes to Financial Statements

December 31, 2005

3. Deferred income

	December 31 2005	5 months to December 31 2004
Grant received	\$ 911,112	-
Amortisation of grant for the year	(227,778)	-
	<u>\$ 683,334</u>	<u>-</u>

The deferred income relates to a grant of fixed assets from the Office of the Attorney General of the Republic of Trinidad and Tobago.

4. Due to related party

	December 31 2005	5 months to December 31 2004
The Regional Judicial and Legal Services Commission (RJLSC)	\$ 4,906,301	556,996

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

5. Other payables

	December 31 2005	5 months to December 31 2004
Accounts payable	\$ 545,262	-
Other payables and accrued liabilities	47,790	9,000
	<u>\$ 593,052</u>	<u>9,000</u>

Notes to Financial Statements

December 31, 2005

6. Revenue

	December 31 2005	5 months to December 31 2004
Funds from the Caribbean Court of Justice Trust Fund	\$ 33,534,217	-
Amortisation of deferred income	227,778	-
Interest income	780,795	-
Other income	19,598	-
	<u>\$ 34,562,388</u>	<u>-</u>

7. Administrative Expenses

	December 31 2005	5 months to December 31 2004
Salaries and allowances	\$ 10,668,197	503,131
Inauguration Expenses	3,802,202	-
Other Administrative Expenses	3,562,062	62,865
Depreciation	2,150,118	-
Foreign exchange loss	26,901	-
Bank charges	8,650	-
	<u>\$ 20,218,130</u>	<u>565,996</u>

Notes to Financial Statements

December 31, 2005

8. Operating leases

Non cancellable operating lease rentals are payable as follows:

	December 31 2005	5 months to December 31 2004
Less than one year	\$ 756,300	-
Between one and five years	491,595	-
	<u>\$ 1,247,895</u>	<u>-</u>

During the year, \$500,845 was recognised as an expense in the income statement in respect of operating leases.

9. Financial instruments

The following summarises the major methods and assumptions used in estimating the fair values of financial instruments.

Other receivables and payables

For receivables and payables with a remaining life of less than one year, the notional amount is deemed to reflect the fair value. All other receivables and payables are discounted to determine the fair value.



Supplementary Financial Information

THE CARIBBEAN COURT OF JUSTICE

December 31, 2005





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**Auditors' Report On
The Supplementary Financial Information**

**To: The Court Executive Administrator of the
Caribbean Court of Justice**

We have audited the financial statements of the Caribbean Court of Justice for the year ended December 31, 2005, and have issued our report thereon dated May 31, 2006.

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, set out on pages 15 to 16, 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

Port of Spain
Trinidad, W.I.
May 31, 2006

Balance Sheet

December 31, 2005

(Expressed in United States Dollars)

	2005	2004
ASSETS		
Non-current assets		
Net fixed assets	\$ 1,027,198	-
Current assets		
Other receivables	206,408	-
Cash and cash equivalents	1,940,305	-
Total current assets	<u>2,146,713</u>	-
Total assets	<u>\$ 3,173,911</u>	-
RESERVES AND LIABILITIES		
Retained earnings/(accumulated deficit)	\$ 2,192,718	(89,841)
Foreign currency translation reserve	<u>(186)</u>	-
	<u>2,192,532</u>	<u>(565,996)</u>
Current liabilities		
Deferred income	108,466	-
Due to related party	778,778	556,996
Other payables	<u>94,153</u>	<u>9,000</u>
Total current liabilities	<u>981,379</u>	<u>565,996</u>
Total reserves and liabilities	<u>\$ 3,173,911</u>	-

Statement of Income

For the year ended December 31, 2005

*(with comparative figures for the 5 months ended December 31, 2004)**(Expressed in United States Dollars)*

	2005	2004
Revenue	\$ 5,491,785	-
Administrative expenses	(3,209,227)	(565,996)
Surplus (deficit) of income over expenditure for the year/period	\$ <u>2,282,558</u>	<u>(565,996)</u>

APPENDIX B

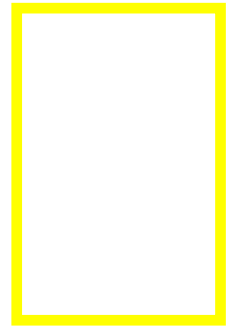
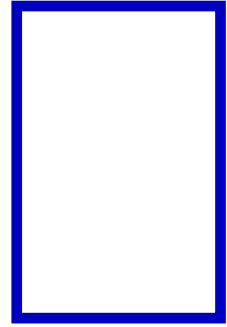
UNAUDITED EXPENDITURE STATEMENT FOR PERIOD MAY 1, 2005 – JULY
31, 2006

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

EXTRACT OF EXPENDITURE FOR THE PERIOD 1 MAY 2005 TO 31 JULY 2006

United States Dollars

	1 May 2005 to 31 July 2006
Cash on Hand (1 May 2005)	4,778,612
RECEIPTS	4,145,208
Total Cash Available (before cash out)	8,923,820
CASH PAID OUT	
1 Personnel Expenses	3,118,473
2 Goods and Services	883,807
3 RJLSC Expenses	251,181
4 Vat Paid	234,856
5 Non Lined Expenditure	34,169
SUBTOTAL RECURRENT EXPENDITURE	4,522,486
CAPITAL EXPENDITURE	
Total Capital Expenditure	2,706,342
TOTAL RECURRENT & CAPITAL EXPENDITURE	7,228,828
Cash Position 31 July 2006	1,694,993



The Caribbean Court of Justice building at 134 Henry St, Port of Spain, Trinidad

