



THE CARIBBEAN COURT OF JUSTICE

OneRegion **One**People **One**Court



A N N U A L
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*Cover Photos: (Top to Bottom)
Hall of Justice, Trinidad and
Tobago; High Court of Antigua;
Georgetown Magistrates Court,
Guyana.*

Our Mission

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

Our Vision

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



Message From The President



The Right Honourable
Mr. Justice Michael de la Bastide T.C.

This is the third Annual Report of the Caribbean Court of Justice to which I have had the honour of introducing the reader. The period covered by this report is from the 1st August, 2007 to the 31st July, 2008. This was a period of consolidation and growth for the Court.

Probably the most significant event during the period under review was the filing of the first case in the original jurisdiction of the Court. In my introduction to the last Annual Report I suggested that the inactivity in our original jurisdiction was due to “a lack of awareness among the business and legal communities of the region of the right of private entities and individuals to access the Court directly”. It would seem that that awareness is no longer lacking. On the 3rd April, 2008, Trinidad Cement Limited and TCL Guyana Incorporated filed proceedings against the Co-operative Republic of Guyana at the Seat of the Court in Port of Spain. The first step was an application for leave by the claimants to bring the proceedings and by an Interim Ruling given by the Court on the 22nd July, 2008, the Court invited the Community and the Contracting Parties (other than Guyana) to file written submissions on two preliminary issues identified and formulated by the Court. The second case to be filed in the original jurisdiction was not long in coming. This was an application filed in Barbados on the 4th July, 2008, for leave to bring proceedings against the Caribbean Centre for Development Administration (CARICAD) and the administrative head of that organisation. The application was filed by a former employee of CARICAD’s whose employment had been terminated on the ground of redundancy. These two matters were still in the case management stage at the end of the period under review.



Message From The President

continued

On the appellate side, Barbados and Guyana continued to be the only CARICOM States to adopt the CCJ as their final court of appeal. Numerically the preponderance of appeals came from Guyana. Some of the Guyana appeals raised important and interesting questions of how to interpret and apply the statutory provisions which create a mix of Roman Dutch law and English common law in the real property law of Guyana. During the period under review the Court delivered seven judgments of which six were subsequently reported in the series of law reports known as the West Indian Reports' published by Butterworths of London.

There were substantial amendments of the Caribbean Court of Justice (Appellate Jurisdiction) Rules made by the President and Judges of the Court on the 1st April, 2008. The procedure for obtaining leave and special leave to appeal to the CCJ was substantially altered and certain monetary limits governing the grant of leave to appeal as a poor person and the amount of security for costs that an appellant may be ordered to provide, were fixed by Schedules in the currency of the country from which the appeal comes.

An important development was the grant subject to certain conditions and limitations of a discretionary power to the Regional Judicial and Legal Services Commission (RJLSC) to extend the tenure of a Judge of the Court beyond the normal retirement age of 72 to age 75. This was the effect of a Protocol to the Agreement Establishing the Court which was signed by all the Contracting Parties and came into force on the 7th June, 2007. This discretion to extend tenure will not be available once the full complement of nine Judges (not counting the President) has been appointed, and in the case of the President, his tenure may not be extended beyond seven years in total. This Protocol was one of three Protocols to the Agreement Establishing the Court that were incorporated into the domestic law of Guyana by the Protocols to the Agreement Establishing the Caribbean Court of Justice Act, 2007, which was assented to on the 31st December, 2007. At the end of the period under review similar legislation had not yet been passed in Barbados, but I am happy to report that that omission has recently been corrected. In exercise of the power of extension conferred on it by the Protocol and retroactively by the enactments in Guyana and Barbados, the RJLSC extended the tenure in office of Justice Duke Pollard to age 75, thus preserving the Court's access to his expertise for an additional three years.

Another event of importance to the Court was the signing on the 17th August, 2007, of the European Commission – CARIFORUM Financing Agreement for institutional support and capacity building of the Court. Under this agreement a grant of one million three hundred and fifteen thousand euros (1,315,000) will be made available to the Court to be applied by it to assist in meeting certain approved heads of expenditure. Preparatory work for the first draw-down was still in progress at the end of the period under review.

One loose end which was tied up was the passing of the Caribbean Court of Justice (Headquarters) Act, by the Parliament of Trinidad and Tobago. This Act was assented to on the 27th May, 2008, and incorporates in the domestic law of Trinidad and Tobago the Headquarters Agreement which was signed between the Court and the Government of Trinidad and Tobago pursuant to the decision to locate the Seat of the Court in Port-of-Spain. What was disturbing about the debate on the Bill in the Senate was that it revealed how many misconceptions about the Court are still prevalent even in the country in which its Seat is located, notwithstanding our best efforts at public education. At times there seems almost to be a resistance to the information which we put out.



Message From The President

continued

The ignorance of the general public in Trinidad and Tobago about the Court and the work it has been doing, is no doubt due to a large extent to the difficulty we have experienced in getting the local media to take an interest in and to report cases which the Court hears, the judgments which it delivers and the educational activities in which its Judges, officers and staff engage. We can take comfort in the fact that other courts in the region have recognised that the Court has something to offer by way of technical assistance. In the period April to May, 2008, we were visited by delegations from the Judiciaries of Jamaica and Belize respectively on what were described as “study tours”.

The Court also visited Belize in June 2008 and held a very successful seminar there, the theme of which was “CCJ and the CSME Vehicles for Regional Unity What does it Mean for You and Me?”

I think it would be remiss of me to close without recording my keen appreciation of the very high level of competence and dedication brought to the performance of their respective duties by both the Judges of the Court as well as the senior administrative and technical officers of the Court. In fact I consider that this tribute should be extended to every cadre of staff employed by the Court. I take this opportunity of acknowledging and congratulating them on their contribution to the successful operation of the Court.

Michael de la Bastide
President



Message From The Court Executive Administrator



Master Christie-Anne Morris-Alleyne
Court Executive Administrator

The Caribbean Court of Justice (CCJ) is dedicated to serving the Caribbean people. Through consistent adherence to our performance standards we continue to develop into an organisation worthy of those we serve. The people of CARICOM need a court in which they have trust and confidence - a court that is accessible, independent and accountable; one that is fair, timely, expeditious, and preserves the rule of law. This therefore is our focus.

Traditional courts within nations typically suffer loss of public trust and confidence due to a lack of public understanding and education and oftentimes by their failure to provide timeliness and expedition. These elements negatively affect access to justice and the perception of access to justice. Moreover they challenge the public perception of equality fairness and integrity- the foundation of judicial trust, usually without basis in fact. As a new court not yet fully accepted by the Caribbean peoples, the CCJ must build initial public trust and confidence. Knowledge of the work of the Court as revealed by its judgments has strengthened this trust and confidence among our people in those countries which have accessed the CCJ in its appellate jurisdiction. The challenge now is to preserve this and to gain the confidence of those in our member states who remain sceptical. To do so, the Court must first be the best court it can be and in this regard, the CCJ continues to build as a world class institution true to its vision of being worthy of the trust of the people and emulation by the courts of the region.

The Judges with whom I have the honour to work so fully dedicate themselves to their responsibilities that we continue to be professionally fulfilled and motivated by the environment that they create. The professional administrative staff who together form the Court



Message From The Court Executive Administrator

continued

Administration Unit which I have the pleasure to lead are forever considering our guiding principles and standards of access to justice, equality fairness and integrity, independence and accountability, and expedition and timeliness as they work to ensure that the Court is world-class. The support staff unfailingly dedicate themselves to excellence, to support the work of our judges and professional administrators. In their diversity and togetherness they keep reminding us of how we are all one people in this Caribbean. We strive to ensure that this is an enlightened and progressive environment in which we are proud of our achievements and we study our setbacks so that we may learn from them and grow.

This court year, we welcomed visits from members of the Judiciary and of the Cabinet Office of Jamaica and members of the Trinidad and Tobago Law Association among others. We joined with the Judiciary of Belize to plan a public education visit to Belize. We witnessed the filing of the first Original Jurisdiction matter and thus began to activate for the first time our sub-Registries in the contracting party member states which do not access the Court in its appellate jurisdiction. We further upgraded our Court Information Technology with the rolling out of the use of digital pens and our portable audio digital recording system. We amended our Rules of Court and further refined our teleconferencing for case management conferences. We heard matters and delivered judgments. We upgraded our library and enhanced our research methods and we did the things that a properly run dedicated court which wishes to attain and maintain high standards is supposed to do.

I am aware that there are those who will not be satisfied by the Court being an excellent court but are in fact opposed to the idea of a Caribbean Court of any quality replacing the British Court. These are people who will either never be attracted to the CCJ or who may still be attracted by improved knowledge. We therefore continue to inform and educate our CARICOM citizens about the Court.

We have found at times in several member states that limited knowledge and sadly, misinformation not only about the Court, but about the CSME and the rest of the Caribbean further hinder our public education drive. We thus continue to deliver timely and accurate information to our people and to ensure that the Court is an excellent court.

So we publish this, our third Annual Report as a way to enhance accountability and so that we may inform our people, provide greater insight into the working of the Court, and thus earn your trust and confidence.

Master Christie-Anne Morris-Alleyne
Court Executive Administrator



Message From The Registrar



Ms. Paula Pierre
Registrar and Chief Marshal



Ms. Radha Permanand
Deputy Registrar and Deputy Marshal

As I look back over the period August 1, 2007 to July 31, 2008 I am pleased to report that the work of the Court and the Registry has been increasing. While the statistics shown in subsequent pages, will continue to reflect small numbers in terms of matters filed, heard and determined as compared to the statistics of a Supreme Court of a Contracting Party, the small numbers bear no relation to the legal, administrative and technical support required to process the matters through the system.

Two applications for special leave to commence proceedings were filed in the original jurisdiction of the Court. This was a very promising start to the work of the Court in its original jurisdiction and created expectations, in my mind, at least that all aspects of the original jurisdiction of the Court would come on stream soon. The inauguration of the Competition Commission in Suriname on 18th January 2008 lent support to one of those expectations as it meant that one more step had been achieved towards the full use of the Court in its original jurisdiction. While there appeared to be some initial reluctance to use the original jurisdiction of the Court, perhaps by reason of unfamiliarity with the new areas of law available in that jurisdiction, or unfamiliarity with the procedures set out in the Rules, I am optimistic that with the filing of these two applications, the Court will soon be as busy in the original jurisdiction as it is in the appellate jurisdiction.

The Court delivered seven judgments during this period, one of which was an interim ruling in one of the original jurisdiction matters. In the appellate jurisdiction the Court delivered six (6) judgments and made substantial amendments to three Parts of its Appellate Jurisdiction Rules and for the first time delivered judgments based on written submissions only. The amendments to the Rules ensured that training in the Rules of Court for attorneys-at-law, staff of the Registry and sub-Registries would continue to be ongoing initiatives of the Registry and of the Court.

The year was also a significant one for the Court as the Registry welcomed the appointment of Ms. Radha Permanand as the Deputy Registrar and Deputy Marshal of the Court.

I trust that the information contained in this report will prove to be both informative and educational.

Paula Pierre
Registrar and Chief Marshal



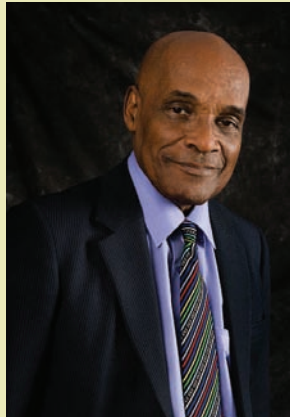
The Judges of the Caribbean Court Of Justice



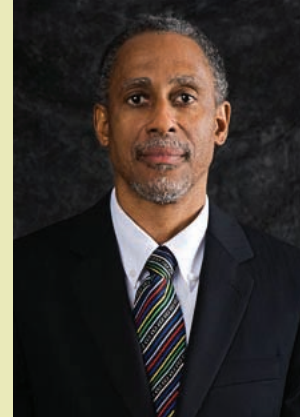
The Right Honourable
Mr. Justice Michael de la Bastide T.C.
President



The Honourable
Mr. Justice Rolston Nelson



The Honourable
Mr. Justice Duke Pollard



The Honourable
Mr. Justice Adrian Saunders



The Honourable
Mme. Justice Desirée Bernard



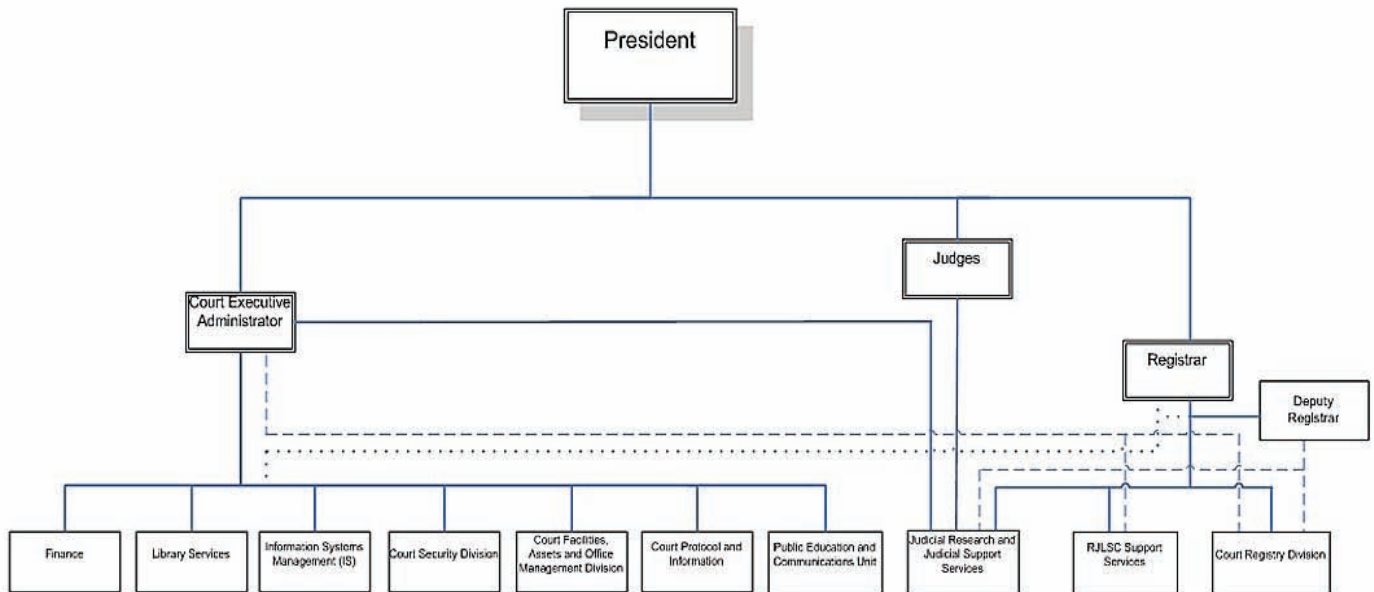
The Honourable
Mr. Justice Jacob Witt



The Honourable
Mr. Justice David Hayton



Caribbean Court Of Justice Organisational Chart



The Court Administration Unit



The Court Administration Unit includes the following departments:

The Court Administration Unit

L to R: Ms. Jacinth Smith; Chief Librarian, Mr. Larry Ramoutar; Financial Comptroller, Dr. Michael Anthony Lilla; Court Protocol and Information Officer, Master Christie-Anne Morris-Alleyne; Court Executive Administrator Mrs. Sandra Sandiford-Carr; Court Security Manager, Ms. Radha Permanand; Deputy Registrar and Deputy Chief Marshal, Ms. Carlene Cross; Court Systems Manager, Ms. Paula Pierre; Registrar and Chief Marshal.

Seated: Mr. Vaughn Halliday; Court Facilities Manager, Mr. Ayinde Burgess; Court Systems Administrator

- The Court Registry
- The Court Library
- Information and Communications Technology
- Court Security
- Court Finance and Accounting
- Court Facilities, Assets and Office Management
- Court Protocol and Information
- Public Education and Communications

Court Performance Update

1. Access to Justice

The Court continues to take much care in ensuring accessibility. It maintains its high standards in the provision of a safe, non-intimidating and convenient facility. Our mandate to provide access to the physically challenged has been improved in that Braille has been included in more signage. Staff were trained in basic fire safety and fire warden procedures as well as exposed to the standards required under the Occupational Health and Safety Act. As a result of this training, a Safety & Health Committee comprising staff from all units was formed.

The Court continues to provide access to its operations via its well maintained website where all users have easy and convenient access to information about the Court and all its judgments.

Court Room 1 has now been completed and there are now facilities for video conferencing which provides even greater access to justice. It is planned that video conferencing facilities will be placed in other courts of the region.

The Court now routinely hears Case Management Conferences via teleconferencing which negates the need for attorneys to travel to the Court for these hearings. We have conducted two full hearings via teleconferencing.

2. Expedition and Timeliness

From inauguration to date the Court has heard and determined 35 appeals and applications in its Appellate Jurisdiction and issued an interim ruling in one matter in the Original Jurisdiction. On average it takes six months from filing to disposition.

The Court has improved on its financial and accounting business practices. Microsoft Great Plains software was implemented and this has enhanced the Court's business processes and access to critical business information.

3. Equality, Fairness and Integrity and Promoting the Rule of Law

The Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 have been amended to deal with the new procedure for filing a Notice of Appeal.

The Court has written 16 judgments all of which appear on the website. Several judgments appear in the West Indian Reports from Volume 69 onwards. Numerous articles and commentaries have been written on ***The Attorney General, Superintendent of Prisons and Chief Marshal v Jeffrey Joseph and Lennox Ricardo Boyce*** which is considered the landmark decision of the CCJ.

The Court continues to ensure that its records are properly stored and accessible and appropriate solutions have been implemented. Also a number of staff members have been trained in all aspects of records management. The Library's server has been enhanced to accommodate all of the Current Awareness Bulletins as well as to store all digitally transcribed transcripts of the Court's proceedings in a Portal Document Format (PDF). To assist with its case records management, the Court has implemented JEMS as its case management information system and e-filing system.

The Court continues to cater to the research and information needs of the judges and users of the Court. To ensure this, the Library maintains and develops both its print and electronic collections. Current and older legal as well as non-legal materials have been purchased to satisfy these needs.

4. Independence and Accountability

The Caribbean Court of Justice continues its efforts to develop and strengthen its 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,

Court Performance Update

labour movements and business communities in the appropriate manner. In furtherance of this there have been tripartite meetings between a delegation comprising CCJ Judges and senior staff, Trustees and Commissioners and the Prime Minister, the Leader of the Opposition, the Attorney General and the President of the Bar Association of Belize. Other meetings have been planned for Jamaica and Antigua and Barbuda.

The Court continues its public education initiatives and this year has held a conference in Belize. The conference was well received by the audience that comprised members of the public, bench, bar, business community and the labour movement. There are plans for future conferences in other countries that are served by the CCJ.

5. Attaining and Preserving Public Trust and Confidence

Through the delivery of its judgments and the accessibility of these judgments the public is able to garner a better understanding of the work of the Court. It is also a means by which the public is able to judge for themselves the calibre of the judges and the commitment of the Court to develop a Caribbean jurisprudence.

6. Protecting the Rule of Law

The jurisprudence of the Caribbean is continuously being developed by the CCJ through its judgments. There have been several decisions that have clarified areas of land law in Guyana. The CCJ also heard its first Original Jurisdiction matter - an occasion which was greatly anticipated both by the Court and the legal community at large.

*Ensuring expedition
and timeliness and access
to justice*

The Court Registry

The Court Registry



This year was a very exciting one for the Court. It marked the filing of not just one but two matters in the original jurisdiction of the Court, both applications for special leave to commence proceedings. From 2006 until 3rd April 2008 when the first application was filed, staff of the Court read reports in regional newspapers of disputes which were supposedly 'headed to the CCJ'. Finally, after advising attorneys who were proposing to bring matters in the original jurisdiction on the procedure for so doing, on 3rd April 2008, the training and preparation of the staff of the Registry in the original jurisdiction Rules were tested when the first application was filed.

In the original jurisdiction of the Court, the Registry is required to serve all documents filed by the parties to the proceedings and by any Contracting Party where so ordered. This is different from the appellate jurisdiction of the Court where the parties are required to serve the documents filed by them and the Registry serves the parties with orders and notices issued by the Court unless otherwise ordered.

This requirement for service by the Registry entails careful monitoring of the dates of service of documents to ensure compliance with the timelines fixed by the Rules. The filing of matters in the original jurisdiction also meant that training and preparation had to be taken to a higher level because preparations for witnesses and interpreters would have to be reviewed and/or activated.

Above: The hard working team of the CCJ Registry: Mr. Nandlal Hardial; Court Registry Supervisor, Ms. Paula Pierre; Registrar and Chief Marshal, Ms. Radha Permanand; Deputy Registrar and Deputy Marshal, Ms. Jacqueline Swaby; Court Support Officer.

The Court Registry

The year was also significant for the appellate jurisdiction of the Court because after implementing the Appellate Jurisdiction Rules for more than two years and after receiving feedback from some attorneys on the problems which they experienced with those Rules, the Court made a substantial amendment to the Rules. These amendments were made with effect from 1st April 2008 and affected Part 10 (Leave to appeal), Part 11.1 and 11.3(f) (Notice of Appeal) and Part 13 (Record of Appeal). Schedules 1-3 were deleted and replaced and two new Schedules were added which dealt with the net worth qualification for leave to appeal as a poor person and the limit on security for costs.

The period under review continued its heightened level of communication with the sub-Registries of Barbados and Guyana but also saw an increase in the level of communication with other sub-Registries as a result of the filing of the applications in the original jurisdiction.

STAFF OF THE REGISTRY

Ms. Radha Permanand joined the Registry as the Deputy Registrar and Deputy Marshal on 1st February 2008 when she was promoted from the position of Judicial Research Assistant. Her appointment increased the number of members of staff of the Registry from four to five. The other members of staff of the Registry are the Registrar, the Registrar's Secretary, the Registry Supervisor and the Court Support Officer.

THE SUB-REGISTRIES

The Registry continued to have much more frequent communication with the sub-Registries of Barbados and Guyana than with the other ten sub-registries of the Court. This situation changed however when on July 22, 2008 the Court ordered in its Interim Ruling in the first application for special leave to commence proceedings in the original jurisdiction, that the Registrar the Caribbean Community and all the Contracting Parties except Guyana with the application for special leave and invite them to make written and/or oral submissions in the proceedings, if they so wished. The Registrars of the Courts of each of those Contracting Parties had to be informed of the possibility that submissions might be filed in their sub-Registries in compliance with the Order and reminded of the procedure in the Original Jurisdiction.

The high turnover of Registrars in the sub-Registries of the Court adverted to in previous Reports was not as noticeable during the period under review. Mrs. Maureen Crane-Scott, Q.C. the Registrar of the Supreme Court of Barbados was elevated to the Bench in Barbados in 2008. Ms. Marva Clarke replaced her as Ag. Registrar of the Supreme Court of Barbados.

*Supporting the Court in
Promoting and Protecting
the Rule of Law*

Court Library Services

Court Library Services

The Library continues to provide the Court and its users with access to comprehensive and current legal materials and resources in an efficient and timely manner. By providing ready access to legal information, the library fulfills a fundamental role in preserving access to justice.

COLLECTION DEVELOPMENT

The focus during the past year has been the continued enhancement of the range of information resources and services available to our patrons. The demand for up to date legal material in all formats as well as for old and in some cases out of print material has defined the Library's collection emphasis.

The Library continued to develop its archival collection, which consists of out of print material, rare books and older material still relevant for the interpretation of law. During the past year, a number of older monographs on Roman-Dutch law as well as the Civil Code of St Lucia have been added to this collection. Arrangements have been made with second-hand book dealers to supply these materials when they become available.

The collection was also bolstered by the addition of several Caribbean titles. Among these were back issues of the West Indian Law Journal, new legal monographs and some biographical titles on prominent Caribbean jurists.

There has also been a demand for non-legal Caribbean material and a special collection has been developed to meet this need. This collection includes among other material, titles on prominent leaders, CARICOM, integration, and sustainable development. During the period, about twenty titles have been added to this collection.

Achieving a balance between print and electronic resources is critical to developing a dynamic library collection. Access to journals is provided mainly through the Law Library Journal service on Hein Online. Access to law reports and other titles is provided through Westlaw, LexisNexis and LexisNexis Butterworths and other databases. These are supplemented by a number of print resources. During the past year, the Library has had to rationalise its collection because of the escalating cost of legal material and in some instances, has relied on online copies in preference to print



Above: Staff members of the Court Library Unit; Mr. George Thomas, Library Assistant, Mrs. Sheryl Wsahington-Vialva, Assistant Librarian and Ms. Jacinth Smith, Chief Librarian.

subscriptions. Also, it increased its repertoire of electronic resources by providing access to additional titles on Hein Online, Justis and other databases.

Gifts

During the year, the Library received a number of donations, which enhanced the quality of the collection. The most significant was received from Thomson Legal & Regulatory Ltd and the High Court of Australia, which donated a set of Commonwealth Law Reports in recognition of the establishment of the Court.

Court Library Services

LIBRARY SERVICES

Easy access to information is one of the primary goals of any library. To this end, the Library continued to develop its online catalogue system, Inmagic, to allow users to mine the resources of its collection. In addition to the bibliographical information that has been added, access to full texts of articles is also being added to the library's catalogue. Thus clients will not only know what is available and where it can be found, but they will also have access to the item from their desktops. A total of 258 bibliographical records were added to the Genie Inmagic database. These records include text, articles and electronic resources.

The Library continued to support the research needs of the Court by sourcing and supplying material. Approximately 291 reference and information queries were received and 98% were answered. Over 170 items were loaned and 41 interlibrary loans were processed.

The library completed its Serials Holding List, which is a complete listing of all law journals and other periodicals subscribed to by the library both in print and electronically. It includes titles on Hein Online, Westlaw and LexisNexis, other databases as well as print holdings in the Library. This list will be placed on the Library's Intranet.

The Library continues to add helpful links to aid the users in accessing legal resources. A useful feature added to the Intranet has been central access to the library's entire web based subscription databases which include Lexis-Nexis, Westlaw, LexisNexis Butterworths, Hein Online, and Justis. The Library continues to enhance its "interactive" Current Awareness Bulletin which has proven to be very useful in searching through the new acquisitions list as well as legislation received from throughout the region.

CONTINUING STAFF DEVELOPMENT AND TRAINING

The value of a library is often expressed by the quality of its collection, but equally valuable is the staff's ability to use the resources of the collection to locate pertinent information. Our staff is relatively small and all members must be ready to handle all facets of library work. To this end, staff training, professional development activities and continuing education are major priorities of the Library.

Library staff attended the annual meeting and seminar of the Caribbean Association of Law Libraries (CARALL) which was held in Jamaica. The seminar dealt with Branding, Intellectual Property, Succession Planning and Web 2.0. The Court Library Assistant, Mrs Sheryl Washington-Vialva was elected to the post of Secretary/Treasurer of the Association.

Computer training was another emphasis in 2007. Staff attended training in Microsoft Office 2007. The Court Library Assistant attended a workshop on Web 2.0. This was a hands-on session covering topics such as blogs, wikis, RSS feeds and social bookmarking. Web 2.0 is essentially a user-centered approach in the use of technology and the World Wide Web to create, package and provide information. The Library is exploring some of these tools in particular RSS feeds to improve and enhance its services.

Library staff was also exposed to other aspects of training. In March 2008, Mrs. Washington Vialva attended a Records & Information Management course presented by Lorson Resources Limited. This two-day course covered Files and Correspondence Management, Records Classification Systems, and Records Retention & Disposition.

2009 AND BEYOND

In the year ahead, we will work to ensure that the Library continues to be useful to all users searching for legal information resources, both traditional and digital. While there has been a proliferation of electronic resources, there has not been any significant reduction in availability or demand for print resources.

The Library will aim to:

- Continue to develop the collection by providing an appropriate range of print and electronic resources to meet the research needs of the Court and its users;
- Develop new services and programmes to enhance the Library's ability to serve the needs of its users;
- Continue to add Library generated publications and research tools to the Library's Intranet;
- Improve access to the collection by cataloguing electronic titles available in online databases and indexing articles; and
- Develop in-house databases of legislation on CCJ and other materials.

*Ensuring Access to Justice,
aiding in Expedition and
Timeliness and assisting the
Court's Accountability*

Information and
Communications
Technology

Information and Communications Technology



VIEW

The Information Systems (IS) Unit continued to support the activities of the organisation during the past year. The staff complement remained the same while the demands of the organisation grew and kept the Unit busy. The Courtroom technology solutions remained the highlight of the numerous tours of the CCJ. It showed the use of technology as a solution to support the operations within the courtroom and the organisation.

STAFFING

In January 2008, Ms. Natalia Redman joined the Information Systems Unit as the Information Systems Clerk. Ms. Redman functions at both the technical and clerical level and provides support to the Information Systems Manager and the Unit.

Ms. Lavaughn Agard together with Ms. Sonia Thompson provide support to all end users at the Court. They support the organisation's activities by:

- Maintaining the technological operations in the Courtroom;
- Providing support for end users including troubleshooting and

Above: Information Systems Unit L to R: Ms. Carlene Cross, Court Information Systems Manager; Mr. Ayinde Burgess, Court Information Systems Administrator; Ms. Sonia Thompson, Court Information Technology Support Officer; Ms. Natalia Redman, Court Information Systems Clerk, Ms. Lavaughn Agard, Court Information Technology Support Officer

Information and Communications Technology

- repairing hardware and software;
- Researching new technology;
- Implementing new projects;
- Providing training for new and existing technology;and
- Providing support for projects undertaken by units within the organisation including the newly created Regional Public Education and Communications Unit, whether on or off island.

This team is led by Ms. Carlene Cross, Systems Manager who is supported by Mr. Ayinde Burgess, Systems Administrator.

CONTINUING STAFF DEVELOPMENT AND TRAINING

Three members of the Information Systems unit attended the Caribbean Association of Court Technology Users (CACTUS) Conference which was held in Nassau, The Bahamas in August 2007. It brought together key court information technology professionals from the region to share and learn over a three day period.

The Information Systems Manager attended the Annual Conference of the International Association of Court Administrators (IACA) in Dublin Ireland in April 2008. This conference allowed for learning, sharing and meeting key contacts in international court administration. It also provided contacts in regional court administration who have become valued allies.

The Systems Administrator attended InfoComm in Las Vegas, Nevada in June 2008. This is a premier event highlighting audio and video technology through classes as well as onsite exhibitions. This training is part of the court's effort to provide the necessary skill set to support the technology in the courtroom.

Members of staff were trained in-house in the use of Microsoft Office 2007 which is an upgrade to Office 2003. Sessions were conducted by members of the IS System Support team.

PROJECTS

NETWORK SECURITY

The Unit began the process of implementing the network security system. Significant time was invested in planning and designing the solution so that the Court's data



Above: Regional court technology users at CACTUS 2007 in Nassau, The Bahamas.

and information is adequately protected from intrusion. As part of this process the Court is also refining the policies related to computer and data security.

CASE MANAGEMENT INFORMATION SYSTEMS

In July 2008, the staff of the Registry and Information Systems Unit participated in two weeks of training in an effort to implement Judicial Enforcement Management Solution (JEMS) as the case management information system software solution. Training was conducted onsite by Ms. Vicki Madaras of Professional Computer Software Solutions (PCSS), Texas.

The approach for the implementation of this project at the CCJ was different from other projects for the implementation of case management information systems. The CCJ is a new organisation and as a result there was no need for the conversion of old existing documents as part of the process. An exercise was done to identify all documents filed by attorneys and all documents generated by the Court. The expected workflows were mapped out, based on the Rules of Court in both the Appellate Jurisdiction and the Original Jurisdiction. This key information was required for setting up tables and codes for use at the backend to allow the end users functionality at the front end.

It is expected that during the court's vacation period all existing files will be entered into the system. It is also expected that all matters filed at the start of the new term in October will be entered into the system. A further exercise of training key users in other areas e.g. finance and secretarial support is also planned for the upcoming year. This case management information systems software is the base solution required for the implementation of electronic filing of documents (e-filing) which is expected to be implemented in 2009.

Information and Communications Technology



Registrar and Chief Marshal, Ms. Paula Pierre and Deputy Registrar, Ms. Radha Permanand engrossed in training in the use of JEMS.

Below Left: IS Support Officer, Sonia Thompson setting up the court recording system.

Below Right: The Hon. Mme Justice Bernard together with IS Support Officer, Lavaughn Agard trying her NoteLink pen.



ALTERNATIVE ANNOTATION INPUT DEVICE

The official record of the Court is captured using software that digitally records the audio during the hearing of a court matter. While recording is taking place, time-stamped notes are created using annotation software by the Court Support Officer and Judges in the courtroom. The time stamp created helps with locating points of interest in the audio for playback. One method of capture is done using a QWERTY keyboard and for those who are less keyboard familiar there is an option of using a digital pen.

The NoteLink System (which was in beta testing by the CCJ and was deployed in 2008) uses a digital pen together with digital paper to capture the handwritten text. This system integrates with the existing For The Record (FTR) software which is used for making an accurate audio and video record of the court's proceedings. The note is made on the paper and at the end of the proceedings the pen is docked in a cradle. The file stored on the pen is uploaded to the end user's computer where the handwritten notes can be viewed.

To use the search function the end user refers to the note made and with the CD of the proceedings loaded, can click on the time stamp to hear the reference to the note. To date some judicial officers have been trained in the use of the pen and during the coming year it is expected that additional users will be trained.

PORTABLE COURT RECORDING SOLUTION

The Portable Court Recording solution was purchased to support the court when it sits elsewhere. At this time the solution enables us to capture the audio record of the proceedings not held in the courtroom. It is primarily used for Case Management Conferences (CMC) which are held in the multi-purpose training room at the seat of the Court. While the solution is suitable for moving to various locations within the building for recording the Court's proceedings it has proven to be less suitable for overseas transport given the new rules that govern air transport. Another portable solution for recording has been identified which will enable the capture of audio and is easier to transport and setup. The Unit will therefore look into the procurement of this device to support the Court's movement through the region. This will enable the capturing of the record while maintaining portability.

*Supporting access to justice
and attracting public trust
and confidence.*

Court Security Unit

Court Security Unit



Above: Manager, Supervisor and Officers of the Court Security Unit L to R: Back row - Mr. Christopher Hoyte, Court Security Supervisor; Ms. Veronica Brooks; Mr. Howard Marcelle; Mrs. Claudia Beldon-Williams; Ms. Erica La Barrie; Mr. Kevin Williams; Mr. Jerry Clarke; Mr. Francis Pierre; Mr. Anson Figaro; Mr. Richard Lewis; Mr. Cleve Burnett; Mr. Stewart Matthews.
Seated: Mr. Marlon Williams; Ms. Catherine Narine; Mr. Kevin Thorne; Mrs. Sandra Sandiford-Carr, Court Security Manager; Mr. Joel Bernard; Mr. Everard Khellawan

For the year under review, the Court Security Unit continued to build on its mission to provide excellence in security services. As part of this process, the Unit also initiated the establishment of occupational health and safety standards for the Court.

EXCELLENCE IN SECURITY SERVICES

In determining what excellence in security services looks like the Unit developed a policy document entitled “Excellence in Security Services- Creating a culture of excellence for the Court Security Unit at the Caribbean Court of Justice”. This policy outlined the concepts of excellence and service. It further identified the various security duties and the standard to which they are to be carried out. The members of the Unit then agreed that in order for the policy to be effective, there was a need for relevant training, proper equipment, open communication, proper supervision, the right attitude and continuous review. All members of the Unit gave their commitment to the policy. Coming out of our commitment to this policy, the Court Security Handbook was also developed. This handbook addresses all aspects of security at the Court including, general rules and regulations, duties, discipline, supervision and vehicles. In putting into practice the concepts of the policy, the Unit aspires to move to the next level of quality service.

OCCUPATIONAL SAFETY AND HEALTH ACT 2004

Compliance with set Occupational Safety and Health standards and tenets is now compulsory in Trinidad and Tobago as mandated by the 2004 Occupational Safety and Health Act (OSHA). The Security and Facilities Departments are charged with the responsibility of establishing and advising, on the occupational safety and health standards at the Court. Both departments, working in conjunction, sought to implement an integrated safety management system that not only complied with the legal requirements but also looked at safety management from a strategic perspective. As such, a strategic approach to safety management was developed where the safety management system was tied to the strategic management plan for the Court. One of the main areas identified under this approach was the need for relevant training at all levels.

TRAINING

Developing a Positive Health, Safety and Security Culture

In keeping with our strategic approach to safety management, the Security and Facilities Managers along with the Office Manager and two Security Supervisors, attended the 11th Annual Health Safety and Security Conference hosted by the American Chamber of Commerce of Trinidad and Tobago. Sessions included:

- The importance of Security Standards;
- Cultivating a Security Culture;
- Performing adequate Risk Assessment;
- Business Continuity Planning – Getting it Right;
- Developing a Corporate Health and Wellness Programme; and
- Putting a Safety Committee Together

Specialized Training

The Court's Security Officers also function as Safety Officers, so their training included specialized safety programmes. Additionally, relevant members of staff were also trained in order to enable them to carry out specific duties. Training in first aid and cardiopulmonary resuscitation (CPR) continued for all members of staff.

Training in Occupational Safety and Health was carried out by the local Bureau of Standards over a three day period and included:

- The rights and responsibilities of employers and employees under the OSHA;
- How to manage safety and loss prevention effectively;
- Applying standards to work situations;
- The record keeping requirements of the OSHA;
- Creating a culture of workplace safety;
- The role of the safety committee in safety management;
- Hazard Identification, risk assessment and risk management;
- Personal protective equipment;
- Workplace ergonomics; and
- Accident Investigation

After employees were trained in occupational safety and health, a request for volunteers to serve on the Court's Safety and Health Committee was made and one committee member and an alternate from each department were selected. With this system, employees will be directly involved in the development of safety and health procedures for the Court.

Professionalism and Communication Skills

Members of the Security Unit are usually the first members of staff to interact with our clients and guests. Appropriate training was therefore necessary. The programme included:

- The role of the frontline personnel;
- Behaviours and values;
- Regional similarities and differences;
- Communication role plays; and
- Telephone Transactions

At the end of the programme the officers had a better understanding of the standards for communication and professionalism that the organization requires and the behaviour and values that are part of the skill set for service excellence.

Special Defensive Driving

Security Officers required to drive were trained in special defensive driving.

LOCAL AND REGIONAL SERVICE

The Court Security Unit at the Caribbean Court of Justice has had, and continues to enjoy, a very cordial working relationship with the Trinidad and Tobago Judiciary Security Unit. In the past they have assisted each other in the provision of security personnel and services for special functions and events. For the Conference of the Commonwealth Caribbean Heads of Judiciaries held in Trinidad and Tobago, the CCJ Security Unit was again able to collaborate with the Judiciary Security Unit in the securing of dignitaries and the provision of a range of other security services. The collaboration was successful and the CCJ looks forward to continued cooperation with other organizations locally and within the region.

INTERNATIONAL SERVICE

As a member of the American Society for International Security (ASIS), the Court Security Manager attended the 53rd Annual Seminar of the Society in 2007. The seminar featured cutting edge strategies, the latest security solutions on the market, dynamic educational sessions covering the spectrum of security interests and networking on a global scale. The Court Security Manager was invited to apply to become a member of the Society's Fire and Life Safety Council. She did so and was selected to be a member of the Council. The Fire and Life Safety Council is one of several sub committees established by ASIS to carry out its mission of promoting excellence in and recognition of the security profession. As part of her commitment on the Council, the Court Security Manager has written a two-part article on Safety Management at the Caribbean Court of Justice, the first of which has been published in the ASIS Council's Newsletter, June 2008 issue.

COMMUNITY SERVICE

Mindful of the fact that service should not just extend to the Court but to the wider community and the region, the Court Security Unit, hosted a fundraiser for two special centres in Trinidad. The Unit held a breakfast morning on the 18th December 2007, where local breakfast was sold to staff at the CCJ and other neighbouring organizations. The unit was able to contribute the proceeds to the Cyril Ross Home for Children suffering from HIV and the Goodwill Life Centre for Differently Abled Children. The Court Security Unit has decided to host an annual fund raising event and donate the proceeds to charitable organizations in the region.

*Supporting Access to Justice
and aiding the Court's
Accountability*

Court Facilities,
Assets & Office
Management

Court Facilities, Assets & Office Management

This unit maintains and upgrades the Court's facilities and assets in an efficient and proactive manner and is responsible for the Court's Office Management Systems inclusive of the court's drivers and messengers.

The overarching vision of the Court Facilities, Assets and Office Management Unit is to provide for the Caribbean Community a safe, accessible and convenient facility that is maintained and managed in a manner worthy of emulation both regionally and internationally.

The goals of the Unit are:

- to assist the Court in achieving its vision by anticipating, and seeking proactive solutions to, the emerging challenges towards the Court's Facilities, Assets and Office Management;
- to maintain efficiently the physical environment and assets of the organization in a manner worthy of emulation by the courts of the region;
- to satisfy our external customers actively by ensuring the Court and its facilities are safe, accessible and convenient to use;
- to satisfy actively our internal customers by maintaining a comfortable, safe, efficient and functional work environment;
- to procure and manage contracted goods and services in the most effective and efficient manner possible;
- to implement and maintain adequate standards and procedures relating to Facilities, Assets and Office Management that assist the both the Court and the Unit in achieving their goals and objectives; and
- to seek ways to improve constantly the Facilities Unit's service and value to the Court.

ACTIVITIES DURING THE PERIOD UNDER REVIEW

The Facilities, Assets and Office Management Unit is currently staffed by the Court Facilities Manager, Mr. Vaughn Halliday and the Office Manager, Mr. Nigel Payne. The department bade farewell to its Secretary, Ms. Carole Noble, who left the institution in June of 2008.

During the period of review, the Facilities, Assets and Office Management Unit has continued to focus significantly on adjustments to the building and facility improvements to make the Court safer, more accessible, and more convenient for use by both its internal and its external customers. In so doing, a concerted effort has been made to provide efficient space management given the limited available built space and the growing needs of the institution. Some of the measures undertaken during the period of review included:

- upgrading the fire alarm system and the emergency lighting system;
- the completion of the installation of a public address system;
- creation of locker rooms for Court Security Personnel;
- creation of additional storage space—Ground floor & First floor;
- installation of a video intercom system at the rear entrance; and
- supplementary air conditioning installations in areas, which previously received insufficient cooling and ventilation.



Above: Mr. Nigel Payne, Office Manager and Mr. Vaughn Halliday, Court Facilities Manager

Another significant improvement undertaken was the construction of a witness box in Courtroom I whilst maintaining the original architectural style of the Court. This will provide witnesses with the facility to give testimony especially in cases in the Original Jurisdiction, using the appropriate courtroom technology.

FUTURE PROJECTS

Despite the improvements made thus far, it is recognised that as the Court develops and lessons are learnt, several internal reconfigurations and improvements will be required to allow the institution to function more effectively. Accordingly, during the next year several additional projects have been scheduled to meet the needs of the Court's internal customers. These include:

- the creation of a Bindery and accommodations for a Library Assistant within the Library;

Court Facilities, Assets & Office Management

Court Drivers/Messengers

(L to R) Front Row: Mr. Oscar Peters; Mr. Jeffrey Benjamin; Mr. Selwyn Hart; Mr. Sheldon Daniel.

Back Row: Mr. Lerick Young; Mr. Brian Salandy; Mr. Sheldon Cambridge; Mr. Hucliffe Samuel, Driver to the RJLSC; Mr. Garth Jerry; Mr. Keith Gordon.



- the creation of a Meeting Room and an office for the Deputy Registrar within the Registry;
- the provision of an office for the Executive Secretary to the RJLSC;
- the creation of a locker room for the Court Drivers;
- several other minor modifications to improve the working areas of new and existing staff; and
- the modification of the fire suppression system to provide protection for the Commission's documents.

Larger projects will also be undertaken to provide the people of the region with greater access to justice, including:

- Infrastructural work in Courtroom 2 to facilitate case management conferences
- Infrastructural work in the Training and Conference Room to facilitate video conferencing and meetings.
- Library Assistant within the Library
- The creation of a Meeting Room and an office for the

TRAINING AND DEVELOPMENT

Training, development, and the constant critical review of policies and procedures have continued to play key roles in efforts to uphold the court performance objective that dictates a proactive stance towards new conditions and emergent events. To that end, the Unit's staff underwent training on Occupation Health & Safety Compliance and Corporate Events Management, while the Judges' Drivers successfully completed training to become Certified Protection Specialists. The Facilities Manager also attended seminars on Indoor Air Quality, Financial Principles in Facilities and Maintenance, and Maximizing the Facilities Investment.

Training sessions in conjunction with the Court Security Unit such as Safety & Emergency Training Sessions and Occupational Safety and Health Act (OSHA) training have also begun while the formation of an Occupational Safety and Health Committee spearheaded by the Security Manager is in its infancy stages. Collaborative training sessions between these two units are expected to intensify in the near future, as greater emphasis will be placed in the upcoming period on training all staff in Court Emergency and Safety Procedures along with additional safety and security-oriented training for the Court Drivers.

The Facilities Unit also has plans to increase training geared specifically towards improving the efficiency of procurement activities and the effective management of Court Facilities. This training is in conjunction with the impending implementation of a computerized maintenance management system (CMMS).

The Facilities, Assets and Office Management Unit continued to be involved actively in a number of internal functions geared towards staff team-building such as the Court's inaugural Children's Christmas Party, the CCJ Christmas Luncheon, Divali Celebrations and the Court's Carnival "Panyard Crawl". The unit also continued to play a significant role in the success of a number of the Court's public outreach initiatives such as:

- Public Education Conference "The CCJ and the CSME – Vehicles for Regional Unity, What Does It Mean for You and For Me" – Radisson Fort George Hotel and Marina, Belize – June 2008;
- educational seminar – Hugh Wooding Law School, Trinidad – November 2007;
- EDF Signing Ceremony, Caribbean Court of Justice, Trinidad – August 2007; and
- numerous Tours of the CCJ Facilities

*Attracting Public Trust
and Confidence*

Court Protocol &
Information

Court Protocol & 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 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.

Between 1 August 2007 and 31 July 2008, the CPID was responsible for all aspects of protocol, information, and non-judicial support for judicial officers.

During the period under review, the CPID comprised:
Dr. Michael Anthony Lilla, Court Protocol & Information Officer (CPIO);
Ms. Lisa Furlonge, CPID Secretary; and
Ms. Denise Dickenson, Tea Assistant.

Ms. Seanna Annisette and Ms. Gina Affonso-Smith, Customer Service Representatives, rendered assistance to the division in a variety of ways.

Protocol

The Caribbean Court of Justice is an international tribunal. As such, certain of its attributes cause it to resemble a diplomatic entity. 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 in 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 Court personnel in their dealings with CARICOM Ministries of Foreign Affairs, as well as diplomatic missions based in Trinidad &

Court Protocol & Information

Dr. Michael Anthony Lilla, Court Protocol and Information Officer and Ms. Lisa Furlonge, Secretary to the Court Protocol and Information Division.

Tobago and abroad;

o represented the Court in its dealings with the various Trinidad & Tobago service agencies with which it must interact, such as, inter alia, the Customs & Excise Department and the Immigration Division of the Ministry of National Security;

- 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 properly understood and the Court perceived and dealt with in a manner befitting its status and functions.

As the Court is an international tribunal, Caribbean and extra-regional dignitaries pay courtesy calls on His Honour the President, as well as other Judges of the Court. Arranging and managing such calls is the function of the CPID. During the period under review, the following visitors were formally received at the Court:



- Mr. Len Kusnitz, Deputy Head of Mission of the Embassy of the United States of America (27 September 2007);
- Mr. John Cushing, First Secretary of the Embassy of the United States of America (27 September 2007);
- Ms. Charlotte Ford, Policy Officer of the Law Society of England & Wales (31 October 2007);
- The Law Association of Trinidad and Tobago (14 November 2007);
- Dr. Clarence Henry, Ambassador, Trade Coordinator and National Authorising Officer, EDI, Antigua & Barbuda (16 November 2007);
- Dr. Eleftherios Levantis, Head of the Environmental Law Unit, European Public Law Centre (22 November 2007);
- Dr. Fazal Ibrahim Ali, Director of Research, University of the West Indies (St. Augustine) (22 November 2007);
- Senator the Honourable Paula Gopee-Scoon, Minister of Foreign Affairs of Trinidad & Tobago (4 December 2007);
- Ms. Edwina Leacock, Permanent Secretary, Ministry of Foreign Affairs of Trinidad & Tobago (4 December 2007);
- Mr. Gerald Thompson, Director, Ministry of Foreign Affairs of Trinidad & Tobago (4 December 2007);
- Her Excellency Fidelia Graand-Galon, Ambassador of the Republic of Suriname (27 February 2008);
- Dr. Leigh Swigart, Director of Programmes in International Justice and Society, Brandeis University (17 March 2008);
- His Excellency Eric Jenkinson, British High Commissioner (3 April 2008);
- The Honourable Mr. Justice Anthony Lucky, President, Chamber for Marine Environment Disputes, International Tribunal for the Law of the Sea (7 April 2008);
- The Honourable Mme. Justice Zaila McCalla, Chief Justice of Jamaica (14 April 2008);
- The Honourable Mr. Justice Roy Jones, Judge of the High Court of Justice of Jamaica (14 April 2008);
- Ms. Carol Palmer, Permanent Secretary, Ministry of Justice of Jamaica (14 April 2008);
- Ms. De Anne Robb, Vice-Principal, Wolmer's Boy School, Jamaica, accompanied by a delegation of teachers and students (21 April 2008)
- The Honourable Sir Burton Hall, Chief Justice of the Bahamas (4 June 2008);
- The Honourable Sir David Simmons, Chief Justice of Barbados (4 June 2008);
- The Honourable Mr. Justice Hugh A. Rawlins, Chief Justice of the Eastern Caribbean Supreme Court (4 June 2008);
- The Honourable Mr. Justice Carl Singh, Acting Chancellor of the Judiciary of Guyana (4 June 2008);

Court Protocol & Information



Above: Ms. Carlene Cross; Court Systems Manager, demonstrates the courtroom technology to the members of the Law Association of Trinidad and Tobago during their visit in November 2007



Above: Students of the Hugh Wooding Law School are engaged during the Question and Answer session with C CJ Judges

- The Honourable Mr. Justice Gordon Ward, Chief Justice of the Turks & Caicos Islands (4 June 2008);
- Mr. Aldo Zammit-Borda, Legal Editor of the Commonwealth Secretariat (4 June 2008);
- Dr. Derek O'Brien, Centre for Legal Research and Policy Studies, Oxford Brookes University (UK); 11 June 2008
- Nina Franco, Centre for Legal Research and Policy Studies, Oxford Brookes University (UK); 11 June 2008
- Professor Elyette Benjamin-Labarthe, Université de Bordeaux (France); 18 June 2008;
- Professor Christian Lerat, Université de Bordeaux (France); 18 June 2008;
- The Honourable Mr. Justice Brian J. Preston, Chief Judge, Land & Environment Court of New South Wales (Australia) (21 July 2008);
- Her Honour Sandra Paul, Chairman, Environmental Commission of Trinidad & Tobago (21 July 2008);

Information

In 2007-2008, the provision of information to the public continued to be made principally through media releases and interviews of Court personnel by the local, regional and international media. Court outreach thus far has been to accommodate requests for tours of the Court by interested institutions and groups. These groups have included students of the Hugh Wooding Law School at St. Augustine in Trinidad & Tobago.

In May 2008, the CPIO graduated from the Institute for Court Management of the National Centre for State Courts (USA) as a Fellow of the Institute for Court Management (FICM) and Certified Court Executive (CCE). The CPIO's research paper for the grant of the fellowship was entitled, "Promoting the Caribbean Court of Justice as the Final Court of Appeal for States of the Caribbean Community". Researching the paper led the CPIO to focus on the quality of the Court's Public Education and Information Programme, its principal outreach vehicle. The data collected revealed that:

- because of ignorance and uncertainty about it, to gain a higher degree of acceptance, the Caribbean Court of Justice needs to "market" itself aggressively in the Caribbean region, and even beyond it;
- the promotional strategy implemented must be manifold in nature;
- in spite of disinformation put about on the court, there is a tier of unplumbed public good will towards the court that can, and must be nurtured.

The paper took on board the advice of Margot Lindsay, writing about an effective PEIP in "Improving courts' public outreach", in *Judicature*, Vol. 85, No. 4, Jan-Feb 2002:

Effective public outreach strategies are purposeful, targeted, and ongoing. Purposeful in that they are directed at a specific issue; targeted, in that they are aimed at specific publics; and ongoing, in that they essentially represent continuing associations.

Court Protocol & Information

The CPIO thus recommended:

- the dedication by the court of a significant portion of financial resources towards a Public Information and Education (PEIP) programme of high quality;
- a PEIP highly diverse in nature, utilising all the media: audio, visual and print, and ubiquitous in frequency: everywhere, all the time, on posters, in classrooms, on the television and in the newspapers;
- the media campaign be supplemented and buttressed by a proactive approach to spreading the gospel of the Caribbean Court of Justice throughout the Caribbean, characterised by periodic and systematic visits of CCJ personnel, both legal and administrative, to member states.

These visits should include well-designed and persuasive seminars and educational tours, with strong emphasis on the full involvement and participation of local state, legal and civil society representatives.

The CPID concluded its third year of operations well aware of the challenges that still lie ahead about its role, and anticipating greater visibility for the Court with the filing of matters under its Original Jurisdiction and a higher regional profile in the 2008-2009 period.

*Supporting the Court's
performance standards*

Court Finance And Accounting

Court Finance And Accounting



Mr. Larry Ramoutar, Financial Comptroller, and Ms. Debra Williams, Secretary to the Financial Comptroller, hard at work.

The Court Finance & Accounting Division of the Court Administration Unit 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 biennial 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 financial reports for the RJLSC.

The division represents the Court in external audits and manages the cash and investments of the Court and Commission by monitoring bank balances, investing cash in hand to ensure maximum return pending disbursement while facilitating timely drawdowns of funds when needed. All payment requests are reviewed by the Accounting Division to see that they conform to Court policy and procedures, as well as applicable contracts. This division conducts inventories and maintains records for all Court-owned fixed assets. We process and issue salaries for all Court employees, as well as process all newly hired, retiring and terminated employees. The Accounting and Finance Division also provides assistance with the medical health and pension plans.

As the Court and Commission are financed by the Trust Fund which is 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 year 1st August 2007 to 31st July 2008, the Finance and Accounting Division continued to develop 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.

It is the policy of Court Administration that the organization is a learning organization in which continuing education forms part of the organizational 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. The Accounting Assistant attended a local training course in the area of internal quality auditing and process auditing for business improvement. The Financial Comptroller also attended an International Internal Auditors Conference in San Francisco.

Court Finance And Accounting

Independent Audit

The public accounting firm of KPMG has audited the accompanying financial statements for the Caribbean Court of Justice as of, and for the year ended 31 December 2007. The Auditors Report on the financial statements and the financial statements are included in this Annual Report. In addition, the Court received an unqualified audit of the 2007 financial statements from the Court's auditors, which reported no internal control weaknesses for 2007.

ACCOUNTING DIVISION

Financial Highlights

The assets of the Court exceeded its liabilities at the close of 2007 by USD 1.239 million (net assets). Net assets in 2006 were USD 1.568 million. Current assets in 2007 were USD 158,000 and USD 192,000 in 2006 while current liabilities were USD 590,000 in 2007 and USD 705,000 in 2006.

In fiscal 2007, administrative expenses increased by USD 866,895 (20.4%). The largest increase occurred in salaries and allowances; spending increased by USD 327,000 an increase attributable to the first full year with the full staff compliment, escalating medical insurance costs and biennial travel allowances attributable to judges. The pension cost increase was USD 1.5 million due to the fact that in July 2006 the pension plan commenced, therefore, in 2007 the Court has the first full year of pension costs.

2009/2010 Biennial Budget

The biennial budget is based upon a fiscal year that runs from 1st January through 31st December and is presented by the Court Executive Administrator and the Financial Comptroller to the Commissioners for approval.

The biennial budget includes recurrent and capital expenditure on a quarterly basis. At present, The Court is compiling the 2009/2010 biennial budget and it is anticipated that this will be completed by early September 2008 and approved by the RJLSC Commission during the meeting in September 2008.

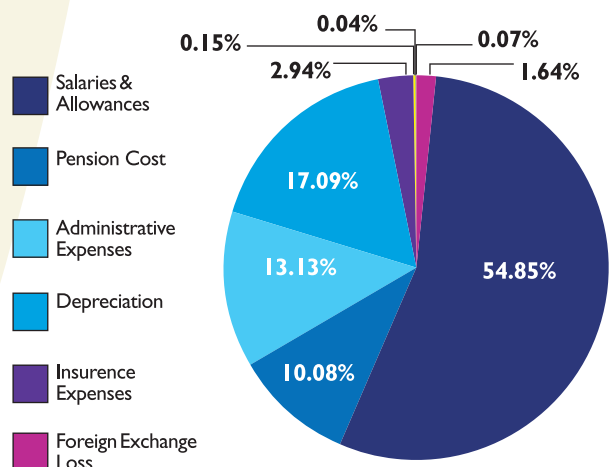
Accounting and Finance

One of the division's responsibilities is to provide accurate and efficient accounting support services. The division develops and maintains the Court's Accounting Systems, including the Financial Accounting System, the Payroll System, the Pension System and the Employee Loan System. With the help of these systems, the division verifies expenditure before making payments and records and reports on the Court's financial transactions.

Responsibilities of the Division include:

- recording the Court's financial transactions, maintaining accounts and preparing financial statements;
- developing, managing and maintaining the accounting systems and major enhancements; and
- pre audit payroll, contract and other voucher expenditure for legality and propriety.

EXPENDITURE ANALYSIS	2007
SALARIES & ALLOWANCES	2,807,712
PENSION COST	516,174
ADMINISTRATIVE EXPENSES	672,317
DEPRECIATION	874,660
INSURANCE EXPENSES	150,433
FOREIGN EXCHANGE LOSS	7,827
BANK CHARGES	2,271
AUDIT FEES	3,593
LEASE PAYMENTS	84,000
TOTAL	5,118,987



Court Finance And Accounting

Services provided by the division include processing the payroll for all employees and issuance of payment to all vendors. The division also performs the administrative function for the Court's pension plan and assists the Court Protocol and Information Division with certain aspects of the administration of the Court's Medical Health Plan. In January 2008 meetings were held with the Medical Health Insurance provider to discuss the proposed rate increases and the Court was successful in negotiating the increase to between 2% and 4%.

In October 2007 the Court's network security procurement process commenced. The Financial Comptroller was a member of that procurement team that evaluated proposals and recommended the preferred provider. In June 2008 the network security provider was selected.

Court's Pension Plan

The CCJ Pension Plan provides a defined benefit contribution for the President and Judges in accordance with their terms and conditions of employment. Staff is provided a pension plan under a defined contribution plan.

The division has systems and procedures in place to administer the initial pension arrangements, which is not complex; however, a number of important databases must be maintained and monitored.

Typical work activities include:

- updating pension scheme member records;
- requesting statements;
- checking benefit calculations;
- processing retirements/resignations;
- liaising with other departments to ensure compliance with the legal and regulatory aspects of pensions administration; and
- providing high levels of customer service

The division monitors the pension plan by checking the individual value statements when provided by the pension provider. The current pension arrangements commenced in July 2006 and an interest rate was fixed with the pension provider for five years ending in 2011.

The Court's pension obligations are quite significant given the judges terms and conditions and this is being monitored and evaluated by the Court with the assistance of an actuary to ensure that pensions will be provided in a cost effective manner for both the Court and Trust Fund.

European Development Fund Grant

The Division had several discussions with the European Delegation in Guyana related to the Financing Agreement between the European Union and the Caribbean Forum of ACP States (CARIFORUM). The Financing Agreement was subsequently signed in August 2007 and provides for European Development Fund support of 1,315,000 for the development of the Court.

Several meetings and discussions with the European Delegation in Trinidad & Tobago occurred from November 2007 to August 2008. The Grant Financing Agreement budget and logical framework were prepared by the Accounting Division and the final Agreement was signed by the European Delegation in August 2008.



Above: Secretary-General of CARICOM, H.E. Dr. Edwin Carrington, signs the Financing Agreement between the European Union and the Caribbean Forum of ACP States (CARIFORUM) while CCJ President, The Rt. Hon. Mr. Justice Michael de la Bastide, and Acting Chargée d'Affaires of the Delegation of the Commission of the European Union in Trinidad & Tobago, Ms. Terhi Kervinen, looks on.

Court Finance And Accounting

The overall objective of the Grant Funding is to contribute to the original jurisdiction of the CCJ and to the sustainability of the Court. The expected results of this specific funding include:

- further strengthening of the Library by the acquisition of legal material such as law reports, Rules of Courts, journals and other appropriate reference materials;
- development of Information Communications Technology (ICT) capacity will include outfitting the second courtroom with technological tools, procuring a fully equipped and modern multimedia lectern, procuring appropriate technology to aid in the interpretation of proceedings to facilitate multilingual users, video and conferencing technology at some sub-registries;
- knowledge of the Court promoted via seminars, conferences as well as the preparation and dissemination of information;
- transfer of European Court of Justice experiences via mutual visits.

The project should be completed by 31 December 2010.

The Court is at present reviewing the Financing Agreement and this is expected to be signed in early September 2008, with funds expected to be disbursed by the European Delegation in November 2008.

*Supporting Access to Justice,
Building Public Trust and
Confidence and Assisting
the Court's Accountability*

Public Education
And Communications

Public Education And Communications

Staff Members of the PEC Unit; Ms. Gina Affonso-Smith and Ms. Seanna Annisette.



The Public Education and Communications (PEC) Unit was formed in June 2008, in-keeping with the Court's commitment to Public Education to support access to justice, to build public trust and confidence and to assist the Court's accountability. As a judicial organisation established for the citizens of the CARICOM region, it is crucial that all are aware of and understand the role and functions of the CCJ, and how this new establishment affects them.

The statement that "the Caribbean Court of Justice was established by Caribbean people, for Caribbean people" then highlights that the customers of the CCJ include all persons inhabiting and operating in the Caribbean region. The novelty of this Court has proven to be of great interest to academics and other persons as well as institutions outside of the Caribbean region, thus causing them to observe the operations of the Court. These factors have informed the main objectives of the PEC Unit as follows;

- To educate, inform and empower all customers on a regional and international level about who we are and what we do; and
- To build and develop relationships with the various sectors of the regional diaspora.

The Court is initially focusing its public education efforts on the following specific customers:

- National Judiciaries in CARICOM member states;
- the Caribbean Legal Fraternity;
- the Caribbean Business Sector;
- Labour Unions and Representatives;
- skilled workers;
- academia (tertiary, secondary and primary school students and teachers);
- media personnel and institutions; and
- Public Service Bodies of the contracting parties.

Toward this end the PEC Unit will employ a careful combination of the following tools in order to achieve its objectives:

- Public Education Visits in the Caribbean Region;
- the CCJ website;
- CCJ publications;
- CCJ print and electronic advertisement and video productions;
- CCJ Info Kiosks;
- Court tours and open houses; and
- Media Relations.

Public Education And Communications

The Court Executive Administrator has taken on direct oversight of this unit, which is staffed by two officers who have undergone training in this area over the last two years in order to handle this function.

Public Education Visit to Belize – June 2008

In the period under review, the PEC Unit organized a Public Education Visit to Belize in June 2008. The visit included a public education seminar, a schools' seminar, media conference and private meetings with the leaders and representatives of the government and opposition in Belize City, Belize in June 2008.

“CCJ AND THE CSME: VEHICLES FOR REGIONAL UNITY. WHAT DOES THIS MEAN FOR YOU AND FOR ME?”

A Public Education seminar entitled “CCJ and the CSME: Vehicles for Regional Unity, What does this mean for you and for me?”, highlighted the various issues that will arise with the advent of the CARICOM Single Market and Economy (CSME) and the CCJ. The one-day seminar, which took place at the Radisson Fort George Hotel and Marina in Belize City, gained full attendance with members of the legal, labour and business fraternities, members of the media and tertiary level students. Also present were the Honourable Chief Justice and Judges of the Supreme Court, and the Honourable Attorney General of Belize.

Presentations made were as follows:

- “CCJ: From Concept to Reality” - **Ms. Radha Permanand, Deputy Registrar of the CCJ**
- “The CCJ & the CSME” - **The Hon. Mr. Justice Pollard, Judge of the CCJ**
- “Competition Law from a Caribbean Perspective” - **Dr. Kusha Haraksingh, Chairman, Community Competition Commission**
- “Core Aspects of the Revised Treaty of Chaguaramas” - **The Hon. Mr. Justice Wit, Judge of the CCJ**
- “CSME and Labour” - **Mr. Joseph Goddard, Trustee of the Caribbean Congress of Labour**
- “The CCJ and the Legal Profession” - **The Hon. Mr. Justice Saunders, Judge of the CCJ**
- “Bar Association as Agents of Change” - **Mr. Wilfred Abrahams, President of OCCBA**

Attendees provided good feedback to organizers, commenting that this seminar assisted their knowledge and awareness of the CCJ, CSME and the Competition Commission.

TRIPARTITE MEETINGS

A very important aspect of this public education visit was a meeting arranged between government officials and the CCJ tripartite team. The CCJ Tripartite Team, consisting of the Court President and other



Full attention as attendees are engaged with the presentations.



Belize Tripartite Meeting Group Photo

L to R: Top Row - Mr. Richard Kellman; Executive Officer CCJ Trust Fund, Prof. Ralph Carnegie; RJLSC Commissioners, The Hon. Mr. Justice Adrian Saunders; CCJ Judge, Mr. Wilfred Abrahams; Trustee, CCJ Trust Fund, Mr. Cecil Blaizer Williams; RJLSC Commissioner, Mr. Lloyd Barnett; RJLSC Commissioner.

Seated - The Hon. Mr. Justice Abdulai Conteh; Chief Justice of Belize, The Rt. Hon. Mr. Justice Michael de la Bastide; CCJ President, The Hon. Mr. Dean Barrow; Prime Minister of Belize, Master Christie-Anne Morris-Alleyne; CCJ Court Executive Administrator.

Public Education And Communications

CCJ officials and members of the Regional Judicial and Legal Services Commission (RJLSC) and the CCJ Trust Fund, met with the Honourable Prime Minister Mr. Dean Barrow, Chief Justice The Hon. Mr. Justice Conteh and Foreign Affairs Minister Mr. Leslie. The CCJ Tripartite Team also met with members of the Opposition.

SCHOOLS' SEMINAR – ST. JOHN'S JUNIOR COLLEGE

Another integral part of the visit was to be able to engage with school students. To this end, CCJ Personnel made an appearance at the St. John's Junior College in Belize City. This seminar, aimed at the tertiary level students, focused on the aspects of the CCJ and CSME that relate to young men and women. The students and teachers benefitted from the insightful presentations of Ms. Shawn Richards, Head of the CSME Unit in Belize and Ms. Radha Permanand, Deputy Registrar of the CCJ. Among the issues raised was that of Belizean students being afforded the same opportunities as any other CARICOM citizen to attend other tertiary level institutions in the CARICOM region, such as the University of the West Indies or the Law Schools of the Council of Legal Education. Ms. Richards noted the issues and reminded the students that the CSME Unit was established to assist them in that regard.

The Hon. Mr. Justice Saunders and The Hon. Mme. Justice Bernard were also present at the seminar to interface with the students on a one-on-one level.

Other Projects

The Unit also produced its first of the many planned CCJ video productions entitled 'CCJ Courtroom Technology'. This presentation takes its viewers through the many technological tools and solutions available in the CCJ Courtroom, from the perspective of the presenting attorney.



Above: The audience listens attentively to the presentation by Ms. Shawn Richards, CSME Unit Head in Belize, during the School's Seminar at the St. John's Junior College, Belize City.

Highlights

- *The 9th Meeting of the Commonwealth Caribbean Heads of Judiciary - CCJ Luncheon*
- *Staff Celebrations*

The 9th Annual Meeting of the Heads of Judiciary of the Commonwealth Caribbean, 5th - 6th June 2008 Caribbean Court of Justice Luncheon

The 9th Annual Meeting of the Heads of Judiciary of the Commonwealth Caribbean was hosted by the Judiciary of Trinidad and Tobago, on the 5th and 6th June 2008, at the Hyatt Regency Trinidad, in Port of Spain.

The keynote address, given by The Honourable Mr. Justice Pius Langa, Chief Justice and President of the Constitutional Court of South Africa, was themed “The Judiciary: Maintaining Trust and Confidence” and this was also the agreed theme for the conference. The Court President, The Rt. Hon. Mr. Justice de la Bastide, presented to the conference on “The Discipline and Accountability of Judges” and Master Morris-Alleyne, Court Executive Administrator, joined with Mr. Robert Hann to present on “Alternative Models of Court Administration and Recommendations for the way forward”.

The Caribbean Court of Justice hosted a luncheon for the Heads of Judiciaries on the first day of the conference, with a formal presentation of his dissertation by Mr. Justin Sobion titled; “The Caribbean Community, the Caribbean Single Market and Economy and the CISG: Three ways of producing International Trade in the Caribbean Region”. This research project was undertaken at the University of Cape Town, South Africa.



Above: Caribbean Heads of Judiciary and Judges of the CCJ at the CCJ hosted luncheon.

Staff Celebrations

DIVALI AT THE CCJ

Staying true to the multi-cultural nature of the Caribbean region, the CCJ joined in on the Divali celebrations in Trinidad and Tobago. Staff members enjoyed the festivities, which entailed; a historical explanation of the Hindu festival of lights, cultural foods and even a deya display!



Deya Display



CCJ staff celebrates Divali

THE HON. MME JUSTICE BERNARD RECEIVES AN HONORARY DOCTOR OF LAWS

The Honourable Mme. Justice Bernard was also celebrated on this day. She was awarded the Doctor of Laws (LLD), *Honoris Causa*, for her outstanding contributions to the legal profession at a graduation ceremony on November 3rd 2007, at the University of the West Indies, St. Augustine Campus.

CHILDRENS' CHRISTMAS PARTY

For the first time, the CCJ hosted a Children's Christmas Party. Everyone pitched in with true Christmas spirit to put on a great event, which was attended by many friends and families of the Court...and even a Trini Santa! Children big and small, and even the young at heart delighted in activities like Pin the Star of the Christmas Tree, a Magic Show, and the all-time favourite, Bran Tub!

CCJ CHRISTMAS LUNCHEON

While the Christmas Luncheon was a more informal setting, this contributed to what was referred to as; "the best CCJ staff gathering" that year, with traditional Christmas eats and drink, a fun slideshow of the year's best moments, and a first class parang performance by the Newtown Girls' Primary School Choir.



Los paranderos of the Newtown Girls' Primary School Choir perform at the CCJ Christmas Luncheon.



*Supporting independence
and building public trust
and confidence*

The Regional Judicial and
Legal Services Commission
and the CCJ Trust Fund

The Regional Judicial and Legal Services Commission and the CCJ Trust Fund

THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION



Members of the RJLSC

(L to R: Dr. the Hon. Lloyd Barnett, Mr. Allan Alexander, Ms. Gloria Gray, Mr. Anthony Sylvestre, The Rt. Hon. Mr. Justice Michael de la Bastide, Ms. Nelia Robinson, Dr. Magda Hoever-Venoaks, Prof. Ralph Carnegie, Dr. Joseph Archibald, Mr. Cecil Blazer-Williams)

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

“The Commission shall have responsibility for:

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

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

- the exercise of disciplinary control over Judges of the Court, other than the President, and over officials and employees of the Court; Article V.3(2).
- the making of recommendations to the Heads as to the person to be appointed President and for the removal of the President from office; Article IV.6

The Regional Judicial and Legal Services Commission and the CCJ Trust Fund

In the period under review, the PEC Unit organized a Public Education Visit to Belize in June 2008. The visit included a public education seminar; • the determination of the terms and conditions and other benefits of the President and other Judges of the Court with the approval of the Heads of Government; Article XXVIII as amended.

• the making of Regulations -

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

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

In December 2007 the first Chairman and members of the Competition Commission were appointed and that Commission was inaugurated on 18th January 2008 in Suriname, the headquarters of the Competition Commission.

Between August 1, 2007 and July 31, 2008 the term of office of six members of the RJLSC expired and five of those members were re-appointed for a further term of three years. Professor Bishop was replaced on the Commission by Professor Carnegie. Mr. Sylvestre resigned as Chairman of the Judicial and Legal Service Commission in Belize and was replaced in that capacity by Mr. Rodney Neal. Mr. Neal assumed office as a member of the RJLSC after the period under review.

The RJLSC held nine (9) meetings during the period under review to carry out its functions and meetings of the sub-Committees of the Commission were held as required.

The composition and membership of the Commission between August 1, 2007 and July 31, 2008 is shown in Table I below.

Table I

DATE OF ASSUMPTION	NAME	BASIS FOR APPOINTMENT	RELEVANT PARAGRAPH F ARTICLE V.I
August 18, 2004	The Rt. Hon. Mr. Justice Michael de la Bastide T.C.	President of the Court	(a)
September 12, 2003 July 7, 2006 [Both re-appointed from August 20, 2007]	Dr. the Hon. Lloyd George Barnett, O.J. Dr. Joseph Archibald, Q.C.	Nominated jointly by OCCBA & OECS Bar Associations	(b)
January 12, 2007 [resigned w.e.f. February 6, 2008]	Mr. Anthony Sylvestre, M.B.E.	Chairman, Judicial Services Commission of Belize	(c)

The Regional Judicial and Legal Services Commission and the CCJ Trust Fund

Table 1, Cont.

DATE OF ASSUMPTION	NAME	BASIS FOR APPOINTMENT	RELEVANT PARAGRAPH FARTICLE V.I
September 29, 2006	Mr. C.A. Blazer Williams B.A., M.Sc., LL.B.	Chairman of the Public Service Commission of St. Vincent and the Grenadines	(d)
August 21, 2003 [Both re-appointed from August 21, 2006]	Ms. Gloria Gray, B.Sc., M.Sc. Ms. Nelcia Robinson, B.Sc.	Nominated jointly by the Secretary General of the Community and Director General of the OECS	(e)
August 21, 2003 [to August 19, 2007] October 10, 2003 [Re-appointed from August 20, 2007] September 28, 2007	Professor Aubrey Bishop, OR, CCH, B.Sc., LL.M Dr. Magda Hoever-Venoaks, M.Sc., Ph.D. Professor A. Ralph Carnegie, B.A., M.A.	Nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, Deans of the Faculties of Law of the Contracting Parties and Chairman of the Council of Legal Education	(f)
August 21, 2003 [Both re-appointed from August 20, 2007]	The Rt. Hon. Sir Vincent Floissac, CMG, Q.C., LL.M Mr. Allan Alexander, S.C.	Nominated jointly by the Bar or Law Associations of the Contracting Parties	(g)

The following table shows the membership of the Commission in 2007 and 2008, the date of expiration of the term of office of each member and the nationalities of the members.

Table 2

NAME OF COMMISSIONER	NATIONALITY	DATE OF EXPIRATION OF TERM OF OFFICE
The Rt. Hon. Mr. Justice Michael de la Bastide T.C.	Trinidad and Tobago	July 18, 2009
Dr. Joseph Archibald, Q.C.	St. Kitts and Nevis	August 19, 2010
Dr. The Hon. Lloyd George Barnett, O.J.	Jamaica	August 19, 2010
Mr. Anthony Sylvestre, M.B.E.	Belize	January 11, 2010
Mr. C.A. Blazer Williams B.A., M.Sc., LL.B.	St. Vincent and the Grenadines	September 19, 2009
Ms. Gloria Gray, B.Sc., M.Sc.	Trinidad and Tobago	August 20, 2009
Ms. Nelcia Robinson, B.Sc.	St. Vincent and the Grenadines	August 20, 2009
Professor Aubrey Bishop, OR, CCH, B.Sc., LL.M	Guyana	August 19, 2007
Dr. Magda Hoever-Venoaks, M.Sc., Ph.D	Suriname	August 19, 2010
Professor A. Ralph Carnegie B.A., M.A.	Jamaica	August 19, 2010
The Rt. Hon. Sir Vincent Floissac, CMG, Q.C., LL.M	St. Lucia	August 19, 2010
Mr. Allan Alexander, S.C.	Trinidad and Tobago	August 19, 2010

The Regional Judicial and Legal Services Commission and the CCJ Trust Fund



Staff members of the RJLSC: Mrs. Mary Barrow; Executive Secretary to the Commission, Ms. Paula Pierre; Secretary to the Commission and Mr. Hucliffe Samuel; Driver to the Commission. (Other services are provided to the Commission by the Court Administration Unit and the staff of the Court.)

The Caribbean Court Of Justice Trust Fund

CARIBBEAN COURT OF JUSTICE TRUST FUND

Board of Trustees



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Abdulai Conteh**
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Mr. Willfred Abrahams
Trustee

How much do you really know about the CCJ? Your Region! Your Court! Your Right...to know!

Test your knowledge of the CCJ

1. How many Judges have been appointed to the CCJ?

- (a) 5
- (b) 7
- (c) 8
- (d) 9

2. The first matter filed in the original jurisdiction of the Court was filed in

- (a) Barbados
- (b) Trinidad and Tobago
- (c) Guyana
- (d) Jamaica

3. The first matter filed in the appellate jurisdiction of the Court was filed against a decision of the Court of Appeal of

- (a) Barbados
- (b) Trinidad and Tobago
- (c) Guyana
- (d) Jamaica

4. The Seat of the Court is located at 134 Henry Street POS since

- (a) 2004
- (b) 2005
- (c) 2006
- (d) 2007

5. The Agreement Establishing the CCJ was signed by 10 Contracting Parties on

- (a) 14.2.01
- (b) 15.2.01
- (c) 14.2.03
- (d) 15.2.03
- (e) 04.4.05

6. Judges of the Court are selected

- (a) After they applied and were interviewed
- (b) Their governments nominated them
- (c) on promotion from the Chief Justice of their country
- (d) none of the above

7. The Court Administration Unit is headed by

- (a) The Court Executive Administrator
- (b) The Financial Comptroller
- (c) A Judge of the Court
- (d) The Registrar
- (e) None of the above

8. Where and how can the Court hear and determine matters

- (a) In POS
- (b) In any of the Contracting Parties to the Agreement
- (c) By telephone
- (d) None of the Above
- (e) All of the Above

9. The Court hears cases in the appellate jurisdiction against decisions of the Courts of Appeal of

- (a) All of the Contracting Parties
- (b) Barbados and Guyana
- (c) Barbados, Guyana and Trinidad and Tobago
- (d) Barbados, Guyana and Jamaica
- (e) None of the above

10. Attorneys-at-law and their clients, who appear in matters before the CCJ are entitled to

- (a) Specified privileges and immunities
- (b) Free CDs of the Court proceedings
- (c) Wear wigs
- (d) Use cell phones during the hearing
- (e) None of the above

11. How many CARICOM countries can file matters in the original jurisdiction of the Court?

- (a) 2
- (b) 10
- (c) 15
- (d) 12

12. The Prime Minister of one Contracting Party entered a reservation to the Agreement Establishing the Court relating to the appellate jurisdiction of the Court. That Contracting Party is

- (a) St. Kitts and Nevis
- (b) Saint Lucia
- (c) St. Vincent and the Grenadines
- (d) Suriname
- (e) None of the above

13. The Caribbean Court of Justice was called 'the CARICOM Supreme Court' in

- (a) The Report of the West Indian Commission
- (b) CARICOM Our Caribbean Community An Introduction
- (c) The Revised Treaty of Chaguaramas
- (d) Re-Inventing CARICOM The Road to a New Integration
- (e) None of the above

14. The Caribbean Court of Justice was inaugurated on

- (a) 15th April 2005
- (b) 16th April 2006
- (c) 16th April 2005
- (d) 15th April 2006
- (e) None of the above

How much do you really know about the CCJ? Your Region! Your Court! Your Right...to know!

Answer True or False to the following questions

1. Any member of the public can attend a case management conference.

True False

2. Two of the Judges of the CCJ are citizens of Guyana.

True False

3. The Caribbean Court of Justice Trust Fund is located at Cornelio Street Woodbrook Port of Spain.

True False

4. The President of the Court is selected by the Heads of Government of CARICOM.

True False

5. A matter can be filed at the Seat of the Court in Port of Spain or at any sub-Registry of the Court.

True False

6. Judges of the CCJ are referred to in Court as 'Your Honours'.

True False

7. The CCJ records its court hearings using video.

True False

8. Filing for CCJ matters can only be done in Trinidad

True False

9. The CCJ closes for all public holidays in the region

True False

10. Under the rules of court filing fees must be paid only in US Dollars

True False

11. Only citizens of Trinidad and Tobago can be employed at The CCJ

True False

12. The second language of the Court is Spanish

True False

13. To be eligible to be a Judge of the CCJ, one has to have been a Judge in a country

True False

14. The members of the CCJ Trust Fund are appointed by Ministers of Finance of the Caribbean Region.

True False

Papers and Addresses

The following papers were delivered by Judges of the Caribbean Court of Justice between 1 August 2007 to 31 July 2008.

- *“Fostering a Culture for Respect for Human Rights within the Judicial Systems of the Commonwealth Caribbean.”* **XV Commonwealth Law Conference, Kenya, September 2007.** The Hon. Mme. Justice Desiree Bernard.
- *“The Caribbean Court of Justice and the Legal Profession: Promoting our Caribbean Jurisprudence.”* **Address to the OECS Bar Association, Grenada, September 2007.** The Hon. Mr. Justice Saunders.
- *“The Caribbean Court of Justice as a Regional Court.”* **1st Meeting of International and Regional Courts of Justice, Nicaragua, October 2007.** The Rt. Hon. Mr. Justice Michael de la Bastide, T.C.
- *“Graduation Address.”* **Annual Graduation Ceremony of the University of the West Indies, Trinidad and Tobago, November 2007.** The Hon. Mme. Justice Desiree Bernard.
- *“The Caribbean Court of Justice: Who Stands to Gain?”* **The Fifteenth Public Lecture of Management Institute for National Development (MIND), Jamaica, March 2008.** The Hon. Mr. Justice Duke Pollard.
- *“Progress in the Caribbean Region on the Commitment to Children's Rights.”* **Special Meeting on Children of the Council of Human and Social Development (COHSOD), Guyana, March 2008.** The Hon. Mme. Justice Desiree Bernard.
- *“A Review of Current Trust Law Issues.”* **XXIII Annual Conference on Transcontinental Trusts, Switzerland, June 2008.** The Hon. Mr. Justice David Hayton.

CARIBBEAN COURT OF JUSTICE AND REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION

EXTRACT OF EXPENDITURE FOR THE PERIOD 1 AUGUST 2007 TO 31 JULY 2008

United States Dollars

	1-Aug-07 to 31-Jul-08	1-Aug-06 to 31-Jul-07
Cash on Hand (1 August 2007)	830,664	1,694,993
RECEIPTS	5,260,443	5,564,131
Total Cash Available (before cash out)	6,091,107	7,259,124
CASH PAID OUT		
1 Personnel Expenses	3,330,043	3,683,743
2 Goods and Services	804,528	1,536,985
3 RJLSC Expenses	213,035	187,022
4 Vat Paid	88,139	121,285
5 Non-Lined Expenditure	45,509	0
SUBTOTAL RECURRENT EXPENDITURE	4,481,254	5,529,035
CAPITAL EXPENDITURE		
Total Capital Expenditure	587,781	899,425
TOTAL RECURRENT & CAPITAL EXPENDITURE	5,069,035	6,428,460
Cash Position 31 July 2008	1,022,072	830,664



Financial Statements of

THE CARIBBEAN COURT OF JUSTICE

December 31, 2007



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

We have audited the financial statements of the Caribbean Court of Justice (the Court), set out on pages 2 to 17, which comprise the balance sheet as at December 31, 2007, and the statements of income, changes in retained earnings and accumulated deficit and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and consistently applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditors' Responsibility

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

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

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

Opinion

In our opinion, the financial statements, which have been prepared in accordance with International Financial Reporting Standards, present fairly, in all material respects, the financial position of the Court as at December 31, 2007 and of its financial performance, changes in retained earnings and cash flows for the year then ended.

Chartered Accountants

Port of Spain
Trinidad and Tobago, W.I.
April 25, 2008

Balance Sheet

December 31, 2007

	Notes	2007	2006
ASSETS			
Non-current assets			
Property, plant and equipment	1	\$ 9,685,715	12,098,294
Retirement benefit asset	2	842,310	1,014,930
Total non-current assets		<u>10,528,025</u>	<u>13,113,224</u>
Current assets			
Other receivables	3	836,905	839,997
Cash and cash equivalents		160,765	470,511
Total current assets		<u>997,670</u>	<u>1,310,508</u>
Total assets		<u>\$ 11,525,695</u>	<u>14,423,732</u>
ACCUMULATED FUND AND LIABILITIES			
Accumulated fund			
Retained earnings		\$ 7,806,410	9,983,870
Current liabilities			
Deferred income	4	227,778	455,556
Due to related party	5	3,191,857	3,588,932
Other payables	6	299,650	395,374
Total current liabilities		<u>3,719,285</u>	<u>4,439,862</u>
Total accumulated fund and liabilities		<u>\$ 11,525,695</u>	<u>14,423,732</u>

The accompanying notes form an integral part of these financial statements

On behalf of the Caribbean Court of Justice

Original signed by Court Executive Administrator

Statement of Income

For the year ended December 31, 2007

	Notes		2007	2006
Revenue	7	\$	30,072,155	22,891,914
Administrative expenses	8		<u>(32,249,615)</u>	<u>(26,686,306)</u>
Deficit of income over expenditure for the year		\$	<u>(2,177,460)</u>	<u>(3,794,392)</u>

The accompanying notes form an integral part of these financial statements

Statement of Changes in Retained Earnings/Accumulated Deficit

For the year ended December 31, 2007

Year ended December 31, 2006

Balance as at January 1, 2006	\$	13,778,262
Deficit of income over expenditure for the year		<u>(3,794,392)</u>
Balance as at December 31, 2006	\$	<u>9,983,870</u>

Year ended December 31, 2007

Balance as at January 1, 2007	\$	9,983,870
Deficit of income over expenditure for the year		<u>(2,177,460)</u>
Balance as at December 31, 2007	\$	<u>7,806,410</u>

The accompanying notes form an integral part of these financial statements

Statement of Cash Flows

For the year ended December 31, 2007

	2007	2006
Cash Flows from Operating Activities		
Deficit of income over expenditure for the year	\$ (2,177,460)	(3,794,392)
Adjustments to reconcile deficit of income over expenditure for the year to net cash from (used in) operating activities		
Depreciation	5,510,359	4,739,183
Amortisation of deferred income	(227,778)	(227,778)
Other receivables	3,092	460,373
Retirement benefit asset	172,620	-
Due to related party	(397,075)	(1,317,369)
Other payables	(95,724)	(197,678)
Net cash from (used in) operating activities	<u>2,788,034</u>	<u>(337,661)</u>
Cash Flows from Investing Activities		
Purchase of fixed assets	(3,097,780)	(10,387,123)
Retirement benefit asset	-	(1,014,930)
Net cash used in investing activities	<u>(3,097,780)</u>	<u>(11,402,053)</u>
Decrease in cash and cash equivalents for the year	(309,746)	(11,739,714)
Cash and cash equivalents at the beginning of the year	<u>470,511</u>	<u>12,210,225</u>
Cash and cash equivalents at the end of the year	\$ <u>160,765</u>	<u>470,511</u>
Analysis of cash and cash equivalents		
Cash on hand and at bank	\$ <u>160,765</u>	<u>470,511</u>

The accompanying notes form an integral part of these financial statements

Notes to Financial Statements

December 31, 2007

Establishment and principal activity

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

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

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

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

These financial statements were approved for issue by the Court Executive Administrator on April 25, 2008.

Significant accounting policies

(a) *Statement of compliance*

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

(b) *Basis of preparation*

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

(c) *Functional and reporting currency*

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

Notes to Financial Statements

December 31, 2007

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

The preparation of these financial statements in conformity with IFRSs 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.

In particular, information about significant areas of estimation uncertainty and critical judgements in applying accounting policies that have the most significant effect on the amount recognised in the financial statements are described in the note 2 retirement benefit asset.

(e) Property, plant and equipment

Property, Plant and Equipment 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% for all fixed assets except for leasehold improvements (10%) 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.

Notes to Financial Statements

December 31, 2007

Significant accounting policies (continued)**(g) Cash and cash equivalents**

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

(h) Due to related party

Due to related party is stated at cost.

(i) Other payables

Other payables are stated at cost.

(j) Provisions

A provision is recognised 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) Grants**Funds from the Caribbean Court of Justice Trust Fund**

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

Grants

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

(l) 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.

(m) Taxation

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

Notes to Financial Statements

December 31, 2007

Significant accounting policies (continued)**(n) Foreign currency transactions**

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

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

(o) 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, 2007

Significant accounting policies (continued)

(p) Employee benefits

(i) Defined contribution plan

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

(ii) Defined benefit plan

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

Notes to Financial Statements

December 31, 2007

1. Property, plant and equipment

	Computers & Software	Furniture Fixtures & Equipment	Flags Crests & Seals	Library Books	Security Equipment	Lease- Hold Improve- ments	Vehicles	Totals
Cost or valuation								
At January 1, 2007	\$ 5,903,837	4,745,260	258,176	4,642,208	484,787	51,440	2,901,887	18,987,595
Additions	695,516	343,051	29,020	2,008,401	-	21,792	-	3,097,780
At December 31, 2007	\$ 6,599,353	5,088,311	287,196	6,650,609	484,787	73,232	2,901,887	22,085,375
Accumulated depreciation								
At January 1, 2007	\$ 1,883,536	1,715,892	103,580	1,643,230	121,197	5,144	1,416,722	6,889,301
Charge for the year	1,649,838	1,272,078	71,799	1,662,652	121,197	7,323	725,472	5,510,359
At December 31, 2007	\$ 3,533,374	2,987,970	175,379	3,305,882	242,394	12,467	2,142,194	12,399,660
Net book value								
At December 31, 2006	\$ 4,020,301	3,029,368	154,596	2,998,978	363,590	46,296	1,485,165	12,098,294
At December 31, 2007	\$ 3,065,979	2,100,341	111,817	3,344,727	242,393	60,765	759,693	9,685,715

2. Retirement benefit asset

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

Principal actuarial assumptions at the reporting date are as follows:

	2007	2006
Discount rate	8.0%	8.0%
Expected rate of return on plan assets	8.0%	8.0%
Salary growth rate	0.0%	0.0%
Average expected remaining working lives of employees	8.2 years	8.8 years

Notes to Financial Statements

December 31, 2007

2. Retirement benefit asset (continued)

	2007	2006
Fair value of plan assets at the beginning of the year	\$ 1,980,720	-
Expected return on plan assets	253,890	40,320
Contributions	2,514,330	1,940,400
Benefits paid	-	-
Actuarial gain (loss) or plan asset	-	-
Fair value of plan assets at the end of the year	\$ 4,748,940	1,980,720
Present value of obligation at beginning of year	\$ 2,703,330	-
Interest cost	279,720	-
Total current service cost	1,620,990	-
Past service cost - non-vested benefits	1,384,740	2,084,670
Past service cost - vested benefits	-	618,660
Benefits paid	-	-
Actuarial (gain) loss on obligation	-	-
Present value of obligation at end of year	\$ 5,988,780	2,703,330
Current service cost	\$ 1,620,990	-
Interest cost	279,720	-
Expected return on plan assets	(253,890)	(40,320)
Net actuarial (gain) loss recognised in year	-	-
Past service cost - non-vested benefit	1,040,130	347,130
Past service cost - vested benefit	-	618,660
Increase (decrease) in unutilisable asset	-	-
Expense (income) recognised in the income statement	\$ 2,686,950	925,470
Opening asset (liability)	\$ 1,014,930	-
Income (expense) in income statement	(2,686,950)	(925,470)
Contributions paid	2,514,330	1,940,400
Closing asset	\$ 842,310	1,014,930

Notes to Financial Statements

December 31, 2007

2. Retirement benefit asset (continued)

	2007	2006
Present value of the obligation	\$ (5,988,780)	(2,703,330)
Fair value of plan assets	4,748,940	1,980,720
	(1,239,840)	(722,610)
Unrecognised actuarial (gains) losses	-	-
Unrecognised past service cost – non-vested benefits	2,082,150	1,737,540
Asset (liability) recognised in balance sheet	\$ 842,310	1,014,930
Expected return on plan assets	253,890	40,320
Actuarial gain (loss) on plan assets	-	-
Actuarial return on plan assets	\$ 253,890	40,320
Present value of obligation at January 1, 2007	2,703,330	-
Fair value of plan assets at January 1, 2007	1,980,720	-
Limits of 10% corridor	270,270	-
Unrecognised actuarial (gains) losses at January 1, 2007	-	-
Excess (A)	\$ -	-
Average expected remaining working lives (B)	8.2 years	8.8 years
Actuarial (gain) loss to be recognised (A/B)	\$ -	-
Unrecognised actuarial (gains) losses at January 1, 2007	-	-
Actuarial (gain) loss for year – obligations	-	-
Actuarial (gain) loss for year – plan assets	-	-
Subtotal	-	-
Actuarial gain (loss) recognised	-	-
Unrecognised actuarial (gains) losses at the beginning of year	\$ -	-

Notes to Financial Statements

December 31, 2007

3. Other receivables

	<u>2007</u>	<u>2006</u>
VAT recoverable	\$ 250,726	347,210
Other receivables	<u>586,179</u>	<u>492,787</u>
	\$ <u>836,905</u>	<u>839,997</u>

4. Deferred income

Grant received	\$ 911,112	911,112
Accumulated amortisation	<u>(683,334)</u>	<u>(455,556)</u>
	\$ <u>227,778</u>	<u>455,556</u>

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

5. Due to related party

	<u>2007</u>	<u>2006</u>
The Regional Judicial and Legal Services Commission (RJLSC)	\$ <u>3,191,857</u>	<u>3,588,932</u>

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

6. Other payables

Accounts payable	\$ 254,105	370,000
Other payables and accrued liabilities	<u>45,545</u>	<u>25,374</u>
	\$ <u>299,650</u>	<u>395,374</u>

Notes to Financial Statements

December 31, 2007

7. Revenue

	<u>2007</u>	<u>2006</u>
Funds from the Caribbean Court of Justice		
Trust Fund	\$ 29,656,190	22,237,456
Amortisation of deferred income	227,778	227,778
Interest income	144,662	369,621
Other income	43,525	57,059
	<u>\$ 30,072,155</u>	<u>22,891,914</u>

8. Administrative expenses

Salaries and allowances	\$ 17,688,585	15,625,027
Pension cost	3,251,899	1,662,483
Administrative expenses	4,235,594	3,230,273
Depreciation	5,510,359	4,739,183
Insurance expenses	947,729	834,497
Foreign exchange loss	49,307	42,790
Bank charges	14,307	10,036
Audit fees	22,635	20,000
Lease payments	529,200	522,017
	<u>\$ 32,249,615</u>	<u>26,686,306</u>

9. Operating leases

Non cancellable operating lease rentals are payable as follows:

Less than one year	\$ 529,200	493,100
Between one and five years	-	264,600
	<u>\$ 529,200</u>	<u>757,700</u>

During the year, \$529,200 (2006 \$522,017) was recognised as an expense in the income statement in respect of operating leases.

Notes to Financial Statements

December 31, 2007

10. IFRS not yet effective

At the date of authorisation of the financial statements, there were certain standards and interpretations which were in issue but were not yet effective. The effective dates of those standards and interpretations are as follows:

IFRS 2	Share-Based Payment – Amendment relating to Vesting Conditions and Cancellations	January 1, 2009
IFRS 3	Business Combinations – Comprehensive revision on applying the Acquisition Method	July 1, 2009
IFRS 8	Operating Segments	January 1, 2009
IFRIC 11	Group and Treasury Share Transactions	March 1, 2007
IFRIC 12	Service Concession Arrangement	January 1, 2008
IFRIC 13	Customer Loyalty Programmes	July 1, 2008
IFRIC 14	IAS 19 – The Limit of a Deferred Benefit Asset, Minimum Funding Requirements and their Interaction	January 1, 2008
IAS 1	Amendment: Presentation of Financial Statements - Comprehensive revision including requiring a Statement of Comprehensive Income	January 1, 2009
IAS 1	Amendment: Presentation of Financial Statements - Amendments relating to disclosure of puttable instruments and obligations arising on liquidation	January 1, 2009
IAS 23	Amendment: Borrowing Costs – Capitalisation of Borrowing Costs	January 1, 2009
IAS 27	Consolidated and Separate Financial Statements – Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 28	Investments in Associates – Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 31	Interest in Joint Ventures - Consequential Amendments arising from Amendments to IFRS 3	July 1, 2009
IAS 32	Financial Instruments : Presentation - Amendments relating to puttable instruments and obligations arising on liquidation	January 1, 2009

Except for additional disclosures, the adoption of these standards and interpretations are not expected to have a material impact on the financial statements.

Notes to Financial Statements

December 31, 2007

11. 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, 2007



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**Independent 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, 2007, and have issued our report thereon dated April 25, 2008.

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 1 to 19, 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 and Tobago, W.I.
April 25, 2008

Balance Sheet

December 31, 2007

(Expressed in United States Dollars)

	2007	2006
ASSETS		
Non-current assets		
Property, plan and equipment	\$ 1,537,415	1,920,364
Retirement benefit asset	<u>133,700</u>	<u>161,100</u>
Total non-current assets	<u>1,671,115</u>	<u>2,081,464</u>
Current assets		
Other receivables	132,842	117,163
Cash and cash equivalents	<u>25,518</u>	<u>74,684</u>
Total current assets	<u>158,360</u>	<u>191,847</u>
Total assets	\$ <u>1,829,475</u>	<u>2,273,311</u>
RESERVES AND LIABILITIES		
Retained earnings	\$ 1,239,112	1,574,077
Foreign currency translation reserve	<u>-</u>	<u>(5,506)</u>
	<u>1,239,112</u>	<u>1,568,571</u>
Current liabilities		
Deferred income	36,155	72,310
Due to related party	506,644	569,672
Other payables	<u>47,564</u>	<u>62,758</u>
Total current liabilities	<u>590,363</u>	<u>704,740</u>
Total reserves and liabilities	\$ <u>1,829,475</u>	<u>2,273,311</u>

Statement of Income

For the year ended December 31, 2007

(Expressed in United States Dollars)

	2007	2006
Revenue	\$ 4,773,358	3,633,637
Administrative expenses	(5,118,987)	(4,252,092)
Deficit of income over expenditure for the year	\$ <u>(345,629)</u>	<u>(618,455)</u>