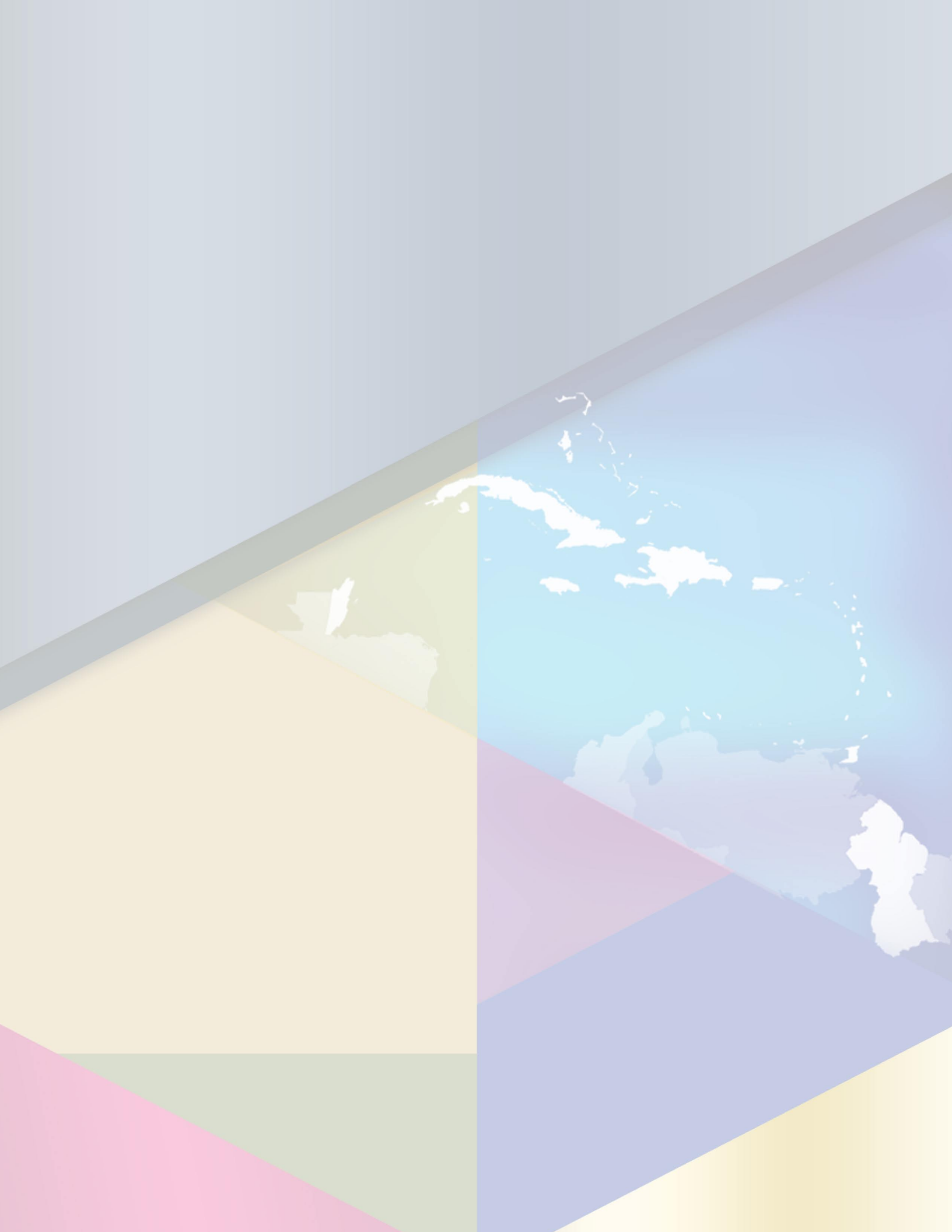


# Regional Judicial and Legal Services Commission

# Annual Report 2019

STRENGTHENING  
TRANSFORMATION





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**THE CHAIRMAN  
and MEMBERS  
of the  
REGIONAL  
JUDICIAL and  
LEGAL SERVICES  
COMMISSION**



**Seated Left to Right:**

Hon. Mme Justice Yonette Cummings-Edwards OR, CCH

Hon. Mr. Justice Adrian Saunders (Chairman)

Ms. E. Ann Henry QC

Mrs. Susan Branker Greene MSc

**Standing Left to Right:**

Lady Beverley Walrond QC

Dr. Francis Alexis QC

Mr. Delano Bart QC

Mr. Elton Prescott SC

Hon. Michael Hylton OJ, QC

Hon. Mr. Justice Dennis Morrison OJ, CD



## Definition of TERMS

**In this Report the following terms which are frequently used have the meanings assigned to them below:**

**“the Agreement”** means the Agreement Establishing the Caribbean Court of Justice;

**“the Commission”** or **“the RJLSC”** means the Regional Judicial and Legal Services Commission;

**“the Court”** or **“the CCJ”** means the Caribbean Court of Justice;

**“CARICOM”** means the Caribbean Community and Common Market;

**“CCAT”** means the Caribbean Community Administrative Tribunal established by Statute approved by the Conference of Heads of Government of the Caribbean Community on February 27, 2019;

**“Statute”** means the Statute of the Caribbean Community Administrative Tribunal;

**“OECS”** means the Organisation of Eastern Caribbean States;

**“the Treaty”** means the Revised Treaty of Chaguaramas;

**“the Trust Fund”** means the Caribbean Court of Justice Trust Fund established by the Revised Agreement dated January 12, 2004; and

**“the Trustees”** means the Board of Trustees of the Trust Fund.

## VISION and MISSION of the COMMISSION

### VISION

To be a modern and effective administrative system exemplifying the best practices in support of the Caribbean Court of Justice discharging a fair and efficient system of justice.

### MISSION

**The RJLSC will:**

- appoint as judges of the Caribbean Court of Justice persons of high moral character, intellectual and analytical ability, sound judgment, integrity and understanding of people and society;
- ensure that the financial and human resources management of the Court and Commission is efficient, equitable and progressive; and
- cultivate an environment conducive to the development of professionalism, excellent work ethics, managerial competence and job satisfaction.

## INTRODUCTION

In 2019 the Regional Judicial and Legal Services Commission continued its focus on strengthening the transformations taking place at the Commission and the Court over the last few years. These included an emphasis on strengthening levels of accountability in support of the Court's reach for court excellence. The Caribbean Court of Justice's Strategic Plan (2019 – 2024), which was launched in February 2019, under the theme "Unlocking Potential – Strengthening Caribbean Jurisprudence", allowed the Commission to reassess opportunities to strengthen and bolster its efforts to create an environment in which employees can be enabled and positioned to propel the Court forward.

Keen attention was paid to the development of policies and procedures to further strengthen the governance framework of the Court and the Commission. To this end, the Staff Regulations were reviewed and amended to, among other things, establish systems to facilitate strategic decision making for leave administration and utilization for the entire workforce. A Harassment Policy aimed at making sure the work environment at the Court and Commission is free of harassment and bullying for all employees was also put in place.

The financial framework was enhanced with the implementation of the Financial Charter to strengthen the financial operations of the Court in support of the sustainability of the CCJ Trust Fund. The Commission also put in place mechanisms to ensure that the operations of the Court and the Commission were audited every two years starting April 2020.

Critical among the work of the Commission this year was its support for the establishment of the Caribbean Community Administrative Tribunal (CCAT). The Commission selected and appointed the first Members of the Tribunal under Article V(3) of the CCAT Statute. The launch of the Tribunal and the official swearing-in of Members was scheduled for February 17, 2020.

Looking forward, the Commission is determined to continue its contribution to position the Court and the Commission to meet the highest standards of quality, efficiency and service to all our stakeholders.

Article V.10 of the Agreement provides that: "The Commission shall, no later than 31 March in every year, submit to the Heads of Government an Annual Report of its work and operations during the previous year".

In its 2009 Annual Report, the Commission began a series of features on the Contracting Parties to the Agreement. In this year's report the Contracting Party featured is St. Vincent and the Grenadines.

## FUNCTIONS of the COMMISSION

The main functions of the Commission are set out in Article V.3(1) of the Agreement. This Article provides that:

“The Commission shall have responsibility for:

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

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

- the exercise of disciplinary control over Judges of the Court, other than the President, and over officials and employees of the Court; Article V.3(2).
- the making of recommendations to the Heads as to the person to be appointed President and for the removal of the President from office; Article IV.6.
- the determination of the terms and conditions and other benefits of the President and other Judges of the Court with the approval of the Heads of Government; Article XXVIII as amended.
- the making of Regulations –
  - to govern the appointment, discipline, termination of appointment and other terms and conditions of service and employment for Judges, other than the President, and officials and employees of the Court,
  - to prescribe the procedure governing the conduct of such proceedings, and
  - generally, to give effect to the Agreement; Article XXXI.

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

By Article V of the Statute of the Caribbean Community Administrative Tribunal, the Commission also has responsibility for selecting the members of the Tribunal.



## COMPOSITION of the COMMISSION

The composition of the Commission as set out in Article V.1 of the Agreement is as follows:

- (a) the President who shall be the Chairman of the Commission;
- (b) two persons nominated jointly by the Organisation of the Commonwealth Caribbean Bar Association (OCCBA) and the Organisation of Eastern Caribbean States (OECS) Bar Association;
- (c) one chairman of the Judicial Services Commission of a Contracting Party selected in rotation in the English alphabetical order for a period of three years;
- (d) the Chairman of a Public Service Commission of a Contracting Party selected in rotation in the reverse English alphabetical order for a period of three years;
- (e) two persons from civil society nominated jointly by the Secretary-General of the Community and the Director General of the OECS for a period of three years following consultations with regional non-governmental organisations;
- (f) two distinguished jurists nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculties of Law of any of the Contracting Parties and the Chairman of the Council of Legal Education; and
- (g) two persons nominated jointly by the Bar or Law Associations of the Contracting Parties.

In 2019 there were some changes to the composition of the Commission. On August 19, 2019 the term of office of Commissioner Peter Maynard ended as a Commissioner of the RJLSC. Commissioner Maynard served the Commission

for six years prior to the expiration of his term. Pursuant to Article V.1(d) of the Agreement Commissioner Maynard was succeeded on the Commission by Ms. E. Ann Henry QC who was appointed to serve as a Member of the Commission on September 19, 2020.

The tenure of Commissioner Alvin McIntosh ended on December 31, 2019, following the expiration of the three-year term for the Chairman of the Public Service Commission of Jamaica pursuant to Article V.1(d) of the Agreement. Since Guyana was next in the reverse alphabetical order of the Contracting Parties, pursuant to Article V.1(d) of the Agreement, Commissioner McIntosh will be succeeded on the Commission by the Chairman of the Public Service Commission of Guyana, Mr. Michael Somersall DSM. Mr. Somersall will be appointed at the next Commission meeting to be held on February 14, 2020.

During the year 2019 five other Commissioners' terms of office ended, and they were reappointed for a second term of office. The terms of office of Commissioners Dennis Morrison and Lady Beverley Walrond expired on October 28, 2019, and they were both reappointed for a further term of three years pursuant to Article V.1(f) of the Agreement. The term of office of Commissioner Delano Bart also ended on November 16, 2019 and he was reappointed for a further period of three years pursuant to Article V.1(b) of the Agreement. The terms of office of both Commissioners Michael Hylton and Elton Prescott expired on November 18, 2019 and they were both reappointed for a further period of three years pursuant to Article V.1(g) of the Agreement. The Commission functioned with its full complement of eleven (11) members in 2019. However, on December 8, 2019, the Commission lost one of its Members - Commissioner Lady

*COMPOSITION of the COMMISSION (continued)*

Beverley Walrond - resulting from her untimely passing. The Commission will commence the process for a successor to Commissioner Walrond on the Commission in early 2020.

The following table shows the persons who served as members of the Commission in 2019 including the effective dates of their appointment and the basis for their appointment.

Date of Appointment	Name of Commissioner	Basis of Appointment	Relevant paragraph of Article V.1
July 4, 2018	Hon. Mr. Justice Adrian Saunders	President of the Court	(a)
August 20, 2013 <i>[re-appointed August 20, 2016]</i>	Dr. Peter Maynard PhD FCIArb	Nominated by OCCBA & OECS Bar Associations	(b)
September 19, 2019	Ms. E. Ann Henry QC		
November 17, 2016 <i>[re-appointed November 17, 2019]</i>	Mr. Delano Bart QC		
September 11, 2018	Hon. Mme. Justice Yonette Cummings-Edwards OR, CCH	Chairman, Judicial Services Commission of Guyana	(c)
April 1, 2018	Mr. Alvin McIntosh CD, JP	Chairman, Public Service Commission, Jamaica	(d)
November 6, 2015 <i>[re-appointed November 6, 2018]</i>	Dr. Francis Alexis QC	Nominated by the Secretary General of the Community and the Director General of the OECS	(e)
December 12, 2018	Mrs. Susan Branker Greene MSc		
October 29, 2016 <i>[re-appointed October 29, 2019]</i> <i>[both]</i>	Hon. Mr. Justice Dennis Morrison OJ,CD	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)
	Lady Beverley Walrond QC		
November 19, 2016 <i>[re-appointed November 19, 2019]</i> <i>[both]</i>	Mr. Elton Prescott, SC	Nominated by the Bar or Law Associations of the Contracting Parties	(g)
	Hon. Mr. Byron St. Michael Hylton, OJ, QC		

Table 1

*COMPOSITION of the COMMISSION (continued)*

The following table shows the membership of the Commission as reconstituted in 2019, the date of expiration of the term of office of each member and his/her nationality.

Name of Commissioner	Nationality	Date of Expiration of Term of Office
Hon. Mr. Justice Adrian Saunders	St. Vincent and the Grenadines	July 3, 2025
Ms. E. Ann Henry QC	Antigua and Barbuda	September 18, 2022
Mr. Delano Bart QC	St. Kitts and Nevis	November 16, 2022
Hon. Mme. Justice Yonette Cummings-Edwards OR CCH	Guyana	September 10, 2021
Mr. Alvin McIntosh CD JP	Jamaica	December 31, 2019
Mrs. Susan Branker Greene MSc	Barbados	December 11, 2021
Dr. Francis Alexis QC	Grenada	November 5, 2021
Hon. Mr. Justice Dennis Morrison OJ CD President CA	Jamaica	October 28, 2022
Lady Beverley Walrond QC <i>[Term of Office prematurely ended on December 8, 2019 due to her untimely passing]</i>	Barbados	October 28, 2022
Mr. Elton Prescott SC	Trinidad and Tobago	November 18, 2022
Hon. Mr. Byron St. Michael Hylton OJ QC	Jamaica	November 18, 2022

Table 2

**About the Member of the Commission  
Appointed in 2019**

Ms. E. Ann Henry QC qualified as an Attorney-at-Law in 1981 and is admitted to practice in Antigua and Barbuda, the British Virgin Islands, Montserrat and Anguilla.

Ms. Henry, who was appointed as one of Her Majesty’s Counsel in 2012 has been engaged in private practice in Antigua and Barbuda since 1983 and is the managing partner in the Firm of Henry & Burnette. She served as Chairman of the Council of Legal Education between 2007 and 2010.

Ms. Henry has acted as a Judge of the Industrial Court of Antigua and Barbuda. She has also acted as a High Court Judge and more recently as a Justice of Appeal of the Eastern Caribbean Supreme Court.



Ms. E. Ann Henry, QC takes the oath of office in the presence of the RJLSC’s Chairman, Hon. Mr. Justice Adrian Saunders

## ACTIVITIES of the COMMISSION

### There were four (4) meetings of the RJLSC in 2019.

In addition to its four meetings, the Committees of the Commission met on twenty-eight occasions in 2019. Most of the Committee meetings were held on the day(s) preceding/following a Commission meeting. Some Members attended Committee and other meetings by audio or video conference. The dates on which meetings of the Commission were held are listed at **Appendix A**, and the Members who attended each meeting of the Commission are listed at **Appendix B**. The dates on which meetings of the Committees were held are listed at **Appendix C**, and the Members of Committees of the Commission are listed at **Appendix D**.

The Commission also engaged in several other activities during the year 2019. Some of these activities are described in this and the succeeding sections of this Report. Activities of the Commission during the year 2019 included:

- Reviewed and approved proposed amendments to the Staff Regulations for the employees of the Court and Commission.
- Reviewed and finalized the Protocol for Execution of Official Documents by the President of the Court.
- Reviewed and finalized the Protocol for Recording of Meetings of the Commission.
- Reviewed and finalized the Harassment Policy for the Court and Commission.
- Reviewed and finalized the Financial Policy of the Court and Commission.
- Recruited five members for the Caribbean Community Administrative Tribunal.

- Reviewed the draft Protocol for Staff Interface with the Commission.
- Reviewed draft Guidelines regarding the payment of Education Grant to Judges of the Court.
- Recruited the positions of Deputy Registrar & Marshal, Communications & Information Manager, Security & Logistics Manager, Legal Officer (President's Chambers), Case Management Officer, Court Support Officer, Human Resources Officer – HR Development, Accounting Support Officer, three Judicial Counsel, Executive Assistant (Judicial) and Driver/Usher.
- Settled the Terms of Reference for the engagement of an Internal Auditor to review the Court and Commission's operations and performance standards every two years.
- Approved the implementation of the new Performance Management System for the Court and the Commission.

In 2019, the following staffing activities for the Court were undertaken by the Commission:

### Permanent Employment Appointment – CCJ

- Mrs. Gizel Thomas-Roberts, Deputy Registrar & Marshal – July 8, 2019
- Mr. Elron Elahie, Executive Assistant (Judicial) – July 12, 2019
- Mr. Shasta Sankar, Driver/Usher – July 12, 2019
- Ms. Jamie Les Pierre, Accounting Support Officer – July 16, 2019
- Ms. Patrice Valentine, Human Resources Officer (HR Development) – August 12, 2019

**ACTIVITIES of the COMMISSION (continued)**

- Mrs. Ria Mohammed-Pollard, Communication & Information Manager – November 1, 2019
- Mr. Anil Ramsahai, Court Support Officer – November 1, 2019

**Promotion- CCJ**

- Ms. Jacqueline Swaby, Case Management Officer – November 1, 2019

**Reassignment – CCJ**

- Ms. Wendy Mitchell – Executive Assistant (HR Department) – September 2, 2019

**Contract Employment – CCJ**

- Mr. Trevor James, Security & Logistics Manager – January 28, 2019
- Ms. Kerine Dobson, Legal Officer (President's Chambers) – April 1, 2019
- Mr. Kurt da Silva, Judicial Counsel – August 12, 2019
- Ms. Krystal Sukra, Judicial Counsel – August 12, 2019
- Mr. Samuel Bailey, Judicial Counsel – September 2, 2019

Over the period the following employees/Judge's employment with the Court ended

**Expiration of Contract Employment – CCJ**

- Mr. Tyrone Bailey, Judicial Counsel – August 30, 2019
- Ms. Latoya Mc Dowald, Judicial Counsel – August 31, 2019

- Ms. Tanya Alexis, Judicial Counsel – November 13, 2019

**Retirement – CCJ**

**Judge**

- Hon. Mr. Justice David Hayton, Judge – July 12, 2019

**Staff**

- Mr. Nandlal Hardial, Registry Supervisor – May 29, 2019 (Post-retirement contract granted to November 30, 2019)
- Ms. Dionne Stevens, Executive Assistant – August 1, 2019
- Mr. Keith Gordon, Driver/Usher – August 3, 2019
- Mr. Christopher Hoyte, Security Supervisor – December 23, 2019

There were three resignations from the Court:

**Resignations – CCJ**

- Ms. Meisha-Ann Kelly – Deputy Registrar & Marshal – July 1, 2019
- Ms. Charmaine Wright – Communications & Information Manager – August 1, 2019
- Ms. Seanna Annisette – Senior Public Education & Communications Officer – December 27, 2019



*ACTIVITIES of the COMMISSION (continued)*

## Human Resources and Selection Committee.

In 2019 the Human Resources and Selection Committee (HRS Committee) held four (4) meetings between February 2019 and December 2019. The Committee continued to comprise the Chairman, Commissioner Lady Beverley Waldron QC, and Commissioners Madam Justice Yonette Cummings-Edwards OR CCH and Mr. Elton Prescott SC until the untimely passing of Lady Beverley in December 2019.



Meeting of the Human Resources and Selection Committee

As a consequence of Lady Walrond's passing, on the invitation of the Chairman of the Commission, Commissioner Prescott chaired the Committee meeting held on December 12, 2019.

In its execution of its mandate the Committee addressed several important human resources matters including recruitment of staff, employee benefits and health plan coverage for retired judges and employees, annual vacation leave administration, renewal of contracts for group health plan coverage and provision of an Employee Assistance Programme and other employee relations matters.

The Committee continued to effectively utilize technology to control the cost of airfare, accommodation and per diem expenses usually associated with the recruitment of personnel.

In February, the Committee concluded the recruitment for the Security & Logistics Manager and the Legal Officer in the President's Chambers, both of whom were recommended for confirmation and subsequently approved by the Commission.

In the ensuing months, employment/appointment of persons for the following positions was finalized with the assumption to office of the following office holders:

- Deputy Registrar & Marshal
- Judicial Counsel
- Case Management Officer
- HR Officer (HR Development)
- Executive Assistant
- Communications & Information Manager
- Registry Supervisor
- Court Support Officer
- Accounting Support Officer
- Driver/Usher

The confirmation of the three (3) Judicial Counsel was recommended by the Committee and approved by the Commission.

Continued access to an Employee Assistance Programme for employees and their immediate family members and Group Health coverage and

access for active and retired judges and staff were recommended by the Committee and approved by the Commission culminating in the execution of contractual agreements with the selected service providers effective May 2019 and November 2019, respectively.



**ACTIVITIES of the COMMISSION (continued)**

Consequent on the outcome of mandated consultation by the Human Resources Manager with the staff on possible solutions and recommendations to address the issues of vacation leave utilization and having considered the expressed concerns of the staff for development opportunities, the HRS Committee recommended and ascertained the approval of the Commission for the implementation of vacation leave utilization that required each employee to proceed on at least one instance of vacation leave of no less than ten (10) vacation days per annum. In addition, the Committee recommended and gained approval for vacation leave balances in excess of one (1) year's entitlement of twenty-one (21) vacation days in 2019 to be reduced during the said year.

The Commission continued with its efforts to afford health coverage to judges and employees who retire outside of the Republic of Trinidad and Tobago. The HRS Committee explored a myriad of avenues that could possibly provide this benefit. Due to circumstances beyond the control of the Committee and Commission, the probe into a

Regional Group Health Plan for the judges and employees will continue into 2020.

During the period, the Committee considered and recommended certain courses of action for a number of employee related matters raised by staff. These matters included requests for Flexi Hours of Work, concerns about the recruitment for certain vacancies and the quantum of additional duty allowance, a change in the job title of Judicial Assistant to Judicial Counsel and an allegation of misconduct brought against an employee.

In December the HRS Committee was shocked to learn of the tragic death of Commissioner Lady Beverley Waldron from injuries sustained in a motor vehicle accident. The Committee wishes to publicly express its condolences to the family of the late Commissioner on her untimely passing, and to acknowledge her gentle but astute chairmanship of the Human Resources & Selection Committee in its consideration and deliberations of matters brought before it. Her commitment to a transparent and fair adjudication of matters was a hallmark she established for the Committee.

**Pension Administration Committee (PAC)**

In 2019 the following members served on the Pension Administration Committee (PAC): Dr. Francis Alexis QC (nominated and appointed as Chairman by the Commission), Mr. Delano Bart QC and Hon. Mr. Justice Dennis Morrison OJ, CD (both nominated by the Commission), Hon. Mr. Justice Jacob Wit (nominated by the President of the Court), Mr. Glenn Cheong (nominated by the CCJ Trust Fund), Ms. Susan Campbell-Nicholas, Mrs. Sherry-Ann Ramhit, Mrs. Sheryl Washington-Vialva and Mr. Anson Figaro (nominated by the Pension Plan members). Mrs. Ramhit was appointed by the Commission as Secretary to the PAC.



Dr. Francis Alexis QC chairs one of the PAC meetings virtually

*ACTIVITIES of the COMMISSION (continued)*

During the year 2019, there were changes to the composition of the PAC arising from the expiration of the term of office of some members. By the end of 2019, the composition of the PAC was as follows: Dr. Francis Alexis QC (nominated and appointed as Chairman by the Commission), Mr. Delano Bart QC and Hon. Mr. Justice Dennis Morrison OJ, CD (nominated by the Commission), Hon. Mr. Justice Jacob Wit (nominated by the President of the Court), Mrs. Sherry-Ann Ramhit, Mrs. Sheryl Washington-Vialva and Mr. Anson Figaro (nominated by the Pension Plan members). The CCJ Trust Fund nominated Mr. Musa Ibrahim as its representative on the PAC in place of Mr. Glenn Cheong since Mr. Cheong was no longer employed by the CCJ Trust Fund. The PAC held four (4) meetings in 2019.

In 2019 the Nomination and Election Guidelines, which facilitates the nomination and election process for electing staff representatives to sit on the PAC, was amended by the Commission on the PAC's recommendation. The amended Guidelines now include special arrangements for voting by the Security Officers of the Court who are not on duty on the day of the election. In 2019 the PAC's Election sub-committee conducted four elections (including a re-run) for member representatives to sit on the PAC.

During the reporting period the PAC also developed and published a Q&A booklet which provided Pension Plan (PP) Members with information on the Non-Judicial Staff Pension Plan in an easy and understandable format. Prior to the finalization and publication of the booklet, PP Members were invited to submit questions they wanted answered in the booklet and a few selected PP Members of varying levels were invited to review the draft booklet and provide feedback on its contents.

In 2019 the PAC also prepared for PP Members' benefit an Amendment Record which provides

the history of all amendments to the Non-Judicial Staff Pension Rules from inception.

On October 1, 2019 the Pension Plan Administrators launched a new and improved website which provided some additional features to PP members. The improved website includes a pension projection tool which enables PP Members to get an idea of what their projected pensions could be at retirement. The website also accommodated additional pension plan documents which can be easily accessed by PP members online. In 2019 the PP Members continued to successfully access their pension statements and other pension information online via the Pension Plan Administrator's website.

In 2019 the PAC recommended, and the Commission approved an amendment to the Life Certificate which is used by all pensioners, their beneficiaries and/or joint pensioners of the Pension Plan. The Life Certificate was amended to clearly reflect the timeframe prescribed for submission of same and the consequences of a failure to comply.

The PAC also recommended, and the Commission approved an amendment to the Designation of Joint Pensioner Form to ensure that the rule referenced on the form was consistent with the Rules.

Throughout 2019 the PAC reviewed and responded to various queries and/or requests submitted by PP Members on matters relating to the Pension Plan.

By the end of 2019 there were sixty-eight (68) active members on the Pension Plan, thirteen (13) retirees and four (4) deferred pensioners.

**ACTIVITIES of the COMMISSION (continued)**

**Judges' Compensation and Pension Committee**

The Members of the Judges' Compensation and Pension Committee are Hon. Mr. Justice Dennis Morrison OJ, CD; Dr. Francis Alexis QC and Hon. Byron St. Michael Hylton OJ, QC. The Judges' Compensation and Pension Committee did not formally meet in 2019. However, following the Commission's submission in 2018 of a Brief on the revised Judges' Pensions Rules, 2017 to the Conference of Heads of Government of the Caribbean Community (Conference), the Conference at its Thirtieth Intersessional Meeting, held in St. Kitts and Nevis from 26th to 27th February, 2019 approved the Pension Rules inclusive of the amendment to Rule 3.6.1 to make provision for the judges to convert a portion of their pension into a gratuity equal to twenty-five percent of the capitalised value of the pension payable to judges on retirement.

One of the important requirements under Rules 1.2 and 1.3 of the approved Judges' Pension Rules 2017 is for the CCJ Judges to elect in writing to have their pensions entitlement regulated and governed by the said Pension Rules 2017. The Judges of the Court, in accordance with the requirement, have since exercised the option to have their pension entitlement governed by the said Rules.

**Constituent Instruments Review and Regulations Committee**

In 2019 the following Commissioners served on this Committee: Mr. Elton Prescott SC (Chairman), Mr. Delano Bart QC (Member), Hon. B. St. Michael Hylton OJ, QC (Member) and Ms. E. Ann Henry QC (Member).

During the reporting period, the Constituent Instruments Review and Regulations Committee convened four (4) meetings in February, May, September and December 2019.



Meeting of the Constituent Instruments Review and Regulations Committee

It was a busy year for the Committee which recommended to the Commission for approval several policy documents comprising many new measures aimed at strengthening the existing regulatory framework for staff; fostering greater care for those employees who travel from far distances to work and promoting a work environment that is supportive of high performance.

Among the Regulations reviewed was the Staff Regulations, to include new and revised provisions to address those which had become otiose since

its approval in 2016. The new provisions are substantive amendments governing –

1. Flexitime (Regulations 6.1 and 6.3);
2. Utilization of Leave (Regulation 7);
3. Leave Policy for Security Officers (Regulation 8.1);
4. Escalation of the penalties in Schedule C, Items 11-15; and
5. Regulation 7.9.4 to provide that parental leave eligibility for an adopted child shall be available no more than once a year.

*ACTIVITIES of the COMMISSION (continued)*

An amendment was also made to the Staff Regulations to facilitate access to the Caribbean Community Administrative Tribunal by employees for the resolution of disputes (Regulations 14.3.2 and 14.3.3).

The Committee also completed the following Rules, Policies and/or Regulations for the Court and the Commission –

- 1.Modification of the policy for the advertising of vacancies at the Court and the Commission
- 2.Financial Regulations 2019
- 3.The Harassment Policy for the CCJ and RJLSC
- 4.The Protocol for Execution of Official Documents by the President of the CCJ
- 5.The Protocol for Recording of Meetings of the RJLSC
- 6.Letterhead Policy
- 7.Recruitment and Selection Policy, and
- 8.Education Grant Guidance Note

Among the recommendations from this Committee for attention in the next year is the requirement to put in place a mechanism to review the Staff Regulations on a regular basis, or at least every two years. Such a mechanism for review will provide the opportunity to update the regulations regularly and by a pre-determined timeline.

These new policies are aimed at strengthening the structures that the Commission have put in place to allow for greater efficiencies in the Court and the Commission and provide greater opportunities for equity and upward mobility of staff in the organizations.

The work of the Committee was supported by the Secretary to the Commission, Mrs. Jacqueline Graham and the Human Resources Manager, RJLSC, Ms. Susan-Campbell-Nicholas.

## Financial Oversight Committee

During the reporting period, the Financial Oversight Committee (FOC) convened four (4) meetings in February, May, September and December 2019. Dr Peter Maynard, Ph.D., FCI Arb was the Chairperson until completion of his term of office in August 2019. Thereafter, Mrs. Susan Branker Greene was appointed as Chairperson of the Committee. Additionally, in 2019, the Hon Mr. Justice Andrew Burgess joined the Committee as representative of the Hon Mr Justice Adrian Saunders; and Hon. Michael Hylton OJ, QC who replaced Dr Peter Maynard, PhD, FCI Arb was appointed as a member.



Meeting of the Financial Oversight Committee



*ACTIVITIES of the COMMISSION (continued)*

The FOC wishes to express its appreciation for the service of Chairperson, Dr Peter Maynard PhD FCI Arb and Commissioner Mr. Alvin McIntosh CD JP whose term of office ended in August and December 2019, respectively. Commissioner Maynard is saluted for his exemplary leadership and invaluable contribution. Commissioner McIntosh is acknowledged for his contribution to decisions made and attention to details. The FOC has benefited tremendously from the expertise of these two distinguished individuals.

At the close of 2019, the members of the FOC were Chairperson Mrs. Susan Branker Greene, Commissioner Hon. Byron St. Michael Hylton OJ QC and the Hon. Mr Justice Andrew Burgess.

A key activity for the Committee in the reporting period was compliance by the Court and Commission following the signing of the Revised Protocol between the CCJTF, CCJ and the RJLSC on December 3, 2018. Part 3.3.1 of the Protocol requires the Court and the Commission to submit Budgeted vs Actual Receipts and Expenditure with explanations of any significant variances on a quarterly basis, not more than fourteen (14) working days after the end of each calendar quarter with the request for quarterly allocations.

In addition, with the signing of the said Protocol for Interface between the Court and the Commission and the CCJ Trust Fund, the Committee revised the Internal Audit Charter to incorporate the following:

- Examination of the Court's and Commission's quarterly financials to provide a managerial financial analysis for presentation to the Commission at its statutory meeting. This report will consider possible impact on the Trust Fund and materiality of expenditure by the Court.
- Authorisation for the Committee to receive and review all internal audit reports and provide a synthesised report and recommendations to the Commission.

Further to the approval of the CCJ and RJLSC's combined budget for 2019 and 2020 by the Trust Fund on May 23, 2019, the FOC reviewed the management accounts, paying special attention to the availability of funds to support planned expenditure. No major concerns were identified for further action. In reporting to the Commission on the state of the Court and Commission's accounts, the following were noted:

1. the Court and Commission engaged in prudent financial spending during the period under review.
2. spending remains within budgeted allocation.
3. there were no major risks in expenditure areas.

At its December 13, 2019 meeting, the FOC recommended and the Commission approved that every two (2) years an internal audit of all the Units/Department of the Court and Commission to be performed by a Firm. This audit is expected to commence in April 2020.

*ACTIVITIES of the COMMISSION (continued)*

## CARICOM Competition Commission

Under Article 172 of the Revised Treaty of Chaguaramas, the RJLSC is responsible for the appointment of members of the CARICOM Competition Commission (CCC).

In 2019 there were no changes to the composition of the CCC. The current members of the CCC are Mr. Justice Christopher Blackman (Ret'd) (Chairman), Mr. DeCoursey Eversley, Mr. Nester Alfred, Dr. Andrew Downes, Mrs. Emalene Marcus-Burnet, Mr. Anthony La Ronde and Mr. Timothy Jonas.

The table below shows the membership of the CCC in 2019, the date of expiration of the term of office of each member and their nationality.

Name of Commissioner	Nationality	Date of Appointment	Date of Expiration of Term of Office
Mr. Justice Christopher Blackman (Ret'd) - Chairman	Barbados	July 12, 2018	July 11, 2023
Mr. DeCoursey Eversley	Barbados	October 16, 2015	October 15, 2020
Mr. Nestor Alfred	Saint Lucia	October 16, 2015	October 15, 2020
Dr. Andrew Downes	Barbados	August 1, 2016	July 31, 2021
Mrs. Emalene Marcus-Burnett	Barbados Trinidad & Tobago	August 1, 2016	July 31, 2021
Mr. Anthony La Ronde	Anguilla	July 12, 2018	July 11, 2023
Mr. Timothy Jonas	Guyana	July 12, 2018	July 11, 2023



## CARIBBEAN COMMUNITY ADMINISTRATIVE TRIBUNAL

The CARICOM Heads of Government at its Thirtieth Inter-Sessional Meeting held on February 27, 2019 in St Kitts and Nevis established the Caribbean Community Administrative Tribunal (CCAT) and adopted the Tribunal's Statute.

CCAT is an impartial and independent judicial body that provides staff members of the CARICOM Secretariat and Regional Institutions, subject to the CCAT's jurisdiction, with a forum for the final settlement of employment disputes. According to the CCAT's Statute, the Tribunal itself will consist of five Members selected by the RJLSC for a four-year term (renewable only once) who must be qualified to hold high judicial office in a CARICOM Member State; or be experienced and competent juriconsults for not less than ten years.

In 2019 the posts for Members of the CCAT were advertised by the RJLSC on the Court's website

and in newspapers and Law Schools throughout the Caribbean Region. Fifteen applications were received, and eight persons were shortlisted for interview. On August 26, 2019, the Commission interviewed the shortlisted applicants to fill five positions of Members of the Tribunal.

By December 2019, the Commission had selected the five Members to serve on the Tribunal and informed them of their terms and conditions. Letters of appointment were issued to Mr. Patterson Cheltenham QC (Barbados), Ms. Lisa M. Shoman SC (Belize), Mr. J. Emile Ferdinand QC (St Kitts and Nevis), Mrs. Dancia Penn QC (Tortola) and Mr. Westmin James (Trinidad and Tobago). The CCAT Members will meet in early January 2020 to review and finalise the CCAT Rules and to elect its first President pursuant to Article VI of the CCAT Statute which provides that the members of the Tribunal shall elect its first president for a term of two years.

### Bio-data of the Members of CCAT



Patterson Cheltenham QC

**Patterson Cheltenham QC** is a private practitioner, Mediator and Arbitrator in active practice in Barbados. He holds a law degree from the UWI Cave Hill (1975), an LL.M. in taxation law from the University College London (1976) and is a graduate of the Hugh Wooding Law School (1978). He was admitted to practise in Barbados that same year. He is also called to the bars of Antigua & Barbuda, St. Vincent & the Grenadines and St. Lucia.

He is one of the principals of Charlton Chambers, one of the leading Chambers in Barbados and primarily practises in the areas of civil litigation, insurance and personal injury law, employment law, and corporate and commercial law. He was appointed a Queen's Counsel in 2001 and was admitted as a Fellow and an Accredited Mediator of the Chartered Institute of Arbitrators (CI Arb) in June 2016. He is presently the education co-ordinator of the CI Arb (Caribbean Branch).

**CARIBBEAN COMMUNITY ADMINISTRATIVE TRIBUNAL (continued)**

Mr. Patterson Cheltenham QC (continued)

He has served as a member of the CARICOM Competition Commission and a lecturer and tutor in company and commercial law at the UWI Cave Hill Campus. He was awarded the Gold Crown of Merit by the Barbados government in 2012 for his contribution to the legal profession and public service and was awarded a Certificate of Recognition for outstanding public service by the UWI Cave Hill Campus in 2018.



Lisa M Shoman SC

**Lisa M Shoman SC** is an Attorney-at-Law from Belize who also serves as a Court-certified Mediator and as an Arbitrator and an Umpire in Arbitrations. She holds an LL.B. and an LL.M. from The UWI Cave Hill.

Her practice includes Constitutional and Administrative Law and Human Rights issues. She served for seven years as Belize's Ambassador to the United States and as Permanent Representative to the OAS; High Commissioner to Canada and as Belize's Foreign Minister. Ms. Shoman has served as the Lead Opposition Senator in the National Assembly of Belize. She is a member of the Bar Association of Belize and has served as President and on the Disciplinary Committee.

Ms Shoman is also the current Vice-President of the Inter-American Development Bank's Administrative Tribunal.



J Emile Ferdinand QC

**J Emile Ferdinand QC** is a citizen of St Kitts-Nevis (by birth) and of the Commonwealth of Dominica (by marriage). He holds an LL.B. from The UWI Cave Hill, an LL.M. from the University of Cambridge and is a 1983 graduate of the Norman Manley Law School. A partner in one of the Caribbean's oldest law practices (Kelsick, Wilkin & Ferdinand), his expertise embraces employment law, public law and international law.

He has served as: President of the St Kitts-Nevis Bar Association, Vice-President of the St Kitts-Nevis Chamber of Industry and Commerce; Chairman of the Caribbean's Council of Legal Education; Vice-Chairman of the Disciplinary Committee of the St Kitts-Nevis Bar Association and an Acting Judge of the Eastern Caribbean Supreme Court. He has also served for over a decade as an employers' representative on the National Tripartite Committee in St Kitts-Nevis.

CARIBBEAN COMMUNITY ADMINISTRATIVE TRIBUNAL (continued)



Dancia Penn OBE QC

**Dancia Penn OBE QC** is an Attorney, Arbitrator and Mediator in active practice in the Virgin Islands.

She is a graduate of the Faculties of Arts and Law of The UWI Cave Hill, and The Norman Manley Law School. Mrs. Penn has had an extensive career in the private and public sector. As a lawyer, she has practiced in the Courts at all levels and has appeared in The Privy Council. She regularly advises clients from all over the world on a range of legal matters. Mrs Penn was appointed Queen's Counsel in 1996.

She has served in the three branches of government, having held office as Attorney General, Deputy Governor, Deputy Premier and a Minister of Government in The Virgin Islands. She has also been an Acting Justice of Appeal of The Eastern Caribbean Supreme Court. In 2018, she was a recipient of The Pelican Award, the highest Peer Award of The Alumnae of the University. She has also been recognized as a Caribbean Luminary by The American Foundation of The University of The West Indies.

Mrs. Penn is also a member of The Panel of Arbitrators of The BVI International Arbitration Center and of the BVI Arbitration Center Support Group and is on the Roster of Mediators of The Eastern Caribbean Supreme Court.



Westmin R. A. James

**Westmin R. A. James** is a Lecturer, former Deputy Dean at the UWI Cave Hill Campus and an Attorney-at-Law from Trinidad and Tobago. He lectures Constitutional Law, Commonwealth Caribbean Human Rights Law, Caribbean and International Labour Law at the UWI Cave Hill Campus. Mr. James holds an LLB. (First Class) from the UWI Cave Hill and an LL.M. (Hons) from the University of Cambridge. He is a graduate of the Hugh Wooding Law School (Honour Roll). Mr. James is admitted to the Bar of the Supreme Courts of Trinidad and Tobago, Belize and Barbados. He is the consultant litigation partner at Bynoe, Martinez & Co in Barbados.

His expertise embraces constitutional law, human rights, employment law and international law. Mr. James is also the Litigation Specialist for the UWI Rights Advocacy Project (U-RAP) whose objective it is to promote human rights and social justice in the Caribbean through human rights litigation. He is also an Electoral Justice Specialist for the OAS and the co-author of *Commonwealth Caribbean Law and Procedure: The Referral Procedure under Article 214 RTC in the Light of EU and International*, Routledge, 2019.

*CARIBBEAN COMMUNITY ADMINISTRATIVE TRIBUNAL (continued)*

## Launch of CCAT

The official launch of CCAT will take place at the Thirty-First Inter-sessional Meeting of the Conference of Heads of Government scheduled to be held in Barbados on February 17, 2020 where the Members of CCAT will officially be sworn in.



Standing left to right: Mr. J. Emile Ferdinand QC, Mrs. Dancia Penn QC, Ms. Lisa M. Shoman SC, Mr. Westmin James and Mr. Patterson Cheltenham QC.

## CCAT's Logo

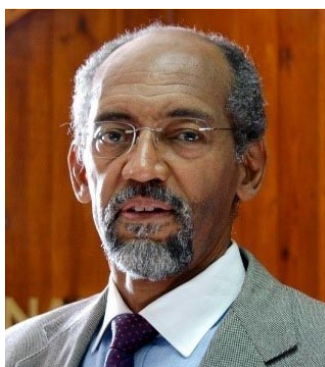
In 2019 a competition was held for the design of CCAT's logo which was extended to CARICOM Institutions and Associate Institutions. The logo will be officially revealed at the launch of CCAT on February 17, 2020.



## APPRECIATION of COMMISSIONERS who DEMITTED OFFICE in 2019

The Commission acknowledges its indebtedness to **Dr. Peter Maynard PhD FCIArb** who demitted office in 2019. Dr. Maynard served on the Commission from August 20, 2013 for two terms until the end of his tenure on August 19, 2019. During his tenure, Dr. Maynard served on several Committees of the Commission including as Chairperson of the Financial Oversight Committee and as Deputy Chairman

of the Commission. Dr. Maynard also served on the Committee responsible for negotiating the Court's documents, prior to the inauguration of the Court, and he was also a Member of the first Trust Fund. Dr. Maynard significantly contributed towards the achievements of the Commission and the Court prior to and during of his tenure as a Member.



Peter Maynard PhD FCIArb

### Bio-data of Peter Maynard PhD FCIArb

Dr. Maynard was called to the Bars of The Bahamas, England & Wales, Trinidad & Tobago, St. Vincent & the Grenadines, St. Lucia and Antigua-Barbuda. He holds a B.A. (Hons) from McGill University, LL.M from Cambridge University, Jesus College. M.A., and PhD with Distinction in international Law from John Hopkins University. Dr. Maynard is Head of the Law Department, University of The Bahamas, Senior Partner of Peter D. Maynard and is highly regarded in the field of international commercial arbitration. He has practiced law for over 39 years. He is a member of the Honourable Society of Gray's Inn., Bahamas Bar Association, International Bar Association and World Jurist Association.

The Commission also acknowledges its indebtedness to **Mr. Alvin Mc Intosh CD JP** who demitted office in 2019. Mr. Mc Intosh served on the Commission from April 1, 2018 to December 31, 2020. During his tenure he served on the Financial Oversight Committee and contributed significantly to the work of the Commission.



Mr. Alvin Mc Intosh CD, JP takes the oath of Office in the presence of the RJSJC's former Chairman, the Rt. Hon. Sir Dennis Byron

### Bio-data of Mr. Alvin Mc Intosh CD JP

Mr. Alvin Mc Intosh is a Hubert Humphrey Fulbright Fellow. He holds a master's degree in Criminology from the University of Wales, a Post Graduate Diploma in Management Studies, a Bachelor of Social Science Degree and a Teacher's Diploma from the University of the West Indies, Jamaica. He is currently the Chairman of the Public Service Commission and the Project Coordinator for the National Insurance Fund – Jamaica. Mr. Mc Intosh worked for over twenty-nine years with the Ministry of Labour and Social Security. In 2011 he was appointed Permanent Secretary in the Ministry until his retirement in 2014. He was also the Chief Inspector of Standards and Procedures at the Department of Correctional Services from 1976 to 1985.

## In MEMORIAM



Lady Beverley Walrond, QC

The Commission regrets the passing of **Lady Beverley Walrond QC** who died on December 8, 2019. Lady Walrond was appointed as a Commissioner of the Regional Judicial and Legal Services Commission on October 29, 2016 in her capacity as a distinguished jurist nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculties of Law of the Contracting Parties and Chairman of the Council of Legal Education [Article V.1 (f)]. She gave over three years of sterling service to the Commission.

From her initial 3-year appointment on 29th October 2016 up to the time of her untimely passing, Lady Beverley contributed greatly to the work of the Commission. She also played an active role on several of the Commission's Committees which greatly benefitted from her wisdom and experience.



## STAFF of the COMMISSION

During the period under review the staff of the Regional Judicial and Legal Services Commission's Secretariat comprised the following employees: Ms. Susan Campbell-Nicholas (Human Resources Manager), Mrs. Sherry-Ann Ramhit (Executive Officer) and Ms. Simone Jackson (Senior Executive Assistant). The Registrar and Chief Marshal of the Caribbean Court of Justice, Mrs. Jacqueline Graham is the Secretary and Chief Administrative Officer of the Commission pursuant to Article V.11 of the Agreement. The Commission expresses its

appreciation to its Staff for their dedication and commitment to the work of the Commission.

To assist in performing their functions and providing administrative support to the Chairman and Members of the Commission, the Commission's staff was supported by the Departments and Units of the Court including those of Finance and Administration, Communication & Information, Information Technology, Security & Logistics, Facilities & Assets and Human Resources.



Staff  
of the  
RJLSC

(From Left to Right) Mrs. Jacqueline Graham, Secretary to the RJLSC; Ms. Simone Jackson, Senior Executive Assistant; Mrs. Sherry-Ann Ramhit, Executive Officer and Ms. Susan Campbell-Nicholas, Human Resources Manager, RJLSC. The Registrar and Chief Marshal of the Caribbean Court of Justice is the Secretary to the RJLSC.

## PROJECTED and ACTUAL EXPENDITURE of the COURT and the COMMISSION

During the period under review the Commission and the Court were financed by quarterly disbursements from the CCJ Trust Fund. The budget for the year 2019 was based on conservative estimates of projected spending for 2019.

**2019-2020 Biennial Budget.** The biennial budget was presented by the Court to the Commission

at its meeting held on February 15, 2019 and was approved subject to amendments as suggested by the Trust Fund.

**Pension Payments.** In 2019, the Court continued to make pension payments to the first and second retired Presidents and three retired Judges. Pension payments to the fourth retired Judge commenced in July 2019. In 2019, the

*PROJECTED and ACTUAL EXPENDITURE of the COURT and the COMMISSION (continued)*

Court and Commission also continued to make pension payments to eight (8) retired employees, and commenced pension payments to five other employees who retired in 2019.

**Appointment of Auditors.** In 2018 the contract to conduct the annual audit of the financial

statements of the Commission and the Court was renewed with BDO Trinidad Limited for the three-year period 2018 to 2020. The audited financial statements of the Commission for the 12-month period ending December 31, 2019 are attached as **Appendix E**.

## INTERACTION with the BOARD of TRUSTEES and the CCJ TRUST FUND

Throughout the course of 2019 the Court and Commission continued to enjoy amicable relations with the Trust Fund. The parties also continued to observe the provisions of the revised **Protocol for the Interfacing and Interaction between the Commission, the Court and the Trust Fund** which had been executed on December 3, 2018. As part of its efforts to strengthen the transformations taking place at the Court, the Commission and the CCJ Trust Fund held a joint meeting on May 24, 2019 to discuss policy matters of mutual interest and other cost cutting and prudent financial management measures going forward.

In the latter part of 2019, the Executive Officer of the Trust Fund, Mr. Glenn Cheong, separated from the Trust Fund.

## MATTERS of NOTE

### GIZ Report Scan

The German Corporation for International Cooperation (“GIZ”) which is a global service provider in the field of international cooperation for sustainable development and international education work, conducted, with the Court’s consent a Judicial Integrity Scan on the CCJ and submitted its findings via a Report. The GIZ Report concluded that the Court had a high level of compliance with the recommendations of the Judicial Integrity Group benchmarks in terms of the institutional design, the organizational capacities and the competencies of the staff.

The body said it was impressed with the manner in which Judges were recruited and noted that the

Regional Judicial and Legal Services Commission, the institution that appoints the judges of the CCJ, guarantees a free and independent selection of judges based on ability and integrity, with the best candidate being selected among applicants. The GIZ Report also recommended publication of RJLSC’s good practice in the appointment of judges, the improvement of gender balance at the CCJ, the setting up of legal remedies for unsuccessful candidates, the publication of a legal complaints procedure for judges, the publication of the good principles of case assignments within the CCJ and the improvement of access to information about the CCJ. The GIZ Scan Report is being made available to the public via the Court’s Communication Department.

*MATTERS of NOTE (continued)*

## Strategic Plan (2019 – 2024) for the Court

The Court formerly launched its Strategic Plan 2019-2024 on February 15, 2019 under the theme ‘**Unlocking Potential**’, which will chart the Court’s direction over the next five years. The CCJ’s strategic plan contains six strategic issues, which are further broken down into 14 goals and 41 strategies that will be used to effectively fulfill the CCJ’s aim of unlocking the potential of the organisation. The six strategic issues include: (i) Communication; (ii) Independence

and Accountability; (iii) High-performance Environment; (iv) Equality, Fairness and Integrity in promoting the Rule of Law; (v) Organisational Capacity for Caseload Growth and (vi) Enhanced Regional System Capacity and Performance. The new strategic plan also includes a new mission, vision, and set of values for the Court, which were developed by the judges and staff.

The Strategic Plan launch activities were held on the same date as the Commission’s 116<sup>th</sup> meeting. The Commissioners were invited to join the activities for the launch.

### Photos of Commissioners and Staff during the launch of the Court’s Strategic Plan (2019 – 2024)



Aerial view of Commissioners with Court Judges and Staff outside the Court’s building



**MATTERS of NOTE (continued)**



Commissioners Branker Greene and Prescott participate as Judges in activities during the launch of the Strategic Plan 2019-2024



Commissioners Morrison and Maynard looks on at the activities during the launch of the Strategic Plan 2019-2024



The Chairman and Commissioners, Alexis, Bart and Cummings-Edwards looks on as the Court's Deputy Librarian delivers an ex tempore during the launch of the Strategic Plan 2019-2024



Commissioners, Judges and staff members during the launch of the Strategic Plan 2019-2024

*MATTERS of NOTE (continued)*

## **Judicial Reform and Institutional Strengthening (JURIST) Project**

The Judicial Reform and Institutional Strengthening (JURIST) Project is a five-year regional Caribbean judicial reform initiative funded under an arrangement with the Government of Canada. The Project is being implemented on behalf of Global Affairs Canada (GAC) and the Conference of Heads of Judiciary of CARICOM (the Conference), by the Caribbean Court of Justice (CCJ), which was appointed by the Conference as its Regional Executing Agency (REA).

The JURIST Project commenced activities on April 1, 2014 and has been working with judiciaries in the region to support their own efforts to improve court administration and strengthen the ability of the courts and the judiciary to resolve cases efficiently and fairly.

In February 2019, GAC granted a no-cost 4-year extension to the Project. The extension enables the Project to build on the foundational work and investments in baseline studies, tools, training programs, protocols and guidelines. This is an

opportunity to effectuate change management in the beneficiary judiciaries.

During the period under review, the Project also supported the development of the Harassment Policy for the Court and Commission, and a revised draft Harassment Policy was developed by the Gender Policy Working Group, following consultations with the Court's and the Commission's staff. The draft was submitted to the Commission. The Harassment Policy was finalized and approved by the Commission in September 2019.

In 2019 The JURIST Project continued its efforts in assisting judiciaries with regional public education programs to improve public understanding of court systems and their confidence in the justice system. It also commenced work on developing its Knowledge Management System (KMS) which will act as a central repository of justice sector reforms in the region. During the reporting period, the Project's efforts were also focused, inter alia, on strengthening the capacity of courts for efficient court governance, case management and case disposition.



**MATTERS of NOTE (continued)**

### Swearing-in of Mr. Justice Andrew Burgess and Mr. Justice Peter Jamadar

The Hon. Mr. Justice Andrew Burgess, a Barbadian national and the Hon. Mr. Justice Peter Jamadar, a Trinidadian national, who were both selected by the Commission in 2018, were sworn in as Judges of the Court 2019. Mr. Justice Burgess assumed the office of Judge following the vacancy created by the elevation of the Hon. Mr. Justice Saunders to the Office of President of the Court; and Mr. Justice Jamadar succeeded the Hon. Mr. Justice David Hayton, who retired on July 12, 2019.



The Honourable Mr Justice Andrew Burgess takes his oath as a CCJ Judge before Governor General, Her Excellency Dame Sandra Mason, GCMG, DA, QC



The Honourable Mr Justice Peter Jamadar takes the oath of office as he is sworn in as Judge of the Caribbean Court of Justice. Alongside him is Ms. Cheryl-Ann Jackman-Waldron, Secretary to Her Excellency, the President of the Republic of Trinidad and Tobago

### Special Sitting: Honourable Mr. Justice David Hayton

On May 17, 2019 the Court held a ceremonial sitting to commemorate the retirement of the Hon. Mr. Justice Hayton who retired from the Court on July 12, 2019. The Special Sitting was presided over by the CCJ President, the Honourable Mr Justice Adrian Saunders (Chairman of the RJLSC), and included submissions by judges, attorneys, academics and members of the CCJ staff.

Submissions were also made by Dr. Peter Maynard PhD FCI Arb and Mr. Elton Prescott SC, Commissioners of the RJLSC.



CCJ Judges gathered to commemorate the retirement of the Hon. Mr. Justice David Hayton (2nd from right) from the court.

## MESSAGE from the CHAIRMAN



The Honourable Mr Justice Adrian Saunders  
President of the Caribbean Court of Justice

The activities undertaken by the Regional Judicial and Legal Services Commission in 2019 built meaningfully upon several of the transformative measures that were implemented over the course of the past few years. In addition, the Commission crafted and implemented a variety of new measures aimed at: fostering a greater work-life balance for the staff of the Court and the Commission; strengthening the existing regulatory framework for staff; and promoting a work environment that is supportive, professional and just. While this medium does not allow for a comprehensive account, I wish to highlight some of the more significant endeavours.

During the course of 2019, the Commission implemented a policy providing for flexible working hours for staff. This policy was of particular benefit to staff members who spend long and unproductive periods of time in rush hour traffic getting to and from work. The Commission also approved critical policies geared towards improving efficiency in the workplace and enhancing the career development prospects of staff. One such policy streamlined the utilization of leave. Another altered the manner in which vacancies at the Court and the Commission are advertised and filled. These new policies will create a more supportive environment for existing staff and provide greater opportunities for upward mobility whenever vacancies arise and also where responsibilities at a higher level can be temporarily assigned to another staff member where an incumbent proceeds on vacation leave.

A Harassment Policy for the Court and Commission was also approved. This is a critical addition to the framework regulating workplace interactions. This new Policy accords with international best practice. The Commission also commenced development of a Protocol to govern the interface between the staff and the Commission. This will afford staff a more direct form of representation before the Commission, as and when required. This Protocol will be finalized in the upcoming year.

The Commission also undertook measures to secure greater efficiencies in the execution of the human resources management function. Among these was the removal of redundancies occasioned by an overlap in some of the duties falling under the remit of both the Registrar and Chief Marshal, on the one hand, and the Human Resources Manager, on the other.

*MESSAGE from the CHAIRMAN (continued)*

Throughout the year, the Commission and the Court continued to strengthen their collaborative relationship with the Caribbean Court of Justice Trust Fund. This remains an imperative not only for operational budgetary matters but also for ensuring and sustaining the viability of long-term financing for the Court.

The conceptualisation, drafting and approval of the measures implemented or initiated during the reporting period drew heavily on the unyielding dedication of my colleague Commissioners and the staff who serve the RJLSC. In this regard, the Commission must record our deepest appreciation to the late Lady Beverley Walrond QC, who died tragically on December 8, 2019, just a few days before the Commission's final meeting for the year. Lady Beverley was initially appointed as a Commissioner on October 29, 2016 for a three-year term. At the expiry of that appointment, Commissioner Walrond again answered the call to serve, accepting an appointment for a second term. Throughout her tenure, Commissioner Walrond proved to be an exemplary member of the Commission, playing an active role on several of its sub-committees. In all her dealings, Commissioner Walrond demonstrated a fervent commitment to excellence, fairness and the enhancement of the Commission and its work. The Commission is truly honoured to have so greatly benefitted from her passion, wisdom, candour and collegiality. Lady Beverley has left behind a rich legacy on which the RJLSC will build.

In looking to the year ahead, the Commission will continue along the path of the pursuit of excellence on which it has embarked. The Commission will continue to pursue the attainment of increased efficiencies in the discharge of its functions, while adhering to the highest standards of transparency, and integrity.

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"These new policies will create a more supportive environment for staff and provide opportunities for upward mobility whenever vacancies arises..."

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"The Commission also undertook measures to secure greater efficiencies in the execution of the human resources management function."



## FEATURE on SAINT VINCENT and the GRENADINES

**Saint Vincent and the Grenadines** also frequently known simply as Saint Vincent, is an Anglo-Caribbean country comprising several islands in the Lesser Antilles island arc, in the southeast Windward Islands. These islands lie at the southern end of the eastern border of the Caribbean Sea where the latter meets the Atlantic Ocean. Its 389 km<sup>2</sup> territory consists of the main island of Saint Vincent and the northern two-thirds of the Grenadines, a chain of 32 smaller islands. Some of the Grenadines are inhabited while others are not. Most of Saint Vincent and the Grenadines lies within the Hurricane Alley.

Saint Vincent has a British colonial history. The country is now part of the Organisation of Eastern Caribbean States, CARICOM, the Commonwealth of Nations, the Bolivarian Alliance for the Americas and the Community of Latin American and Caribbean States (CELAC).

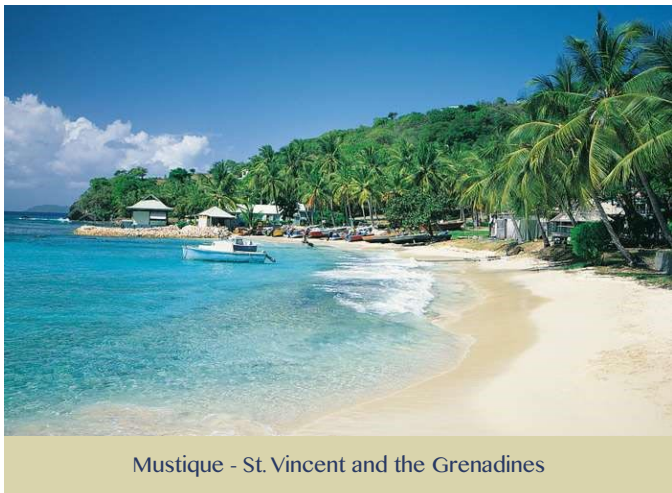
The name Saint Vincent originally applied both to the mainland and the group of smaller islands associated with it. After the attainment of independence in 1979 the multi-island state was renamed Saint Vincent and the Grenadines. The main island is home to the capital, Kingstown also known as the City of Arches. Founded by the French in 1722, Kingstown is known for its 18th-century botanical gardens founded in 1765 and thought to be the second oldest in the Americas. French and British built Fort Charlotte offers far-reaching views from its clifftop perch. Also, on the main island is the active volcano, La Soufrière, which is known for its hiking trails.

Before the time of European contact, Saint Vincent was first inhabited by the Ciboney, who were joined and eventually displaced or conquered by an Arawak people who had originated in Venezuela and settled in the West Indies. About a century before the arrival of European explorers, the Arawaks were themselves displaced by another group, the Caribs, who originated from South America. It was formerly thought that Christopher Columbus first visited the island and named it Saint Vincent on Jan. 22, 1498, a day that used to be celebrated as “Discovery Day.” It is now known that Columbus was still in Spain on that day, and there is no evidence to suggest that he ever visited Saint Vincent.



La Soufrière Volcano hiking trail

*FEATURE on SAINT VINCENT and the GRENADINES (continued)*



Mustique - St. Vincent and the Grenadines



The Tobago Kays Marine Park

Tourism has assumed a significant role in the economy, especially with the greater accessibility of the Grenadines. With yacht-filled harbours, chic private isles and volcanic landscapes, the country is known for its major sailing destinations such as reef-lined Bequia Island off Admiralty Bay, bordered by white-sand beaches like Princess Margaret's Bay. The island of Mustique is privately owned by a consortium of landowners, many of whom rent their property to vacationers. Its luxurious villas and secluded beaches attract a celebrity clientele. Easter time in Bequia also brings the popular annual regatta, attracting seafarers of all levels of skill and enthusiasm.

Twenty miles south of Saint Vincent is Canouan. Once a centre for shipbuilding, the island is famous for its luxury resorts. Other diving destinations include the most picturesque of the Grenadines, the uninhabited cays of Tobago Cays Marine Park - also sometimes called Jamesby Island - and the private resort island Petit St. Vincent, home to the Jean-Michel Cousteau Diving Caribbean center.

The economy of mainland Saint Vincent is chiefly agricultural. The country is one of the world's few producers of arrowroot, despite a major decline in the industry. Grown by the Caribbean's Indigenous people for over seven thousand years, it is a gluten-free alternative used to make cakes,

biscuits and jellies. Cotton and sugarcane were formerly important to the economy, but, since the second half of the 20th century, bananas became the leading export, and cotton is no longer grown. All the country's agricultural products are used locally and exported to neighbouring Caribbean countries. The interior of the island of Saint Vincent is still heavily forested. There is a growing fishing industry, both offshore and inland.

Carnival is the major cultural event. There is also a Nine Mornings Festival that takes place in Kingstown in the nine mornings preceding Christmas. While traditionally it consisted of early-morning street parades accompanied by caroling, bicycle races, and other festivities, the focus now in Kingstown is on early-morning street concerts. Some of the Grenadine Islands have annual regattas that include carnival-type activities.

The country attained its independence from Britain on October 27, 1979 and since then has developed a closer relationship with the other Windward Islands and some of the islands of the Lesser Antilles which comprise the Organisation of Eastern Caribbean States (OECS), a group of six countries and three territories with a common monetary and Supreme Court jurisdiction. Saint Vincent became a member of the Caribbean Free Trade Area on July 1, 1968. It joined the Caribbean



**FEATURE on SAINT VINCENT and the GRENADINES (continued)**



Nine Mornings Festival - St. Vincent and the Grenadines

Community and Common Market (CARICOM) in 1973 and the OECS in 1981. Through the OECS, Saint Vincent and the Grenadines has developed a common currency and a shared system for the administration of justice.

The people of Saint Vincent and the Grenadines, like other people of the Commonwealth Caribbean, see the deepening of a regional integration movement as one of their goals. In the early 21st century various Caribbean countries were concerned with the creation of a Caribbean single market and economy, and in December 2009 a subgrouping of members of the Organisation of Eastern Caribbean States—including Saint Vincent and the Grenadines—signed a treaty establishing an economic union.

A seven-year process to reform the 1979 constitution culminated in November 2009 with a national referendum. Voters rejected the proposed draft constitution, which would have replaced the British monarch as head of state with a president elected by the legislature; it also would have severely relaxed the procedures for acceding to the Caribbean Court of Justice as the country’s highest court of appeal in place of the Privy Council in London.

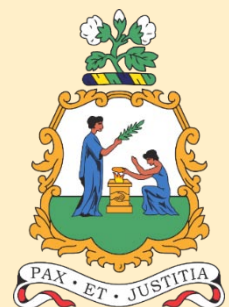
The following are the **national symbols** of Saint Vincent and the Grenadines.

**The National flag of St. Vincent and the Grenadines**



The flag of St. Vincent and the Grenadines was officially adopted on October 12, 1985. The green diamonds are shaped in a ‘V’ for St. Vincent and reflect the plural nature of the many islands of St. Vincent and the Grenadines. These gems define St. Vincent and the Grenadines as the gem of the Antilles. The blue represents the sky and sea. The gold is for warmth, the bright spirit of the people and the golden sands of the Grenadines. The green represents the lush vegetation of St. Vincent’s agriculture and the enduring vitality of the people. The flag is sometimes called “The Gems”.

The coat of arms of St. Vincent and the Grenadines shows peace and justice represented by two women, one holding an olive branch (peace) and the other making a sacrifice over an altar (justice). This design with the Latin motto “Pax et justitia” (“Peace and justice”) was used as a flag badge on the British Blue Ensign when Saint Vincent was an associated state of the United Kingdom from 1969 to 1979.



*FEATURE on SAINT VINCENT and the GRENADINES (continued)*

### The National Anthem

“**Saint Vincent, Land so Beautiful**” is the national anthem of Saint Vincent and the Grenadines. The song was first performed in 1967 and adopted as the national anthem upon independence in 1979. The lyrics were written by Phyllis Joyce McClean Punnett and the music by Joel Bertram Miguel.



**The National Flower** of St. Vincent and the Grenadines is **the Soufriere Tree** (*Spachea Perforata*).



**The National dish** of St. Vincent and the Grenadines is **Roasted Breadfruit and Fried Jack fish**.



**The National Bird** of St. Vincent and the Grenadines is **the St. Vincent Parrot** (the *Amazona Guildingi*). It is the only type of parrot on the island and is a large beautiful coloured bird about 16 – 18 inches in length. The head is white, yellow and violet. The neck is mostly green, the body plumage is predominantly gold and brown washed with green. The wings are variegated and the tail green and violet blue, broadly tipped with yellow.

*FEATURE on SAINT VINCENT and the GRENADINES (continued)*

### Commissioners who served on the Commission from St. Vincent and the Grenadines

The Commission has benefitted from several talented and distinguished individuals from St. Vincent and the Grenadines.

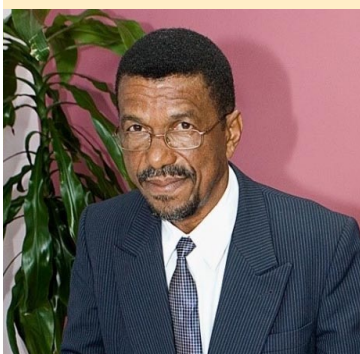
To date four individuals who are citizens of St. Vincent and the Grenadines have served or are serving on the Commission. They are Mr. Othniel R. Sylvester C.M.G. QC; Mr. C.A. Blazer Williams; Ms. Nelcia Robinson BSc and Hon. Mr. Justice Adrian Saunders.



**Mr. Othneil R. Sylvester** (deceased), was nominated jointly by the Organisation of Commonwealth Caribbean Bar Association and the Organisation of Eastern Caribbean States Bar Association pursuant to Article V.1(b) of the Agreement Establishing the Caribbean Court of Justice to be a member of the Commission. Mr. Sylvester was one of the first Commissioners to be appointed to the Commission and contributed to the growth and development of the Commission from inception. He served on the Commission from August 21, 2003 but tendered his resignation on March 14, 2006 due to ill health.



**Ms. Nelcia Robinson BSc.** was nominated jointly by the Secretary-General of CARICOM and the Director-General of the OECS to serve on the Commission in accordance with Article V.1(e) of the Agreement. Ms. Robinson was one of the first Commissioners to be appointed to the Commission and contributed to the growth and development of the Commission from inception. Ms. Robinson served on the Commission for two terms from August 21, 2003 to August 20, 2009.



**Mr. C.A. Blazer Williams** was appointed to the Commission pursuant to Article V.1(d) of the Agreement which states that one of the Member of the Commission shall be “the Chairman of a Public Service Commission of a Contracting Party selected in rotation in the reverse English alphabetical order for a period of three years”. Mr. Williams was appointed as a Commissioner on September 29, 2006 by virtue of him being Chairman of the Public Service Commission. His term of office expired on September 19, 2009. During his tenure, he served the Commission with distinction.



*FEATURE on SAINT VINCENT and the GRENADINES (continued)*



**Hon. Mr. Justice Adrian Saunders** was sworn in as the third President of the Court on July 4, 2018. Pursuant to Article V.1(a) of the Agreement, the President of the Court shall be the Chairman of the Commission. Mr. Justice Saunders chaired his first meeting of the Commission on July 12, 2018. He will serve in the capacity of President of the Court and Chairman of the Commission until his retirement on July 3, 2025. In 2005, Mr. Justice Saunders was among the first cohort of judges to join the CCJ bench. He served on the Court's Bench from 2005 to 2018 when he was elevated to President of the Court. He brings to the Commission a wealth of knowledge and experience.

Sources:

<https://www.wikipedia.org>  
<http://foreign.gov.vc/foreign/index>  
<http://www.tourism.gov.vc/tourism/index>  
<https://www.britannica.com/place/Saint-Vincent-and-the-Grenadines/Independence>  
Caribbean Beat Magazine  
RJLSC's Internal Records

## APPENDIX A

### Meetings of the Regional Judicial and Legal Services Commission held in 2019

No.	Meeting No.	Dates of Meetings of Commission
1.	116	February 15, 2019
2.	117	May 24, 2019
3.	118	September 27, 2019
4.	119	December 13, 2019



## APPENDIX B

### Attendance of Members at Commission Meetings held in 2019

Name of Commissioner	Feb 15	May 24	Sep 27	Dec 13
Hon. Mr. Justice Adrian Saunders	✓	✓	✓	✓
Dr. Peter Maynard PhD	✓	✓	✘	✘
Ms. E. Ann Henry QC	--	--	✓	✓
Mr. Delano Bart QC	✓	✓	✓	✓
Hon. Mme. Yonette Cummings-Edwards CCH OR	✓	X	✓	✓
Mr. Alvin McIntosh CD	✓	✓	✓	✓
Mrs. Susan Branker Greene MSc	✓	✓	✓	✓
Dr. Francis Alexis QC	✓	✓	X	X
Hon. Mr. Justice Dennis Morrison OJ CD	✓	✓	✓	✓
Lady Beverly Walrond QC	✓	✓	✓	^^
Hon. Mr. B. St. Michael Hylton OJ QC	✓	✓	✓	X
Mr. Elton Prescott SC	✓	✓	✓	✓
Total No. of Members who Attended	11	10	10	08

Key:

- ✓ Attended meeting
- ✘ Term of Office Expired
- X Absent from meeting
- Not yet appointed a member of the RJLSC
- ^^ Deceased

## APPENDIX C

### Meetings of Committees held in 2019

No.	Date of Meetings	Commission's Representative(s)	Purpose of Meeting
1	January 18, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Mr. Elton Prescott SC Hon. Mme. Yonette Cummings-Edwards CCH OR	Interviews for the position of Legal Officer (Contract)
2	February 13, 2019	Mr. Elton Prescott SC Mr. Delano Bart QC Hon. Mr. B. St. Michael Hylton OJ QC	Constituent Instruments Review and Regulations Committee
3	February 13, 2019	Dr. Francis Alexis QC Mr. Delano Bart QC Hon. Mr. Justice Dennis Morrison OJ CD	Pension Administration Committee
4	February 14, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Mr. Elton Prescott SC Hon. Mme. Yonette Cummings-Edwards CCH OR Hon. Mr. B. St. Michael Hylton OJ QC	Second round of interviews for the position of Legal Officer (Contract)
5	February 14, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Mr. Elton Prescott SC Hon. Mme. Yonette Cummings-Edwards CCH OR	Human Resources and Selection Committee
6	February 14, 2019	Mrs. Susan Branker Greene MSc Dr. Peter Maynard PhD	Financial Oversight Committee
7	May 1, 2019	Mr. Elton Prescott SC	Interviews for the position of Driver/Usher
8	May 2, 2019	Mr. Elton Prescott SC	Interviews for the position of Executive Assistant (Judicial)
9	May 6, 2019	Mr. Elton Prescott SC	Interviews for the position of Human Resources Officer – HR Development
10	May 16, 2019	Mr. Elton Prescott SC	Interviews for the position of Case Management Officer
11	May 22, 2019	Dr. Francis Alexis QC Mr. Delano Bart QC	Pension Administration Committee

APPENDIX C (continued)

No.	Date of Meetings	Commission's Representative(s)	Purpose of Meeting
12	May 22, 2019	Mrs. Susan Branker Greene MSc Mr. Elton Prescott SC	Interviews for the position of Accounting Support Officer
13	May 22, 2019	Lady Beverley Walrond QC Hon. Mme. Yonette Cummings-Edwards CCH OR Mr. Elton Prescott SC	Interviews for the position of Deputy Registrar and Marshal
14	May 23, 2019	Hon. Mr. Justice Adrian Saunders Mr. Elton Prescott SC Lady Beverley Walrond QC Hon. Mme. Yonette Cummings-Edwards CCH OR	Human Resources and Selection Committee
15	May 23, 2019	Mr. Elton Prescott SC Mr. Delano Bart QC Hon. Mr. B. St. Michael Hylton OJ QC	Constituent Instruments Review and Regulations Committee
16	May 23, 2019	Mrs. Susan Branker Greene MSc Mr. Alvin McIntosh CD Dr. Peter Maynard PhD	Financial Oversight Committee
17	August 5, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Hon. Mme. Yonette Cummings-Edwards CCH OR Mr. Elton Prescott SC Mrs. Susan Branker Greene MSc	First Interviews for the position of Communications and Information Manager
18	August 26, 2019	Mr. Elton Prescott SC Mr. Alvin McIntosh CD	Interviews for the position of Member, CARICOM Community Administrative Tribunal
19	September 2, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Hon. Mme. Yonette Cummings-Edwards CCH OR Mr. Elton Prescott SC Mrs. Susan Branker Greene MSc	Second round of interviews for the position of Communications and Information Manager
20	September 25, 2019	Mrs. Susan Branker Greene MSc Mr. Alvin McIntosh CD Hon. B. St. Michael Hylton OJ QC	Financial Oversight Committee
21	September 25, 2019	Mr. Delano Bart QC	Pension Administration Committee
22	September 26, 2019	Hon. Mr. Justice Adrian Saunders Lady Beverley Walrond QC Mr. Elton Prescott SC Hon. Mme. Yonette Cummings-Edwards CCH OR	Human Resources and Selection Committee

APPENDIX C (continued)

No.	Date of Meetings	Commission's Representative(s)	Purpose of Meeting
23	September 26, 2019	Mr. Elton Prescott SC Mr. Delano Bart QC Hon. B. St. Michael Hylton OJ QC	Constituent Instruments Review and Regulations Committee
24	December 11, 2019	Dr. Francis Alexis QC Mr. Delano Bart QC Hon. Mr. Justice Dennis Morrison OJ CD	Pension Administration Committee
25	December 11, 2019	Mrs. Susan Branker Greene MSc Mr. Alvin McIntosh CD	Financial Oversight Committee
26	December 12, 2019	Hon. Mr. Justice Adrian Saunders Mr. Elton Prescott SC Hon. Mme. Yonette Cummings-Edwards CCH OR	Human Resources and Selection Committee
27	December 12, 2019	Mr. Elton Prescott SC Mr. Delano Bart QC Ms. E. Ann Henry QC	Constituent Instruments Review and Regulations Committee
28	December 19, 2019	Mr. Elton Prescott SC Mr. Delano Bart QC Ms. E. Ann Henry QC	Constituent Instruments Review and Regulations Committee

## APPENDIX D

### Members of Committees in 2019

Name of Committee	Members
Constituent Instruments Review and Regulations Committee	<ul style="list-style-type: none"> <li>•Mr. Elton Prescott SC (Chairperson)</li> <li>•Dr. Peter Maynard PhD FCI Arb</li> <li>•Mr. Delano Bart QC</li> <li>• Hon. Mr. B. St. Michael Hylton OJ QC</li> <li>• Ms. E. Ann Henry QC</li> </ul>
Human Resources and Selection Committee	<ul style="list-style-type: none"> <li>•Lady Beverley Walrond QC (Chairperson)</li> <li>•Hon. Mme Justice Yonette Cummings-Edwards</li> <li>•Mr. Elton Prescott SC</li> </ul>
Judges' Compensation and Pension Committee	<ul style="list-style-type: none"> <li>•Hon. Mr. Justice Dennis Morrison OJ CD (Chairperson)</li> <li>•Dr. Francis Alexis QC</li> <li>•Hon. Mr. B. St. Michael Hylton OJ QC</li> </ul>
Pension Administration Committee	<ul style="list-style-type: none"> <li>•Dr. Francis Alexis QC (Chairperson)</li> <li>•Mr. Delano Bart QC</li> <li>•Hon. Mr. Justice Dennis Morrison OJ CD</li> </ul>
Financial Oversight Committee	<ul style="list-style-type: none"> <li>•Mrs. Susan Branker Greene MSc (Chairperson)</li> <li>•Dr. Peter Maynard PhD FCI Arb</li> <li>•Mr. Alvin Mc Intosh CD JP</li> <li>•Hon. Mr. B. St. Michael Hylton OJ QC</li> </ul>



Regional Judicial and  
Legal Services Commission

# Annual Report 2019

## Audited Financial Statements

For the year ended December 31, 2019

## AUDITED FINANCIAL STATEMENTS

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### Contents

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Statement of cash flows	52
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## Independent Auditor's Report

The Commissioners  
The Regional Judicial and Legal Services Commission

### Opinion

We have audited the financial statements of The Regional Judicial and Legal Services Commission (the "Commission"), which comprise the statement of financial position as at December 31, 2019, and the statement of comprehensive income, statement of changes in accumulated surplus, and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Commission as at December 31, 2019, and of its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards ("IFRS").

### Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing ("ISAs"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Commission in accordance with the International Ethics Standards Board for Accountants' *Code of Ethics for Professional Accountants* ("IESBA Code") and we have fulfilled our ethical responsibilities in accordance with the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with IFRS, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Commission's financial reporting process.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error and to issue an auditor's report that

*Independent Auditor's Report (continued)*

*Auditor's Responsibilities for the Audit of the Financial Statements (continued)*

includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit 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 Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

June 25, 2020  
Port-of-Spain,  
Trinidad and Tobago



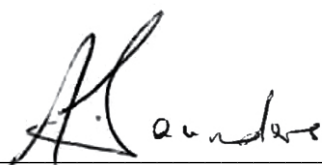
## Statement of Financial Position

As at December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

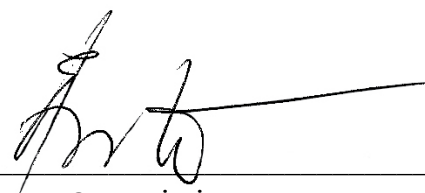
	Notes	2019	2018
<b>Assets</b>			
<b>Non-current assets</b>			
Property, plant and equipment	3	56,659	-
Retirement benefits due from Trust Fund	4	2,087,280	1,665,810
<b>Total non-current assets</b>		2,143,939	1,665,810
<b>Current assets</b>			
Other receivables	6	35,477	44,569
Cash and cash equivalents		3,087,020	2,144,340
<b>Total current assets</b>		3,122,497	2,188,909
<b>Total assets</b>		<b>\$5,266,436</b>	<b>\$3,854,719</b>
<b>Accumulated surplus and liabilities</b>			
Accumulated surplus		2,149,842	1,082,844
<b>Non-current liability</b>			
Retirement benefit liability	7	2,087,280	1,665,810
<b>Current liabilities</b>			
Due to related party	8	932,628	947,182
Accounts payables and accruals	5	96,686	158,883
<b>Total current liabilities</b>		1,029,314	1,106,065
<b>Total accumulated surplus and liabilities</b>		<b>\$5,266,436</b>	<b>\$3,854,719</b>

See accompanying notes to the financial statements.

These financial statements were approved for issue by the Chairman and a Commissioner of the RJLSC on June 25, 2020, on behalf of the Regional Judicial and Legal Services Commission.



Chairman



Commissioner

## Statement of Comprehensive Income

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

	Notes	2019	2018
Funding from the Trust Fund	9	4,083,830	3,505,125
Other income		927	800
		<b>4,084,757</b>	<b>3,505,925</b>
Administrative expenses	10	(2,790,299)	(3,142,671)
<b>Surplus</b>		<b>1,294,458</b>	<b>363,254</b>
<b>Other comprehensive gain/loss:</b>			
<i>Items that will not be reclassified to profit or loss</i>			
Re-measurements of defined benefit pension plan	7	(227,460)	80,280
<b>Total comprehensive surplus for the year</b>		<b>\$1,066,998</b>	<b>\$443,534</b>

See accompanying notes to the financial statements.

### Statement of Changes in Accumulated Surplus

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

	Accumulated surplus
<b>Year ended December 31, 2019</b>	
Balance as at January 1, 2019	1,082,844
Total comprehensive surplus for the year	1,066,998
<b>Balance as at December 31, 2019</b>	<b>\$2,149,842</b>
<b>Year ended December 31, 2018</b>	
Balance as at January 1, 2018	639,310
Total comprehensive surplus for the year	443,534
<b>Balance as at December 31, 2018</b>	<b>\$1,082,844</b>

*See accompanying notes to the financial statements.*

## Statement of Cash Flows

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

	Notes	2019	2018
<b>Cash Flows from operating activities</b>			
Total comprehensive surplus for the year		1,066,998	443,534
Adjustments to reconcile total comprehensive surplus for the year to net cash provided by operating activities:			
Depreciation		18,888	55,355
		1,085,886	498,889
Increase in retirement benefits due from Trust Fund		(421,470)	(86,970)
Decrease/(increase) in other receivables		9,092	(7,986)
Increase in retirement benefit liability		421,470	86,970
Decrease in due to related party		(14,554)	(123,311)
(Decrease)/increase in accounts payables and accruals		(62,197)	101,136
<b>Net cash provided by operating activities</b>		<b>1,018,227</b>	<b>468,728</b>
<b>Cash Flows from investing activities</b>			
Acquisition of property, plant and equipment		(75,547)	-
<b>Net cash used in investing activities</b>		<b>(75,547)</b>	<b>-</b>
Increase in cash and cash equivalents for the year		942,680	468,728
Cash and cash equivalents as at January 1		2,144,340	1,675,612
<b>Cash and cash equivalents as at December 31</b>		<b>\$3,087,020</b>	<b>\$2,144,340</b>

See accompanying notes to the financial statements.



## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 1. Establishment and principal activity

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

The 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 functions of the Commission include:

- Appointments to the office of Judge of the Court, other than that of President;
- Appointments of officials and employees of the Court;
- Determination of the terms and conditions of service of officials and employees;
- The termination of appointments in accordance with the provisions of the Agreement.
- Exercise of disciplinary control over judges other than the President, and over officials and employees of the Court; and
- Appointment of members of the Community Competition Commission.

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 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 original jurisdiction.

The Court is primarily financed by the Caribbean Court of Justice Trust Fund (the “Trust Fund”) who in turn transfers funds to the Commission. The Trust Fund was established by the CARICOM states signing the Agreement, who together invested US\$ 100 million into the Trust Fund, which generates income to finance the expenditures of the Court and Commission.

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies

#### (a) *Basis of preparation*

The financial statements are prepared in accordance with International Financial Reporting Standards (“IFRS”), under the historical cost convention and are expressed in Trinidad & Tobago dollars, which is the Commission’s functional and presentation currency.

#### (b) *Changes in accounting policy and disclosures*

##### (i) New and amended standards adopted by the Commission

The Commission adopted IFRS 16 Leases with a transition date of January 1, 2019. There were no material changes to these financial statements resulting from the adoption of this new standard.

##### (ii) New standards, amendments and interpretations issued but not effective and not early adopted

There are no new standards, interpretations and amendments, which have not been applied in these financial statements which will or may have an effect on the Commission’s future financial statements.

Other standards, amendments and interpretations to existing standards in issue but not yet effective are not considered to be relevant to the Commission and have not been disclosed.

##### (iii) Standards and amendments to published standards early adopted by the Commission

The Commission did not early adopt any new, revised or amended standards.

#### (c) *Use of estimates*

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

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

Note (e) - Property, plant and equipment

Note (h) - Other receivables

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (continued)

#### (c) Use of estimates (continued)

Note (j)	-	Financial assets
Note (k)	-	Financial liabilities
Note (n)	-	Provisions

#### (d) Foreign currency transactions

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the date of the transactions. Gains and losses resulting from the settlement of such transactions and from the translation of monetary assets and liabilities denominated in foreign currencies are recognized in the statement of comprehensive income. Year-end balances are translated at year-end exchange rates.

#### (e) Property, plant and equipment

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

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

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

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

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

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (continued)

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

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

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

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

#### (f) Impairment of non-financial assets

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

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 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 amortization if no impairment loss had been recognized.

#### (g) Employee benefits

##### Defined benefit plan

The Trust Fund had previously proposed that since the retirement arrangements of the Court and the Commission are already funded from within the Trust Fund with a legislature from the Heads of Government to ensure that the resources are always adequate; the retirement benefits due to non-judicial staff should be paid from the Trust Fund as they fall due. These proposals were accepted by the Court and the Commission. Refer to Notes 4 and 7.



## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (continued)

#### (g) Employee benefits (continued)

##### **Non-judicial staff pension plan**

The Commission provides its staff with a pension plan. Under this plan, the employees of the Commission make contributions which are deducted from their salaries and are matched with employer contributions from the Commission.

Balances accumulated under this plan are calculated by an independent third-party administrator, in accordance with an agreed formula between the Commission and their employees. The administrator advises the Commission of the accumulated amounts at the end of each financial year.

When a staff member reaches retirement, the Commission's actuary will determine the pension entitlement for that employee based on their accumulated balance using appropriate actuarial assumptions. The Trust Fund will, at the request of the Commission, provide to the Commission the funds necessary to pay the pension for each employee on this basis.

However, since there is no separate external fund where the contributions are placed (other than the Trust Fund), under IAS 19 these arrangements with respect to its employees are treated as a defined benefit obligation of the Commission.

#### (h) **Other receivables**

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

#### (i) **Cash and cash equivalents**

For the purposes of the statement of cash flows, cash and cash equivalents comprise cash at bank and in hand, and cash deposited with money market income funds with original maturities of three months or less.

#### (j) **Financial assets**

The Commission classifies its financial assets at amortized cost. These assets arise principally from the Commission's normal operations (e.g. advances to staff and VAT recoverable) but also incorporate other types of financial assets where the objective is to hold these assets in order to collect contractual cash flows and the contractual cash flows are solely payments of principal and interest. They have been initially recognized at fair value plus transaction costs that are directly attributable to their acquisition or issue and are subsequently carried at amortized cost using the effective interest rate method, less provision for impairment.

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (continued)

#### (g) Financial assets (continued)

Impairment provisions for other receivables are recognized based on the simplified approach within IFRS 9 using a provision matrix in the determination of the lifetime expected credit losses. During this process, the probability of the non-payment of the other receivables is assessed. This probability is then multiplied by the amount of the expected loss arising from default to determine the lifetime expected credit loss for the other receivables. For other receivables, which are reported net, such provisions are recorded in a separate provision account with the loss being recognized within cost of sales in the statement of comprehensive income. On confirmation that the other receivable will not be collectable, the gross carrying value of the asset is written off against the associated provision.

Impairment provisions for receivables from related parties and loans to related parties are recognized based on a forward-looking expected credit loss model. The methodology used to determine the amount of the provision is based on whether there has been a significant increase in credit risk since initial recognition of the financial asset. For those where the credit risk has not increased significantly since initial recognition of the financial asset, twelve months expected credit losses along with gross interest income are recognized. For those for which credit risk has increased significantly, lifetime expected credit losses along with the gross interest income are recognized. For those that are determined to be credit impaired, lifetime expected credit losses along with interest income on a net basis are recognized.

The Commission's financial assets measured at amortized cost comprise other receivables, retirement benefits due from Trust Fund and cash and cash equivalents in the statement of financial position.

#### (k) Financial liabilities

The Commission classifies its financial liabilities as financial liabilities at amortised cost. This primarily consists of accounts payable and accruals.

Accounts payable and other short-term monetary liabilities are initially recognised at fair value and subsequently carried at amortised cost.

#### (l) Accumulated fund/(deficit)

The accumulated fund represents the excess funding received over expenditure. The accumulated deficit represents excess expenditure over funding received.

#### (m) Accounts payable and accruals

Accounts payables and accruals are stated at cost.

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (continued)

#### (n) Provisions

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

#### (o) Revenue recognition

##### Funds from the Caribbean Court of Justice Trust Fund

Unconditional funding related to the ongoing operations of the Commission is recognized in the statement of comprehensive income as income in the period in which the funds become receivable from the Trust Fund.

##### Grants

Subventions that compensate the Commission for expenses incurred are recognized as income in the statement of comprehensive income on a systematic basis in the same periods in which the expenses are incurred.

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

All other revenue is recorded on an accruals basis.

#### (p) Administrative expenses

Expenses are recorded at cost on the transaction date and are recognised on the accrual basis in the statement of comprehensive income.

#### (q) Taxation

Pursuant to the terms of an agreement entered into on July 4, 2003, between the Court, 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 the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

#### 3. Property, plant and equipment

	Library books	Furniture, fittings and computer equipment	Vehicles	Total
<b>Year ended December 31, 2019</b>				
<b>Cost</b>				
As at January 1, 2019	24,815	410,342	200,283	635,440
Additions	-	75,547	-	75,547
As at December 31, 2019	24,815	485,889	200,283	710,987
<b>Accumulated depreciation</b>				
As at January 1, 2019	(24,815)	(410,342)	(200,283)	(635,440)
Charge for the year	-	(18,888)	-	(18,888)
As at December 31, 2019	(24,815)	(429,230)	(200,283)	(654,328)
<b>Net book value</b>	-			
<b>As at December 31, 2019</b>	<b>\$-</b>	<b>\$56,659</b>	<b>\$-</b>	<b>\$56,659</b>
<b>Year ended December 31, 2018</b>				
<b>Cost</b>				
As at January 1, 2018	24,815	410,342	200,283	635,440
As at December 31, 2018	24,815	410,342	200,283	635,440
<b>Accumulated depreciation</b>				
As at January 1, 2018	(24,815)	(405,056)	(150,214)	(580,085)
Charge for the year	-	(5,286)	(50,069)	(55,355)
As at December 31, 2018	(24,815)	(410,342)	(200,283)	(635,440)
<b>Net book value</b>				
<b>As at December 31, 2018</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>

#### 4. Retirement benefits due from Trust Fund

	2019	2018
This balance is determined by the total of the employee account balances of the staff of the Commission. Refer to Notes 2 (g) and 7	<b>\$2,087,280</b>	<b>\$1,665,810</b>

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 5. Related party transactions

The following balances/transactions were held/carried out with related parties:

#### The Court:

	2019	2018
a) Due to related party:		
- The Court	\$932,628	\$947,182
Amounts due from the Court are interest-free, with no fixed repayment terms.		
	2019	2018
b) Income received from the Trust Fund via the Court	\$3,682,430	\$3,424,845
c) Expenses charged to the Commission by the Court	\$54,055	\$78,861
The Commission works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves.		
	2019	2018
d) Key management compensation		
Salaries and other short-term benefits	\$697,767	\$689,158

### 6. Other receivables

	2019	2018
VAT recoverable	28,832	35,330
Employee receivable	4,231	4,325
Other receivables	2,414	
Due from JURIST Project	-	4,914
	\$35,477	\$44,569



**Notes to the Financial Statements**

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

**7. Retirement benefit liability**

The Commission and its employees contribute towards a pension plan which is managed by a Pension Administration Committee made up of representatives of the Commission, employees, the Trust Fund and the Court. The data and benefit administration services are provided by Bacon Woodrow and De Souza Limited. However, since there is no separate external fund where the contributions are placed (other than the Trust Fund), under IAS 19 these arrangements are treated as a defined benefit obligation of the Commission. Refer to Notes 2 (f) and 4.

	2019	2018
<b>Movement in present value of defined benefit obligation</b>		
Defined Benefit Obligation as at start of year	1,665,810	1,578,840
Current service cost	107,040	107,040
Interest cost	66,900	53,520
Contributions paid	80,280	66,900
Re-measurements		
- Experience adjustment	133,800	(40,140)
- Actuarial (gains/losses from changes in demographic assumptions)	13,380	-
- Actuarial gains from changes in financial assumptions	80,280	(40,140)
Benefits paid	(60,210)	(60,210)
<b>Defined benefit obligations as at end of year</b>	<b>\$2,087,280</b>	<b>\$1,665,810</b>
<b>Liability profile</b>		
The defined benefit obligations as at the year ends were allocated as follows:		
Active members	59%	53%
Pensioners	41%	47%

The weighted average duration of the defined obligation as at the year-end was 4.3 years (2018: 4.9 years).

94% of the benefits accrued by active members were vested (2018: 48%).

0% of the defined benefit obligation for active members was conditional on future salary increases (2018: 0%).

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 7. Retirement benefit liability (continued)

#### Movement in fair value of plan assets/asset allocation

The Plan's assets are held by the Trust Fund in an amount equal to the Plan's liabilities.

	2019	2018
Expense recognized in profit and loss		
Current service cost	107,040	107,040
Net interest on net defined benefit liability	66,900	53,520
Net pension costs	\$173,940	\$160,560
Re-measurements recognized in Other Comprehensive Income		
Experience losses/(gains)	227,460	(80,280)
<b>Total amount recognized in Other Comprehensive Income</b>	<b>\$227,460</b>	<b>\$(80,280)</b>
Opening defined benefit liability	1,665,810	1,578,840
Net pension cost	173,940	160,560
Re-measurements recognized in Other Comprehensive Income	227,460	(80,280)
Contributions paid	80,280	66,900
Benefits paid	(60,210)	(60,210)
<b>Closing defined benefit liability</b>	<b>\$2,087,280</b>	<b>\$1,665,810</b>
<b>Summary of principal assumptions as at December 31</b>	<b>2019</b>	<b>2018</b>
Discount rate	3.0% pa	4.0% pa
Salary increases	1.0% pa	1.0% pa
Assumptions regarding future mortality are based on published mortality tables. The life expectancies underlying the value of the defined benefit obligation as at December 31, 2019, are as follows:		
Life expectancy at age 65 for current pensioner in years:		
- Male	17.4	16.9
- Female	21.4	20.7

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 7. Retirement benefit liability (continued)

#### Sensitivity Analysis

The calculation of the defined benefit obligation is sensitive to the assumptions used. The following table summarizes how the defined benefit obligation as at the year ends would have changed as a result of a change in the assumption used.

	1% pa higher	1% pa lower
<b>As at December 31, 2019</b>		
- Discount rate	\$(93,660)	\$93,660
- Salary increases	\$-	\$-
<b>As at December 31, 2018</b>		
-Discount rate	\$66,900	\$(80,280)
-Salary increases	\$-	\$-

An increase of 1 year in the assumed life expectancies shown above would decrease the defined benefit obligation at December 31, 2019, by \$20,070 (2018: \$20,070).

These sensitivities were calculated by re-calculating the defined benefit obligations using the revised assumptions.

#### Funding

RJLSC provides benefits under the Plan on a pay as you go basis and thus pays benefits as and when they fall due. RJLSC expects benefits totalling \$60,210 in 2020.

### 8. Accounts payables and accruals

	2019	2018
Accruals	63,591	118,700
Accounts payable	33,095	40,183
	<b>\$96,686</b>	<b>\$158,883</b>

### 9. Funding from the Trust Fund

	2019	2018
Funding received from the Trust Fund	3,682,430	3,424,845
Pension income receivable from the Trust Fund	401,400	80,280
	<b>\$4,083,830</b>	<b>\$3,505,125</b>

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 10. Administrative expenses

	2019	2018
Salaries and allowances	1,253,861	1,240,648
Commissioners and recruitment expenses	895,524	996,791
Pension cost	282,120	266,872
Professional fees	159,826	318,687
Other expenses	67,948	103,841
Insurance expense	58,285	45,306
Printing and publication	28,639	49,340
Janitorial	22,410	22,214
Depreciation	18,888	55,355
Office supplies	17,485	26,904
Bank charges	7,907	15,639
Entertainment	5,510	22,850
Foreign exchange gain	(28,104)	(21,776)
	<b>\$2,790,299</b>	<b>\$3,142,671</b>

### 11. Financial risk management

#### Financial risk factors

The main financial risks arising from the Commission's operations are foreign exchange currency risk, credit risk and liquidity risk. Risk management is carried out by the Finance and Administration Manager under policies approved by the Commission.

#### Foreign exchange risk

The Commission is mainly exposed to foreign exchange risk arising from financial instruments denominated in United States dollars. Foreign exchange risk arises when future commercial transactions or recognized assets or liabilities are denominated in a currency that is not the entity's functional currency.

The table below summarizes the Commission's asset, at the year ended, which is denominated in United States dollars.

	2019	2018
Assets		
Retirement benefits due from Trust Fund	2,087,280	1,665,810
Cash and cash equivalents	2,800,403	1,831,135
<b>Total assets</b>	<b>\$4,887,683</b>	<b>\$3,496,945</b>

## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 11. Financial risk management (continued)

#### Foreign exchange risk (continued)

The table below summarizes the sensitivity of the Commission's assets to changes in foreign exchange movements at the year-end. The analysis is based on the assumptions that the relevant foreign exchange rate increased/decreased by 5% to the Trinidad and Tobago dollars (2018: 5%), with all other variables held constant. This represents management's best estimate of a reasonable possible shift in the foreign exchange rates, having regard to the historical volatility of those rates.

Foreign exchange risk	Effect on accumulated fund	
	2019	2018
Increased by 5%	\$244,783	\$174,847
Decreased by 5%	\$(244,783)	\$(174,847)

#### Credit risk

Credit risk is the risk that a borrower or counterparty fails to meet its contractual obligation. Credit risk of the Commission arises from cash and cash equivalents as well as credit exposures from staff loans receivable. The Commission is mainly exposed to credit risk from cash and cash equivalents.

The credit quality of staff, their financial position, past experience and other factors are taken into consideration in assessing credit risk and are minimized through the use of contractual agreements.

Cash and deposits are held with reputable financial institutions.

The carrying value of financial assets on the statement of financial position represents their maximum exposure.

#### Liquidity risk

Liquidity risk arises from the Commission's management of working capital. It is the risk that the Commission will encounter difficulty in meeting its financial obligations as they fall due. Prudent risk management implies maintaining sufficient cash to fund its day to day operations.



## Notes to the Financial Statements

For the year ended December 31, 2019  
(Expressed in Trinidad and Tobago Dollars)

### 11. Financial risk management (continued)

#### Liquidity risk (continued)

The table below summarizes the maturity profile of the Commission's financial liabilities as at the year end based on contractual undiscounted payments:

	Less than three months
<b>As at December 31, 2019</b>	
<b>Financial liabilities:</b>	
Due to related party	932,628
Accounts payables and accruals	96,686
<b>Total liabilities</b>	<b>\$1,029,314</b>
<b>As at December 31, 2018</b>	
<b>Financial liabilities:</b>	
Due to related party	947,182
Accounts payables and accruals	158,883
<b>Total liabilities</b>	<b>\$1,106,065</b>

### 12. Subsequent events

Management evaluated all events that occurred from January 1, 2020, through June 19, 2020, the date the financial statements were available to be issued. During the period, the Commission did not have any subsequent events requiring recognition or disclosure in the financial statements.

## SUPPLEMENTARY FINANCIAL INFORMATION

For the year ended December 31, 2019  
(Expressed in United States Dollars)

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## Statement of Financial Position

As at December 31, 2019  
(Expressed in United States Dollars)

### Independent Auditors' Report on the Supplementary Financial Information

The Commissioners  
The Regional Judicial and Legal Services Commission

We have audited the financial statements of the Regional Judicial and Legal Services Commission for the year ended December 31, 2019, and have issued our report thereon dated, June 19, 2020.

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

We conducted our audit for the purpose of expressing an opinion on the financial statements of the Regional Judicial and Legal Services Commission taken as a whole. The accompanying supplementary financial information, consisting of the statements of financial position, comprehensive income and changes in accumulated surplus, is presented for the purpose of additional analysis in United States Dollars 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.

June 19, 2020  
Port of Spain,  
Trinidad, West Indies

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*BDO is the brand name for the BDO network and for each of the BDO Member Firms.*

## Statement of Financial Position

As at December 31, 2019

(Expressed in United States Dollars)

	2019	2018
<b>Assets</b>		
<b>Non-current assets</b>		
Property, plant and equipment	8,469	-
Retirement benefits due from Trust Fund	312,000	249,000
<b>Total non-current assets</b>	<b>320,469</b>	<b>249,000</b>
<b>Current assets</b>		
Other receivables	5,303	6,662
Cash and cash equivalents	461,438	320,529
<b>Total current assets</b>	<b>466,741</b>	<b>327,191</b>
<b>Total assets</b>	<b>US\$787,210</b>	<b>US\$576,191</b>
<b>Accumulated surplus and liabilities</b>		
Accumulated surplus	321,352	161,860
<b>Non-current liability</b>		
Retirement benefit liability	312,000	249,000
<b>Current liabilities</b>		
Due to related party	139,406	141,582
Accounts payables and accruals	14,452	23,749
<b>Total current liabilities</b>	<b>153,858</b>	<b>165,331</b>
<b>Total accumulated surplus and liabilities</b>	<b>US\$787,210</b>	<b>US\$576,191</b>

Translation rate used – 2019: US\$ 1.00 - TT\$6.69 (2018: US\$1.00 - TT\$6.69)

### Statement of Comprehensive Income

For the year ended December 31, 2019

(Expressed in United States Dollars)

	2019	2018
Funding from the Trust Fund	610,438	523,935
Other income	139	120
	610,577	524,055
Administrative expenses	(417,085)	(469,757)
<b>Surplus</b>	<b>193,492</b>	<b>54,298</b>
<b>Other comprehensive gain/loss:</b>		
<i>Items that will not be reclassified to profit or loss</i>		
Re-measurements of defined benefit pension plan	(34,000)	12,000
<b>Total comprehensive surplus for the year</b>	<b>US\$159,492</b>	<b>US\$66,298</b>

Translation rate used – 2019: US\$ 1.00 - TT\$6.69 (2018: US\$1.00 - TT\$6.69)



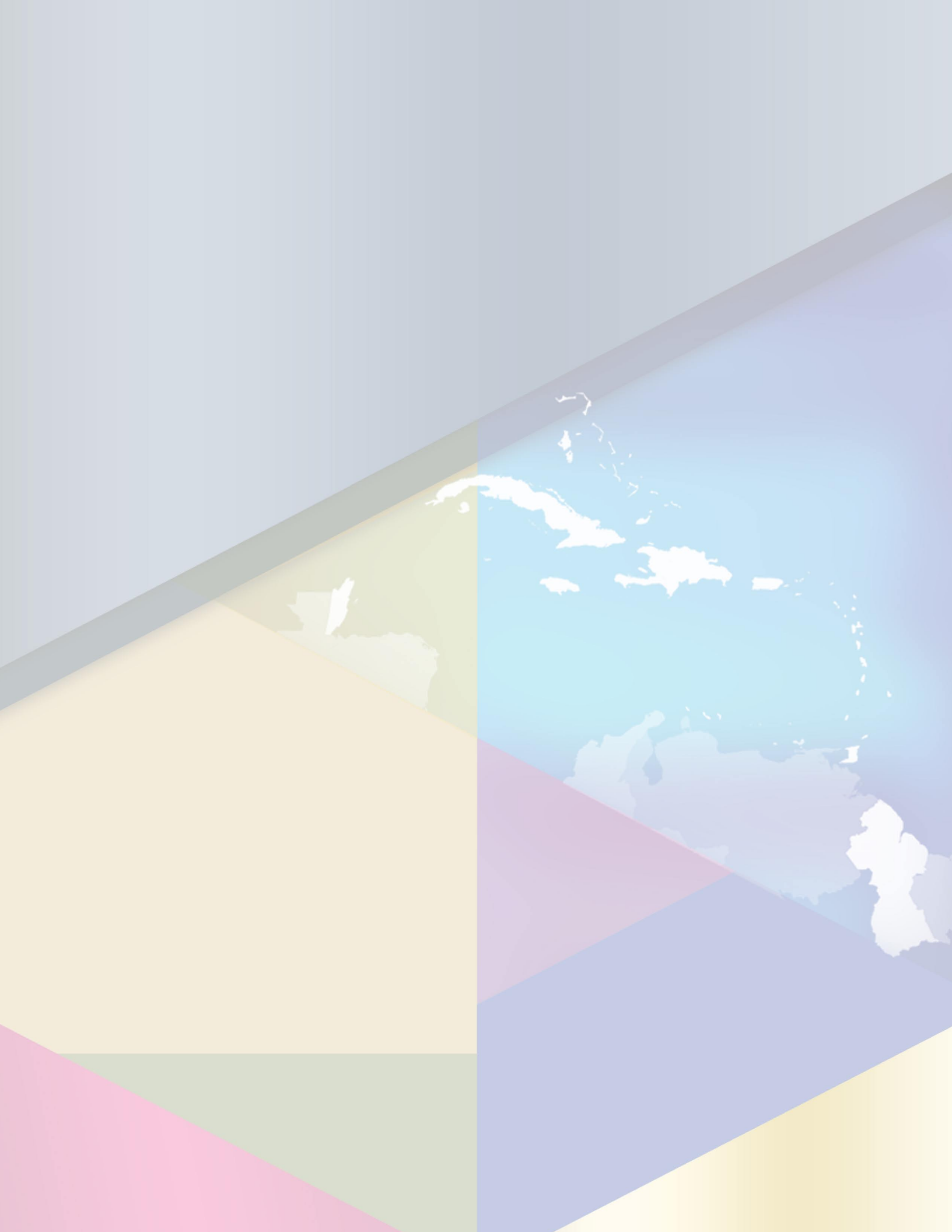
### Statement of Changes in Accumulated Surplus

For the year ended December 31, 2019

(Expressed in United States Dollars)

	Accumulated surplus
<b>Year ended December 31, 2019</b>	
Balance as at January 1, 2019	161,860
Total comprehensive surplus for the year	159,492
<b>Balance as at December 31, 2019</b>	<b>USD\$321,352</b>
<b>Year ended December 31, 2018</b>	
Balance as at January 1, 2018	95,562
Total comprehensive surplus for the year	66,298
<b>Balance as at December 31, 2018</b>	<b>USD\$161,860</b>

Translation rate used – 2019: US\$ 1.00 - TT\$6.69 (2018: US\$1.00 - TT\$6.69)





# Annual Report 2019

Regional Judicial and  
Legal Services Commission

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