

“

The CCJ is  
more than a  
mere creation  
of CARICOM.  
It is the product  
of the ingenuity  
of the Caribbean  
people.

”

*The Hon. Mr Justice Adrian Saunders  
President, Caribbean Court of Justice*



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2022  
-  
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ANNUAL REPORT





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## About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, the Republic of Trinidad and Tobago on 16 April 2005, and presently has a Bench of seven judges presided over by the President, the Honourable Mr Justice Adrian Saunders. The CCJ has an **Appellate Jurisdiction** and an **Original Jurisdiction** and is effectively, therefore, **two courts in one**.

In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all twelve Member States that belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC.

In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national constitutions to enable the CCJ to perform that role. Currently, five states access the Court in its Appellate Jurisdiction: Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence, and a signal of the Region's coming of age.





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This report is a review of the Court year that spans

1  
August  
2022



31  
July  
2023

The CCJ has an obligation to account for its performance to the people of the Caribbean Community (CARICOM). Every year the CCJ is committed to submit to its stakeholders, an Annual Report of its work, financials, and operations during the previous year.

ISSN 0000-0000





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## List of Abbreviations

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|                      |   |
|----------------------|---|
| AJ                   | Appellate Jurisdiction                                  |
| CAL                  | CCJ Academy for Law                                     |
| CAJO                 | Caribbean Association of Judicial Officers              |
| CARICOM              | Caribbean Community                                     |
| CCAT                 | Caribbean Community Administrative Tribunal             |
| CCJ/The Court        | Caribbean Court of Justice                              |
| CSME                 | Caribbean Single Market and Economy                     |
| JURIST               | Judicial Reform and Institutional Strengthening Project |
| MAP                  | Management Action Plans                                 |
| OJ                   | Original Jurisdiction                                   |
| RJLSC/The Commission | Regional Judicial and Legal Services Commission         |
| RTC                  | Revised Treaty of Chaguaramas                           |
| SPC                  | Strategic Planning Committee                            |
| Trust Fund           | Caribbean Court of Justice Trust Fund                   |



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## Mission

Providing accessible, fair, and efficient justice for the people and states of the Caribbean Community

To be a model of judicial excellence

## Vision

## Values

### EXCELLENCE

Demonstrate the highest quality of service and performance

### INDUSTRY

Be diligent, go above and beyond

### INTEGRITY

Be honest, do right, stand firm

### COURTESY AND CONSIDERATION

Demonstrate care and respect for all

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## Message from the President

The Hon. Mr Justice  
Adrian Saunders

“ We are peoples with an identity and a culture and a history... we are viable, functioning societies with the intellectual and institutional resources to understand and grapple with our problems. Collectively, we have the resource potential necessary for our continued development... ”

*The Right Excellent Errol Walton Barrow PC QC*



In this Annual Report, I invite readers to review and celebrate with us at the Caribbean Court of Justice (CCJ) some of the past year's achievements, milestones, and noteworthy occasions. These all took place during the course of three significant occurrences. Firstly, the Caribbean Community (CARICOM), the oldest remaining integration movement among developing countries, celebrated its 50th Anniversary in 2023. The CCJ is more than a mere creation of CARICOM. It is the product of the ingenuity of Caribbean peoples. As an independent arm of the CARICOM framework, the CCJ epitomises and advances the affirmations – explicit and implicit – expressed in the quote above by one of the founding statesmen of CARICOM. The Court is a critical plank in the development of the Community, driving the Community's commitment to the rule of law.

Secondly, the year under review saw a welcome slowing down of the ravages of the COVID-19 virus, such that the World Health Organisation officially declared the end of the pandemic. This circumstance reopened welcome possibilities for face-to-face interaction with our internal and external stakeholders after a few years of purely

digital interfaces. Notably, the Court marked the resumption of in-person hearings at the seat of the Court with the hearing of *DCP Successors Limited v The State of Jamaica*, a case in the Court's Original Jurisdiction. And, with excitement, judges and staff of the Court welcomed the return to the in-person format of the Annual CCJ International Law Moot, an event which for the past twelve years has served as an opportunity to engage with regional law students, the future of the legal profession.

Thirdly, the Court marked 18 years of operations in April 2023. Eighteen years is typically regarded as a life milestone marking the progression from childhood to adulthood, the transition to a more mature and self-aware state of being, embracing new challenges, and an increased capacity and desire to make a lasting contribution. This is as true for a person as it has been for this institution. As with a teenager crossing this threshold, the Court, too, is optimistic and engaged about the future, ready to assume added responsibilities and pleased to serve the people of the Caribbean region with excellence.

## Message from the President *(continued)*

### Organisational Changes

In August 2022, we said goodbye to our long-standing Registrar and Chief Marshal, Ms Jacqueline Graham, who demitted office to take up a judgeship in the Eastern Caribbean. Ms Graham gave sterling service during her eight-year sojourn with the CCJ. The Court thanks her for her exceptional contribution over the years and wishes her all the best in this new chapter of her judicial career. Upon her departure, Mrs Gisel Thomas-Roberts, Deputy Registrar and Marshal was appointed Registrar of the Court (Ag), and Ms Heather Dyer-Thompson was appointed Deputy Registrar (Ag). Both officers ably led the Registry and Communications Division and the Registry Unit, respectively, until the appointment of Mrs Gabrielle Figaro-Jones as Registrar and Chief Marshal in February 2023.

The CCJ deeply appreciates Mrs Thomas-Roberts and Ms Dyer-Thompson's significant roles during this transition period. Gratitude is also expressed to the Senior Manager of Corporate Administration, Mr Shivanand Ramnanan, and the entire complement of managers and staff whose dedication and hard work also helped to ensure that the Court's operations continued seamlessly during this period. The Court wishes Mrs Figaro-Jones the best in her tenure as Court Registrar and Chief Marshal.

### Itinerant Sitting, Judicial Dialogues, and Public Engagement Initiatives in Guyana, Belize, and Trinidad and Tobago

In June 2023, the Court sat in Guyana. The Sitting was conducted from 21 – 22 June 2023, and it was followed by an extended judicial and public engagement programme that ran from 22 – 26 June 2023.

Throughout the sitting, the Court heard three matters in the Appellate Jurisdiction and one in the Original Jurisdiction. The Court also delivered its judgment in the case of *AB v The Director of Public Prosecutions* [2023] CCJ 8 (AJ) GY, an application for special leave from Guyana.

Beyond the purely judicial work, the visit to Guyana accomplished various other objectives. It allowed Guyana's judges and Registry staff to meet their CCJ counterparts, discuss our respective work

methods, and build camaraderie. Members of the CCJ delegation also took the opportunity to visit the CARICOM Headquarters and to meet with its most senior staff. Perhaps the most important objective, however, was that the visit to Guyana assisted in cementing in the hearts and minds of the Guyanese population the role and place of the CCJ as their country's highest court. It allowed the people to see the judges in the flesh and the actual persons whose voices and images they were familiar with up close. The visit went a long way in humanising our decision-making processes.

In Guyana, staff and judges were treated with the greatest cordiality and warmth. Again, we take this opportunity to thank our hosts, the Judiciary of Guyana, and the people of Guyana for their generous hospitality, which Guyana, and the people of Guyana, for their generous hospitality that was second to none. Much of the credit for the success of this visit must go to the Court's Planning Committee led by Mr Justice Anderson and the Registrar and Chief Marshal, Mrs Figaro-Jones. They and the entire CCJ support team put in extremely long hours and paid painstaking attention to detail, working closely with the Local Organising Committee in Guyana. Together, they ensured that the visit was an overall success. Our most profound appreciation goes out to all for their efforts.

Last year, we were pleased to inform that, through the instrumentality of the 11th European Development Fund (EDF), the Court had been afforded a grant to, among other things, facilitate the training of judicial officers throughout the Community on the processes involved



*The CCJ at the itinerant sitting in the Cooperative Republic of Guyana in June 2023*



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## Message from the President *(continued)*

in referring to the CCJ, cases filed in domestic courts and tribunals that concerned the interpretation or application of the Revised Treaty of Chaguaramas ('RTC'). Throughout this reporting year, the Court embarked on this project and conducted judicial education activities in Belize, Trinidad and Tobago, and Guyana. The opportunity was also taken to hold sessions with the legal profession, civil society, and the business community on the referral process and generally on the fundamental rights and freedoms enshrined in the RTC and how those rights can be vindicated. These sessions will continue into the next reporting year.

## St Lucia's Accession to the Appellate Jurisdiction

In March 2023, the Court was pleased to receive news that the Parliament of Saint Lucia had altered that country's Constitution to delink from the Judicial Committee of the Privy Council and to accede to the Appellate Jurisdiction of the CCJ. Saint Lucia has, therefore, followed the lead of its counterpart in the Organisation of Eastern Caribbean States, the Commonwealth of Dominica, and has become the fifth CARICOM state to send their appeals to the CCJ. On 31 July 2023, the CCJ Registry received its first matter from Saint Lucia, an application for special leave.

## Strengthening Regional and International Relationships & Cooperation

The year under review strengthened the Court's relationship with several regional judiciaries and judicial institutions. From 22 to 23 September 2022, the CCJ convened the first Hemispheric Meeting of Regional Courts under the theme 'The Rule of Law and International Justice'. This Meeting provided a platform for discussions among the heads of judiciary, institutional representatives, and academicians from CARICOM, Latin America, and Europe. The CCJ also had a bilateral meeting with a high-level delegation from the Inter-American Court of Human Rights (IACtHR) in the margins of the Hemispheric Meeting. Subsequent to this bilateral exchange, I attended the opening of the IACtHR's term and held fruitful discussions with the judges of the Court on various issues regarding our respective jurisprudence and work methods.

Over the last year, the CCJ and the Inter-American Commission on Human Rights (IACHR) engaged in an extended cooperation programme to increase awareness of our mutual systems, processes, and jurisprudence. The programme has been highly productive and informative, and we look forward to more joint activities in the coming year to deepen awareness of our work and jurisprudence.

The Court also embarked on a programme of institutional cooperation with the Escola Superior de Magistratura Federal da Primeira Região do Brasil (ESMAF/TRF1) of Brazil. This followed the CCJ's participation in the International Meeting for the Judicial Protection of Human Rights in Latin America and the Caribbean in May 2023.

The CCJ's long-standing engagement with the United Nations Office of the High Commissioner for Human Rights (OHCHR), as a recognised regional human rights mechanism, continued over the period.

I look forward to more opportunities for engagement and cooperation between the Court and our Latin American, regional, and international counterparts in the coming year.

## Judicial Work

The volume of appeals coming up to the Court for determination suffered a dip because of the COVID-19 crisis. Still, one case was decided by the Court, which was of seminal importance to the interpretation of the Barbados Domestic Violence (Protection Orders) Act. The case, *OO v BK & Attorney General of Barbados* [2023] CCJ 10 (AJ) BB enabled the Court to provide helpful guidance for both those in need of protection from abusive partners as well as those involved in the administration of justice on the approach that must be taken by judges and court staff alike in treating with applications for protection orders.

The year gone by was yet another busy and consequential year in the life of the Court. As we move out from under the shadow of a pandemic, the Court has every reason to remain optimistic about the future.





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## Stakeholder Engagement



**Extra-Judicial Activities:  
1 August 2022 – 31 July 2023**

**The Hon. Mr Justice Adrian Saunders,  
President of the Caribbean Court of Justice**

**2022**



### 8-9 September

Facilitated training at a 'Whole System' Approach to Law Reporting: An Intensive Two-Day Training Programme for the Judiciary, Law Reporting Committee and Law Reporting Unit of Botswana', Botswana.

### 22-23 September

Delivered the host's remarks at the First Hemispheric Meeting of Regional Courts under the theme 'The Rule of Law and International Justice', Hyatt Regency, Trinidad.



### 27-29 October

Led delegation of Judges and court officials to the 7th Biennial Caribbean Association of Judicial Officers (CAJO) Conference, Saint Lucia.



### 15 November

Delivered remarks at the 'Virtual Training Programme for Judicial Officers in Financial Crimes' hosted by CARICOM IMPACS, Trinidad.

### 18 November

Presented on 'Dynamic Judiciaries: Meeting Challenges, Enhancing Public Trust and Confidence' at The Judicial Training Institute, Bermuda – Annual Training for the Judiciary and Magistracy, Bermuda.

### 25-27 November

Attended Barbados Bar Association's Annual Conference 'Private Rights v Public Interest: Striking the Balance' and presented on 'Indigenous Third-Tier Justice: The CCJ at 17 Years.'

### 3 December

Delivered Keynote Address at the Jamaican Bar Association Weekend Flagship Conference titled 'The arc of the moral universe is long, but it bends towards justice'.

### 6 December

Participated and delivered remarks at the 'First High-Level Dialogue Table: Caribbean Court of Justice & the Inter-American Commission on Human Rights'.

### 13-16 December

Delivered the Keynote Address 'The Role of the Caribbean Court of Justice in Advancing Human Rights' at the International Society of Family Law (ISFL) Caribbean Regional Conference, Tobago.

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## Stakeholder Engagement *[continued]*

### 4 January

Attended the opening of the Legal Year 2023 for the Judiciary of Turks and Caicos Islands law term and delivered a lecture, '**Caribbean Justice Systems: Striving for Excellence**' at the Inaugural Lecture of the Sir Richard W Ground QC OBE Memorial Lecture Series.

### 31 January

Delivered the Keynote Address '**Corruption, Conflict and Security**' marking the virtual release of the 2022 Corruption Perceptions Index (CPI) by the Trinidad and Tobago Transparency Institute (virtual).

### 5-9 March

Attended the 23rd Commonwealth Lawyers Association Conference '**Commonwealth Lawyers – Common Challenges in uncommon times**' in Goa, India and chaired the session '**Judicial education and the development of technology in the courtroom.**'

### 22 March

Delivered Guest Lecture at a session hosted by the Faculty of Law, The UWI, St Augustine on '**Jurisprudential Divergence: The Caribbean Court of Justice & the Judicial Committee of the Privy Council stand their ground on the Savings Law Clause**'.



### 5 April

Delivered Guest Lecture for LLM Programme in Legislative Drafting, at The UWI, Cave Hill – titled '**Constitutional & Other Imperatives for the Caribbean Drafter**' (virtual)

### 27-29 January

With support from the Judicial Reform and Institutional Strengthening (JURIST) Project and the Caribbean Association of Judicial Officers, led a CCJ delegation to conduct a Judicial Training Workshop with the Judiciary of Barbados.

### 5 – 8 February

Visited the Seat of the Inter-American Court of Human Rights (IACtHR) in San Jose, Costa Rica, to attend the Opening of the Inter-American Court of Human Rights Judicial Year 2022, observe live matters, and participate in a Working Lunch with the Plenary of Judges of the IACtHR.



**April** - Attended the International Meeting for the Judicial Protection of Human Rights in Latin America and the Caribbean and delivered an address on '**The Future of the Legal-Cultural Dialogue of Judges: Institutional, Democratic, National & International Perspectives**' and formalised a Memorandum of Understanding (MoU) with the Escola Superior de Magistratura Federal da Primeira Região do Brasil (ESMAF/TRF1), Chile.



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## Stakeholder Engagement *[continued]*



**18 May**

Delivered Address at a session on **'Understanding the Referral Obligation of the Original Jurisdiction'** for the Judiciary of Trinidad and Tobago.

**14-21 June**

Led a delegation of Judges and Court officials to the Co-operative Republic of Guyana for an itinerant sitting, stakeholder engagements, and sensitisation sessions with the Judiciary of Guyana, judicial sector actors, and civil society.



**20 July**

Presented on the **'Steps taken by the CCJ to Address Incidences of Violence & Discrimination Against Vulnerable Groups'** at the Second Hybrid High-Level Dialogue Table.

**25 July**

Presented on **'The CCJ: Developing Caribbean Jurisprudence – Constitutional Law and Original Jurisdiction Perspectives'** as part of a session with the Inter-American Commission on Human Rights titled **'Systems and Processes of the Caribbean Court of Justice'**

## Courtesy Visits & Delegations



The following officials/delegation also paid a courtesy call on the President, CCJ:

- President and delegation from the Inter-American Court of Human Rights (September 2022)
- EU Delegation to Barbados, Eastern Caribbean and OECS (April 2023)
- Delegation from CARIFORUM (April 2023)
- President and members of the Barbados Bar Association (May 2023)



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## Stakeholder Engagement *[continued]*

### Judges' Extra-Judicial Activities



**The Hon. Mr Justice Jacob Wit -**  
PERIOD: 1 AUG 2022 to 31 JULY 2023

#### CCJ Academy For Law

As co-chair of the CCJ (Caribbean Court of Justice) Academy for Law, Mr Justice Wit spent over a year preparing the Court's educational arm for its 7th Biennial Law Conference. The 2023 theme centred on criminal justice reform, an issue to which he was indeed dedicated. Planning for the conference commenced in June 2022, and Mr Justice Wit was involved in every facet throughout the project: suggesting topics for debate, assisting with the development of the conference programme, communicating with critical members of the faculty and the local organising committee and monitoring planning progress. Although Mr Justice Wit could not attend the in-person biennial conference, its success would undoubtedly have been impossible without his foundational involvement.

#### Rules Committee

During the period under review, the Rules Committee began its review and revision of the existing Rules with a view to the promulgation of the new Appellate Jurisdiction Rules 2024. Along with full participation with other members, Mr. Justice Wit worked closely with the Deputy Registrar, Mrs. Gisel Thomas-Roberts and some Registry staff in preparing a list of suggested amendments for review. His contributions were leadership in the redrafting of several Rules, on which the Deputy Registrar relied for his technical acuity. Mr. Justice Wit also drafted additions to improve Rules where gaps were shown to exist and refined the drafting of a new form. The experience and knowledge he brought to the Committee, having been the Chair of the Rules Committee that reviewed the AJ [Appellate Jurisdiction] and OJ Rules 2021, was invaluable.

#### Organization of American States' 47th Course on International Law (2022)

In August 2022, Mr. Justice Wit attended the Organization of American States (OEA/OAS) Course on International Law in Rio de Janeiro, Brazil to deliver two lectures on the CCJ. This course was aimed at professionals who hold a university degree in law or international relations, have at least two years' relevant professional experience, and wish to participate in a demanding and rigorous academic

experience, in a multicultural environment. Justice Wit delivered two lectures on the Court and its jurisprudence titled "The Caribbean Court of Justice: More than an International Court" and "Emerging Caribbean Jurisprudence". The latter lecture now forms part of a publication which was made available by the OEA/OAS in late 2022.

#### Referral Training Session at The Judicial Education Institute of Trinidad and Tobago (JEITT) – 18 May 2023

Mr. Justice Wit formed part of the faculty for this session which was aimed at judicial officers of the Judiciary of Trinidad and Tobago and where he presented on the topic "The Concept of Referrals".

#### Guyana Mission – 23-26 June 2023

##### i. Visit to CARICOM Secretariat



## Stakeholder Engagement *[continued]*

ii. **Referral Training Session with Judiciary of Guyana** – As part of the training on the Referral obligation under the RTC (and along with faculty members, Justice Peter Jamadar and Dr Chantal Ononaiwu) Justice Wit delivered his presentation on “The Concept of Referrals” in a session attended by judicial officers of Guyana, including the Chancellor (Ag), the Hon. Mme Yonette Cummings-Edwards, and the Chief Justice of Guyana (Ag), the Hon. Mme Roxane George-Wiltshire.

iii. **Visit to the High Court of Guyana** including an interaction with the Sexual Offences Court and Family Court – Justice Wit was given a tour of the High Court of Guyana by Chief Justice (Ag), the Hon. Mme Roxane George-Wiltshire. This included a tour of the Family Court and the Sexual Offences Courts and an exchange with the judges who sit in each court.



*Visit to Sexual Offences Family Court*

iv. **Public Lecture on Criminal Justice Reform**

Justice Wit delivered a public lecture entitled “Rethinking Criminal Justice” where he decried the delays in the justice system, called for a reconsideration of the need for juries, and made suggestions for reform including the establishment of a pre-trial chamber.



*Panelists at the public lecture “Rethinking Criminal Justice”*

**Attended the 20th Annual Caribbean Commercial Law Workshop** - coordinated by the Faculty of Law, The UWI in Miami, Florida (23-25 July 2023)

### **IACHR Inaugural Forum – “Reflections and Experiences for Timely Justice at the IACHR”**

On the invitation of the Inter-American Commission on Human Rights (IACHR), Justice Wit attended this inaugural forum held on 21 July 2023. The aim of the forum was to share experiences of international and national bodies and courts in the processing of cases, good practices, and challenges in access to justice. Justice Wit participated in a panel discussion entitled “Comparative Experiences for Access to Timely Justice”. He shared his perspectives on the main challenges which the CCJ has faced to ensure timely access to justice in the Caribbean and discussed the good practices and procedures implemented by the Court in the processing of its appeals to reduce delays.

### **Joint Advocacy for Inter-American Human Rights Standards and Technical Cooperation Programme Between the CCJ and Inter-American Commission on Human Rights**

As part of the activities for this programme, the CCJ held a training session entitled “Systems and Processes of the CCJ” on 25 July 2023. This session involved members of the Bench and the Registry delivering presentations on the Court’s jurisdiction, case flow and case management processes, and jurisprudence. The session was targeted to Commissioners and technical staff of the Inter-American Commission on Human Rights. Along with an introductory presentation on the CCJ Academy for Law, Justice Wit delivered a presentation entitled “Criminal Law Jurisprudence: An Introduction” where he discussed the Court’s development of criminal law jurisprudence in areas including admission of evidence, fair trial within a reasonable time, appealing an acquittal, judge alone trials, sentencing, and the death penalty.

Stakeholder Engagement *[continued]*

**The Hon. Mr Justice Winston Anderson -**  
PERIOD: 1 AUG 2022 to 31 JULY 2023

- 1. The third instalment of the *Eminent Caribbean Jurist Series: Legendary Caribbean Legal Practitioners***  
With Justice Barrow, served as co-chair of the 3rd Instalment of the Eminent Caribbean Jurist Series: *Legendary Caribbean Legal Practitioners*, the planning for which began in August 2022.
- 2. Planning for the CCJ Academy for Law 7th Biennial Law Conference**  
With Justice Wit, conceptualised the theme and concept for the 7th Biennial Conference as: *“Criminal Justice Reform in the Caribbean: Achieving A Modern Criminal Justice System”*.
- 3. Hemispheric Meeting of Regional Courts**  
Tasked with directing the planning and coordinating of the first Hemispheric Meeting of the Regional Courts, convened at Hyatt on 22-23 September 2022 and culminated in adopting the *“Declaration of Port of Spain.”*
- 4. CAJO Conference 2022**  
Participated in the CAJO Conference in Saint Lucia in October 2022 and delivered two presentations: the first on the referral jurisdiction under the Revised Treaty of Chaguaramas and the second, on Environmental Justice.
- 5. Appointment as President of the Court of Appeal of Seychelles for Matter *EEEL vs Vijay Construction Case***  
Appointed President of the Court of Appeal of the Republic of Seychelles for the hearing of *EEEL vs Vijay Construction*. Presided over adjudicating and delivering three related judgments in October 2022.
- 6. Referral Training for the Judiciary of Belize**  
Led the CCJ/CCJ Academy for Law team on the sensitisation sessions on the referral obligation in Belize in November 2022. The team trained the Judiciary, the Bar, and civil society. Delivered opening remarks and substantive presentations at the inaugural workshop on the CCJ Referral Process in Belize on 24 November 2022.
- 7. CCJ Academy for Law Website Upgrade and Relaunch**  
As Chairman of the CCJ Academy for Law, Mr Justice Anderson provided oversight for the upgrade and relaunch of the Academy's website (January 2023 to the end of the reporting period).
- 8. Participating Judge for the Annual CCJ International Law Moot**  
Authored the moot problem and served as a judge for the moot held 16-17 March 2023.
- 9. Judicial Briefing on Caribbean Prison Trends from 1870-Present**  
Participated in a virtual Judicial Briefing hosted by representatives from The UWI, Cave Hill and the University of Leicester on 27 March 2023.
- 10. CARIPI/WIPO/Academy Workshop on ADR and IP**  
Provided opening remarks on 29 March 2023 and a substantive presentation on 30 March 2023 at this collaborative workshop.





Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

**11. Annual Law Week Symposium of the Guyana Bar Association**

Was the special guest and the featured speaker at the Law Association of Guyana's Annual Law Week Symposium. His speech was titled "*New Legal Technologies: Pivot or Perish*" and was delivered on 28 April 2023.

**12. Reappointment as a Member of the Court of Arbitration for Sports (CAS)**

Reappointed by the International Council of Arbitration for Sports (ICAS) as a Member of the Court of Arbitration for Sports (CAS) for 2023- 2026 on 12 May 2023.

**13. Referral Training for Judiciary of Trinidad and Tobago**

Provided introductory remarks and facilitated the referral sensitisation training for the Judiciary of Trinidad and Tobago on 18 May 2023.

**14. Re-appointment to Chair PPAC Committee**

Re-appointed as Chairman of the CCJ's PPAC Committee in May 2023 to review existing and new policies of the Court. The work of the Committee continued throughout the reporting period.

**15. Referral Training for Internal Staff of the Caribbean Court of Justice**

Facilitated internal training for the Court's staff members on the Court's referral process (with Dr Chantal Ononaiwu) on 19 May 2023.

**16. Itinerant Sitting (Guyana)**

Tasked by President Saunders with leading the organisational planning for the Court's itinerant sitting and Referral Training Series held in Guyana from 20-27 June 2023. Mr Justice Anderson provided remarks at the Referral Training Workshop Series: Concept of Referrals to the Guyana Chambers of Commerce on 23 June 2023, and delivered remarks to the Law Association of Guyana on "*Attorney-Client Confidentiality in the Age of Money Laundering*" on 23 June 2023. Provided closing remarks at the Public Lecture "*Rethinking Criminal Justice*" at the Arthur Chung Conference Centre on 24 June 2023.

**17. Attendance at the Annual Judge's and Magistrates Conference of the Judiciary of Guyana**

Special guest of the Judiciary of Guyana's Annual Judges and Magistrates Conference of the Judiciary of Guyana at the Pegasus Hotel in Guyana 30 June- 2 July 2023. Mr Justice Anderson made two substantive presentations: one on Environmental Justice and the other on Cross-Border Litigation.

**18. Judicial Research Counsel Retreat "Tomorrow's Lawyers... Today"**

Participated in and was the Featured Speaker on the topic "Human rights and the 'rights' of the environment" at the one-day retreat for Judicial Counsel of the Judiciary of Trinidad and Tobago, hosted by Mr Justice Kokaram, of the Court of Appeal of Trinidad and Tobago in Maracas, St Joseph on 7 July 2023.

**19. Interviewing Panel for Recruitment of Judicial Counsel**

The Hon. Mr Justice Anderson served as the Chairman of the Interviewing Panel for recruitment of Judicial Counsel on the 31 July 2023. He proposed and implemented a 30-minute "live" submission by candidates. The Chairman also proposed and submitted to the President a paper on the re-imagining of the position of Judicial Counsel.

**20. Spotlight Initiative Programme of UNDP**

Together with Mme Justice Rajnauth-Lee represented the CCJ Academy for Law in collaboration with the UNDP Spotlight Initiative. The Spotlight Initiative was aimed at treating and reducing the instances of violence against women and girls in the Caribbean.

**21. Judgment Reporting**

Mr Justice Anderson reviews, finalises, and submits Judgment summaries per Judicial Year for the CCJ Annual Report.

**22. Monitoring and Evaluation Sub-Committee**

Mr Justice Anderson continues to be a member of the Monitoring and Evaluation Subcommittee of the Court.

## Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*



**The Hon. Mme Justice Maureen Rajnauth-Lee**  
- PERIOD: 1 AUG 2022 to 31 JULY 2023

### Regional Engagements:

- Served as part of the delegation of the Court which hosted the Honourable President and Judge, and the Inter-American Court of Human Rights on **21 September 2022**.
- Attended the First Hemispheric Meeting of Regional Courts (hosted by the CCJ) at the Hyatt Regency Trinidad and delivered welcome remarks at the Opening Ceremony on **22 September 2022**.
- Delivered remarks at the Launch and Sensitisation Session of the Revised Model Guidelines for Sexual Offence Cases in the Caribbean Region hosted by the JURIST Project Team on **20 October 2022**. Served in an advisory capacity on the JURIST's Sexual Offences Project to revise the Model Guidelines, working along with Ms Salima Bacchus-Hinds, JURIST's Regional Project Coordinator and Gender Specialist, and Ms Diana Shaw, Attorney-at-Law and Gender-Based Violence Consultant.
- Attended the Caribbean Association of Judicial Officers (CAJO) 7th Biennial Conference 2022 - St Lucia, **27-29 October 2022** and delivered Vote of Thanks at the Closing Ceremony.
- Hosted and chaired the Plenary Session for the American and Caribbean Law Initiative (ACLI) which took place at the Seat of the Court. Joined by the Hon. Mme Justice Mira Dean-Armorer and the Hon. Mr Justice Vasheist Kokaram, Justices of Appeal of the Trinidad and Tobago Judiciary. This event brought together law students from across the Caribbean and the USA on **11 November 2022**.
- Attended CARICOM IMPACS Virtual Training for Judicial Officers in various aspects of Financial Crimes. Attended 4 virtual sessions - **17 November 2022, 8 December 2022, 26 January 2023, and 9 February 2023**.
- Participated in the Harassment Policy Outreach Initiative, an initiative of the Court and the Regional Judicial and Legal Services Commission. The Hon. Mme Justice Rajnauth-Lee joined UN Women MCO and Ms Roberta Clarke, Chair of the Harassment Committee of the Court and the Commission, in conducting introductory training and sensitisation on the Model Harassment Policy with Judicial Officers and staff of the Judiciary of Guyana on **14 December 2022**. The Model Harassment Policy was developed by the Harassment Policy Outreach Initiative Committee and UN Women MCO, the Consultant on the Project, utilising the CCJ and RJLSC Harassment Policy.
- Served as a member the Panel sitting (in person) at the 13th Annual CCJ International Law Moot: **16-17 March 2023**.
- Formed part of delegation of the Court which visited the Co-operative Republic of Guyana for the itinerant sitting of the Court and referral training between **20-27 June 2023**.
  - Visit with the CCJ President, Judges, and other Court officials to State House at the invitation of His Excellency Dr Irfaan Ali, President of the Co-operative Republic of Guyana on **20 June 2023**
  - Ceremonial Opening and Sitting – **21 June 2023**
  - Delivered judgment – *AB v DPP* on **21 June 2023**
  - Delivered a presentation (virtually) at the University of Guyana on **26 June 2023** on the work of the Court in combatting gender-based violence.
- Represented the Court at CARICOM IMPACS' Workshop: Convening of Regional Attorneys General to discuss the Universalisation of the Convention on Certain Conventional Weapons (CCW), held in Port of Spain, Trinidad and Tobago on **11-12 July 2023**. This session addressed,



## Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

among other things, the issue of Lethal Autonomous Weapons Systems (LAWS), with the objective of stimulating a common understanding of the issue and encouraging a more active participation of Member States of CARICOM. The potential problems posed by LAWS regarding international humanitarian and human rights law and their potential impact on international and regional peace were discussed with the goal of advancing a CARICOM Declaration on the CCW and LAWS and building a joint CARICOM regional position.

- Participated in the virtual session with the Inter-American Commission on Human Rights on the Systems and Processes of the Caribbean Court of Justice on **25 July 2023**. Justice Rajnauth-Lee was part of the presentation made by the Court's Registry on Case Management and Case Flow Management.

### Represented the Court:

• The Opening of the Third Session of the Twelfth Parliament, Red House, Port of Spain, Trinidad and Tobago, on **15 September 2022**.

• The National Day of Remembrance, where Justice Rajnauth-Lee laid a wreath at the Memorial Park, Port of Spain, Trinidad and Tobago on **13 November 2022**.

• The Induction Ceremony for the Principal of The University of the West Indies, St Augustine, Prof. Rose-Marie Belle-Antoine on **21 January 2023**.

• The ceremony for conferring a doctorate by the University of Guyana on Justice Désirée Bernard in Trinidad and Tobago. Delivered Remarks on behalf of the Caribbean Association of Women Judges on **15 February 2023**.

• Japanese Dance 'Jiutamai' Performances hosted by the Embassy of Japan as part of the celebrations leading up to the 60th Anniversary of Diplomatic Relations between Japan and Trinidad and Tobago in 2024 on **13 May 2023**.

### Engagements with visitors to the Court :

• International Relations and Law students from the University of Johannesburg at the Court with President Saunders on **23 January 2023**.

• Students from the Legal Aid Clinic of the Hugh Wooding Law School, along with Mr Justice Anderson and other Court officials on **9 March 2023**.

• Members of the local Committee of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) along with Mr Justice Wit and other Court officials on **3 May 2023**.

• President and attorneys from the Barbados Bar Association and their regional associates on **25 May 2023**.

### Committee Membership:

Harassment Policy Outreach Initiative Committee: an Outreach Initiative to the Judiciaries of the Eastern Caribbean Supreme Court (ECSC) and Guyana

CAJO Papers and Panels Committee

Chair, CCJ Working Committee on Access to Justice for Persons with Disabilities (PWDs) with the mandate to develop a Policy for the Court and the Commission to improve access to justice for PWDs

CCJ Original Jurisdiction (OJ) and Appellate Jurisdiction (AJ) Rules Committee, revising 2021 Rules

Revision of the Model Guidelines for Sexual Offences Cases in the Caribbean – functioned in an advisory capacity

UNDP's Spotlight Initiative - Co-chair with Justice Anderson (CCJ Academy for Law) with the aim of reducing family violence



Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

## Meetings/Training:

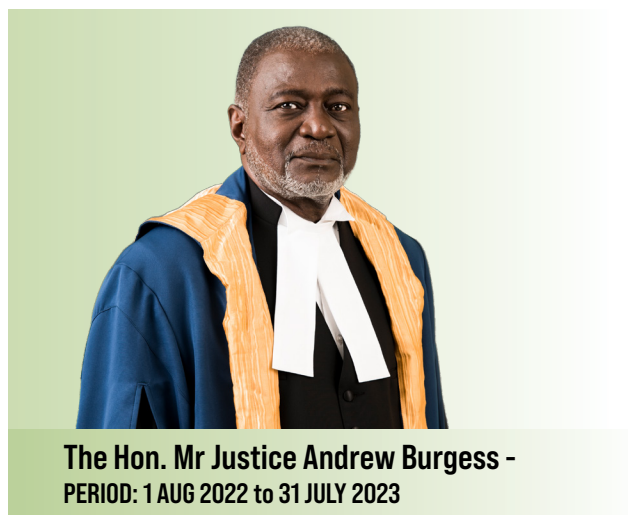
Attended online UNDP-hosted Virtual Validation Meeting on the Revision of Common Standards for Police and Justice Regional Institutions to integrate Gender and Violence Against Women and Girls and Family Violence (VAWGA/FV) on **14 March 2023**.

Attended online Judicial Briefing on “Caribbean Sentencing Trends from the Colonial Period to the Present” hosted jointly by the University of Leicester and The University of the West Indies, Cave Hill, on **27 March 2023**.

Attended webinar hosted by the World Intellectual Property Organization (WIPO) on “Compulsory Licences and the Court: Understanding Landmark Cases and New Developments” on **11 May 2023**.

Attended Referral Process Workshop Series Training for Judicial Officers of the Judiciary of Trinidad and Tobago hosted by the CCJ in collaboration with the Judicial Education Institute of Trinidad and Tobago (JEITT) at the Hall of Justice, Port of Spain on **18 May 2023**.

Panelist, along with President Saunders and Justice Barrow, on the virtual members-only session of CAJO on the topic of “Appeal-proofing Decision Making – Fantasy or Reality”. The session was chaired by Justice Jamadar on **31 May 2023**.



**The Hon. Mr Justice Andrew Burgess -**  
PERIOD: 1 AUG 2022 to 31 JULY 2023

## World Bank Administrative Tribunal (WBAT)

**Justice Burgess serves as a Judge on the 7-member panel of the World Bank Administrative Tribunal. His role includes:**

- Taking part in adjudicating cases brought before the Tribunal as the final step in the Bank Group's grievance procedures.
- Reviewing applications and pleadings submitted by the parties.
- Preparing for the session, drafting judgment, and attending sessions of the Tribunal.

**Justice Burgess sat on two (2) occasions during the review period – 14-18 November 2022, and 8-12 May 2023, in Washington, DC.**

## Caribbean Court of Justice

Attended and participated in the final meeting of the UWI-CCJ-CAJO Joint Caribbean Centric Jurisprudence Research Project on **12 August 2022**.

- 1. Represented the Court at the Council of Legal Education Annual Meeting in Barbados on 16-17 September 2022**  
Attended a virtual judicial briefing on Caribbean prison trends from 1870 to the present hosted by representatives from The UWI, Cave Hill and the University of Leicester on **27 March 2023**.
- 2. Itinerant Sitting (Guyana)**  
Participated in the Referral Training Series held in Guyana from **20-27 June 2023**.
- 3. Chairman of the Annual CCJ International Law Moot:**  
Oversaw the planning and hosting of the two-day competition from **16-17 March 2023**.

Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

**Chairman of the Library Collection Development & Advisory Committee:**

- Evaluates the legal information needs of the Court, regional bar and public.
- Assesses the current effectiveness of the library in meeting these needs.
- Recommends and approves selection of materials to fill any gaps identified in the collection or to address any new areas of law.
- Review any written policies to govern the growth and overall development of the library's collection.

**4. Chairman of the Judicial Counsel and Internship Committee:**

- Chairs meetings, develops research opportunities, and offers year-round hands-on experience at the Court for regional law students who are training for admission to the Bar of their respective Member States.

**5. Member of the Financial Oversight Committee:**

- Assists the Court in the strategic and financial oversight of its protocols, policies, agreements, financial reporting

responsibility, etc., and makes recommendations to the Commission as necessary.

**6. Judgment Reporting:**

- Review, finalize, and submit judgment summaries per judicial year for the CCJ annual report.

**7. Provides oversight of the cooperation programme between the CCJ and the Council of Europe's Venice Commission:**

- Reviews summaries and decisions of significant selected constitutional and human rights cases of the CCJ before submission to the Venice Commission for inclusion in their Codices Database.

**8. Member of the Eminent Caribbean Jurists (ECJ) Selection and Advisory Committee:**

- Attended and participated in meetings of the ECJ Committee when necessary.

**9. Member of the Rules Committee:**

- Attended and participated in meetings of the Rules Committee when necessary.



**The Hon. Mr Justice Denys Barrow -**  
PERIOD: 1 August 2022 to 31 July 2023

**1. Chairman of the Rules Committee**

Mr Justice Barrow chairs the Rules Committee. During the period under review, the Committee met, reviewed, and made amendments to the Appellate Jurisdiction Rules 2021 and commenced review of the Original Jurisdiction Rules 2021. The Committee aims to present a final draft of the Appellate and Original Jurisdiction Rules 2023 to the President by December 2023 for review.

**2. Co-Chairman of the Eminent Caribbean Jurists (ECJ) Selection and Advisory Committee**

- Co-chaired this committee with Justice Anderson (Chairman)
- Attended meetings, participated in and prepared for the Legendary Caribbean Legal Practitioners Award, the third instalment of the Eminent Caribbean Jurist Series.

**3. Member of the Awards Committee**

- Participated in selecting the persons who should receive the staff awards for performance and accomplishments in the various categories.

**4. CCJ Style Guide Committee**

- Consulting Judge: completion of the Style Guide.



Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

- 5. CAJO's 7th Biennial Conference in Saint Lucia (October 2022)**
  - Attended and participated.
- 6. CAJO/JURIST Project: Bench Book Committee (November 2022 – March 2023)**
  - Assisted with the provision of information and resources for the Bench Book.
  - Assisted with general rules, guidelines, and best practice instructions related to the relevant topic, as well as instructions and case law specific to Barbados, Belize, and Guyana.
  - Reviewed and gave feedback on the revision of Chapters 1-28 to completion and launch on **31 March 2023**.
- 7. Joint Advocacy for Inter-American Human Rights Standards and Technical Cooperation – IACHR and the Caribbean Court of Justice (6 December 2022)**
  - Attendance at the High-Level Dialogue Table aimed at strengthening the interaction and cooperation by discussing the most critical legal, institutional, and case developments of the IACHR and the CCJ.
  - Delivered presentation: 'Broad Introduction to the Caribbean Court of Justice and its Mandate'
- 8. The UWI, Cave Hill campus, School for Graduate Studies and Research - Constitutional Reform in the Commonwealth Caribbean: Some Insights, Compromises and Possibilities – Professor Cynthia Barrow-Giles (2 March 2023)**
  - Virtually participated.
- 9. Caribbean Sentencing Trends from the Colonial Period to the Present: A collaboration between the University of Leicester and The University of the West Indies, Cave Hill (27 March 2023)**
  - Attended virtual workshop.
- 10. Staff Training – Introduction to the Appellate Jurisdiction (17 May 2023)**
  - Lead facilitator, with Mrs Gisel Thomas-Roberts, Deputy Registrar and Marshal, and Ms Chelsea Dookie, Judicial Counsel
  - Prepared and delivered training to staff.
- 11. CAJO – Part I Conversation Series - Appeal-proof decision making: Fantasy or Reality? (May 2023)**
  - Facilitator; participant workshop.
- 12. Itinerant Sitting (Guyana)**
  - Attended and participated in the Court's Itinerant Sitting and Referral Training Series in Guyana from **20-27 June 2023**
- 13. Guyana Bar Association (24 June 2023)**
  - Engagement with the Guyana Bar Association
  - Delivered a presentation on 'Attorneys at Law and the Criticism of Judges.'
- 14. Judiciary of Guyana:**
  - Judicial Sensitisation and Dialogue with the Judiciary of Guyana on Sentencing and Case Management (along with Justice Jamadar)
- 15. CCJ Training with the Inter-American Commission on Human Rights in 'Systems and Processes of the CCJ' (July 2023)**
  - Attended and delivered a presentation on the 'Introduction to the CCJ'.



Stakeholder Engagement • Judges' Extra-Judicial Activities *(continued)*

**The Hon. Mr Justice Peter Jamadar -**  
PERIOD: 1 August 2022 to 31 July 2023

- Published Insights, Paria Publishing in March 2023
- Awarded an Honorary Doctorate from Emmanuel College, Victoria University, in the University of Toronto in May 2023
- Appointed to the Advisory Committee of the Caribbean Law Review Committee in July 2023.

**Through the Commonwealth Judicial Education Institute**

- Served as Vice-President, Programming of the Commonwealth Judicial Education Institute (CJJI).
- Mr Justice Jamadar led the CJJI's in-person two-week Intensive Study Programme (ISP) at Dalhousie University in Halifax, Canada. Judicial officers from Malaysia, the Philippines, India, Africa, and the Caribbean participated in **June 2023**.
- Presented at ANAO's Mid-Year Meeting in Washington DC on *"Judicial Wellness and Mindful Judging"* in June 2023.

**Through the Caribbean Association of Judicial Officers**

- Mr Justice Jamadar chaired a committee consisting of the President and Judges of the Caribbean Court of Justice (CCJ), members of the Caribbean Association of Judicial Officers (CAJO), and lecturers from the Faculties of Law, The University of the West Indies which assessed the extent to which Caribbean material was used and referred to in core courses at the Faculties of Law, The University of the West Indies. The results of this *"Joint Caribbean Centric Jurisprudence Project"* were published in a report dated **September 2022**. This report can be accessed on CAJO's website <https://thecajo.org>.
- Mr Justice Jamadar, as Chair of CAJO, led a team that planned and organised the CAJO's 7th Biennial Conference at the Royalton Resort, Saint Lucia. The Conference was held between **27-29 October 2022**.
- Justice Jamadar was re-appointed as Chair of CAJO after serving in that role from **November 2019- October 2022** on **27 October 2022**.
- Delivered a presentation at the annual training for the Judiciary and Magistracy of Bermuda on *"Diversity and Inclusion in the Administration of Justice – Implications for Integrity, Justice, and Public Trust and Confidence"* on **18 November 2022**.
- Delivered a presentation on behalf of the CAJO at a master class for the Faculty of Law, The University of the West Indies, Mona, on *"The Good Governance Principle: A Public and Private Law Symbiosis"* on **21 November 2022**.
- Presented and attended two in-person sessions in Barbados on *"Achieving Goals Meeting Expectations"*; and an environmental outreach programme – *"Plant a Tree: Save the Planet"* on behalf of the CAJO from **26-28 January 2023**.
- Mr Justice Jamadar, on behalf of CAJO, worked with the CCJ, and the JURIST Project to publish both in electronic form and print the following publications: *"Disability, Inclusion, and Awareness Guidelines"* and the *"Criminal Bench Book for Guyana, Barbados, and Belize"* in **February 2022**. These can be accessed on its website <https://thecajo.org/>.
- Presented at CAJO's virtual members-only forum: *"Appeal-proof Decision Making Fantasy or Reality?"* on **31 May 2023**.

Stakeholder Engagement *(continued)*

## Visitors to the Court

During the period under review, a number of individuals and groups visited the Court, namely:

- The Academy of Tertiary Studies Trinidad and Tobago;
- Hugh Wooding Law School, Trinidad and Tobago;
- University of Johannesburg’s International Relations Institute;
- Environmental Commission of Trinidad and Tobago;
- Barbados Bar Association and associates;
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Trinidad and Tobago;
- Caribbean Centre for Human Rights;
- International Law and Human Rights Unit of the Office of the Attorney General of Trinidad and Tobago and
- the ACLI Law Clinic,

They were warmly welcomed to the Seat of the Court. Each visit was unique and allowed the Court to further its strategic goals, particularly Goal 1.2, which underscores the need for the Court to “continue to inform and engage the regional and global community about its role and its work to facilitate greater access to the Court and promote public trust and confidence”.

Here are some memories from our visitor programme for the court year: 2022-2023.





## Update from the Registrar and Chief Marshal

**Mrs Gabrielle Figaro-Jones**



The COVID-19 pandemic wreaked havoc on people's lives and livelihoods. It marked a period of social isolation, disconnectedness, disruption, and despair, which the world had not seen in several decades. The Court weathered the storm well and managed to thrive. It turned its focus inward and enhanced numerous internal mechanisms as evidenced by the immediately preceding annual report. During the reporting period, 1 August 2022 - 31 July 2023, there was a significant waning of the pandemic and a return to a modicum of normalcy. The Court's performance throughout the pandemic period and its smooth transition into the post-pandemic period underscored the resilience of its infrastructure, systems, processes, and people.

The Court emerged from the pandemic more resilient, with renewed vigor and with an intense desire to reconnect with its stakeholders. It sought to rekindle those relationships which may have unavoidably suffered. It is for this reason that the theme for this Annual Report is **Engage, Empower, Energise**.

During the period under review, the Court was able to realise several objectives and complete many noteworthy initiatives, which are

summarised in the following paragraphs. I crave your indulgence as I highlight but a few of the many achievements.

### Internal Engagement

Goal 1.3 of the Court's Strategic Plan, affirms, "The CCJ shall reenergise its internal communication machinery." The efforts by the Public Education and Protocol Unit (PEPU) to keep staff informed and engaged were noted during the period through the publication of ten issues of the electronic bulletin and two issues of the bi-annual newsletter, *The Verdict 2.0*. These activities helped to ensure that employees remained energised. The PEPU also worked collaboratively with the Corporate Administration Division to host the Court's first Carnival staff event in three years, themed "Blue -D Cooler Event", which helped to foster greater camaraderie and strengthen Court culture. In April 2023, to coincide with the Court's 18th anniversary, the PEPU and the Human Resources Unit launched the organisation's culture change initiative. Through a vivid and memorable cultural display, employees were reminded of the seas that unite us and the shared culture of the people of the Caribbean. This display was





## Overview of the Registry and Communications Division *(continued)*

complimented by an enjoyable morning of mingling and gastronomic delights, each of which told its own story about our beautiful region.

### External Engagement and Outreach

The Court's engagement thrust was not solely internal. During the period, significant efforts were made to engage and foster a deeper understanding of the work of the Court. The social media machinery was expanded to include Instagram in the first half of 2023. The platforms, including X, Facebook, LinkedIn, and YouTube, have proven beneficial and economical alternatives to traditional media and allowed the Court to reach the region's people in real time. During this period, the Court's LinkedIn was the most successful platform to advance our engagement efforts.

Our visitor/court tour programme, which is managed by the PEPU, continued to facilitate greater access to the Court and promote public trust and confidence. Over the period, the Unit facilitated visits by academic law institutions such as the Hugh Wooding Law School, Trinidad and Tobago and the University of Johannesburg's Institute of International Relations, the ACLI Law Clinic, the Bar Association of Barbados, and civil society organisations such as the Caribbean Centre for Human Rights, CEDAW Committee of Trinidad and Tobago, and regional attorneys.

The Court's desire to engage and "collaborate with bar associations, law associations, and other institutions, bodies, and groups to promote Caribbean jurisprudence" [Strategy 6.1.3 of the Strategic Plan] was realised during the period through the publication of the Court's judgments in the journal of the Organisation of Commonwealth Caribbean Bar Associations (OCCBA). Our engagement and partnership with OCCBA reinforced our engagements with bar associations throughout the region.

After a three-year absence from the Seat of the Court, the Annual CCJ International Law Moot continued for the 13th year. It was indeed a joy to witness the passion, energy, and dedication of the future attorneys at law of our region first-hand. The benefits of the competition, considered the flagship outreach event of the CCJ, cannot be overstated. Through the Moot, law students were able to deepen their awareness and improve their understanding of the

CCJ's Original Jurisdiction, the Caribbean Community, and its laws, and become better advocates with strong legal and analytical skills. This year's Moot also saw the introduction of the "Best Oralist Prize" which was won by a student from The University of the West Indies, Cave Hill Campus.

### Referral Process Sensitisation Series

As our President highlighted, through the support of the 11th European Development Fund, the Court has been able to launch a regional sensitisation programme focused on the referral process and the Court's role in interpreting and applying the Revised Treaty of Chaguaramas (RTC). Sessions were successfully conducted with the judiciaries, business sector, and bar associations in Belize, Barbados, and Guyana during the reporting period. A session with the Judiciary of Trinidad and Tobago was also conducted in collaboration with the Judicial Education Institute of Trinidad and Tobago. This outreach and sensitisation programme will continue in the 2023/2024 Court term.

### Enhancing Infrastructure, Governance and Regulatory Frameworks

The CCJ's vision "to be a model of judicial excellence" paired with its mission of "providing accessible, fair, and efficient justice for the people and states of the Caribbean Community" warrant continuous review and analysis of the Court's performance and the service it provides to stakeholders. Further, the Court's admission to the International Consortium for Court Excellence as an Implementing Member necessitates both self-assessment and stakeholder assessment. In furtherance of this objective, the Court conducted a Court User Satisfaction Survey to identify issues and inefficiencies that hinder the judicial process for users; encourage trust in the judicial system and give stakeholders, more particularly court users, an opportunity to be heard; enhance court processes; and highlight the strengths of the Court's judicial processes and motivate staff to act in the areas that require improvement. Through this instrument, the Court received feedback on filing fees, use of the Court's e-filing platform; CURIA, user interactions with employees and Judges, timeliness and efficiency of the Court, coordination of hearings and procedural fairness. The results and report of this survey were shared with stakeholders.



### Overview of the Registry and Communications Division *(continued)*

Goal 5.1.1 of the Court's Strategic Plan asserts that the CCJ will continue to monitor and assess the environment in which the Court operates, to make appropriate adjustments to its material resources and capacity. Through the Information Systems Department, the Court has paid considerable attention to enhancing its cyber security measures by upgrading its servers, introducing multi-factor authentication, and ensuring strict adherence to best practices in justice sector cyber security. The Court, which has always embraced technology and innovation, also introduced the use of electronic signatures, upgraded its audio-visual equipment, and revamped its website.

The Registry successfully managed the Court's caseload and provided essential administrative support to the Court's Judges through robust docket management and case monitoring, resulting in efficient case management and timely judgment delivery. In later pages, readers can view the important work and achievements of the Registry over the reporting period.

The Court continued to strive to realise its vision through its commitment to good governance through its regulatory frameworks. The Policies and Procedures Approval Committee was reconvened and has thus far reviewed 24 policies and procedures, some of which were new and others which existed but were due for updating. Additionally, the Rules Committee conducted a review of the Original Jurisdiction Rules 2021 and the Appellate Jurisdiction Rules 2021 to ensure the relevancy of the Court's procedures in an ever-changing legal landscape.

### Organisational Changes and Staff Recognition

The period under review was also a bittersweet one. There were departures and new beginnings. Ms Jacinth Smith, the Court's Chief Librarian who selflessly served from inception, and Ms Campbell-Nicholas, the Human Resource Manager began the next phases of their life journeys when they retired. This was after a cumulative period of twenty-seven years of service to the Court and the region. We wish them all the very best. As with any organisation, there were a few separations and new additions to the staffing complement. We are grateful for the time spent with those no longer with us, and warmly welcome those who have joined.

As the new Registrar and Chief Marshal, I must extend my appreciation to the former office holder, the Hon. Mme Justice Jacqueline Josiah-Graham, who dedicated eight years to the Court. Her contribution is recognised and sincerely appreciated. I also thank Mrs Gisel Thomas-Roberts, Deputy Registrar and Marshal, who acted as Registrar and Chief Marshal from September 2022 to February 2023 during the period of transition.

I also wish to express my gratitude to the Honourable President and Judges for their ongoing support and counsel, and to the Staff for their dedication and industry. The accomplishments detailed herein are a true testament to the passion of the Court for the promulgation of Caribbean jurisprudence and the advancement of the region.

The Court remains committed to upholding the highest standards of judicial administration as it continues to **engage, empower, and energise**.

## The Bench

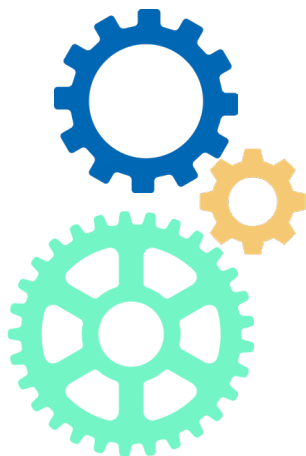


*From left to right: (Sitting)*

The Honourable Mr Justice Jacob Wit  
The Honourable Mr Justice Adrian Saunders (CCJ President)  
The Honourable Mr Justice Winston Anderson

*From left to right: (Back row standing)*

The Honourable Mr Justice Peter Jamadar  
The Honourable Mr Justice Andrew Burgess  
The Honourable Mr Justice Denys Barrow  
The Honourable Mme Justice Maureen Rajnauth-Lee



## Court Performance

**The Registry** continued to function as the Court’s ‘engine room’ during the period under review. The Registry managed all active cases and oversaw a favourable clearance rate. In addition, the team continued bearing responsibility for the receipt, transmission, and custody of documents filed in the Court’s Registry and those received from the sub-registries of the lower courts. The Registry emerged from the COVID-19 pandemic with a more robust technological infrastructure and improved processes, which led to enhanced accessibility, efficiency, and timeliness. It continued during the period to deliver excellent service to the people and states of the Caribbean Community.

The staffing complement of the Registry is as follows:

|                             |                              |                     |  |                              |                       |                      |  |
|-----------------------------|------------------------------|---------------------|--|------------------------------|-----------------------|----------------------|--|
| Registrar and Chief Marshal | Deputy Registrar and Marshal | Registry Supervisor | Administrative Co-ordinator (Judicial) | Case Management Officers (2) | Court Support Officer | Judicial Counsel (5) | Administrative Officers (Judicial) (4) |
|-----------------------------|------------------------------|---------------------|--|------------------------------|-----------------------|----------------------|--|

### Court Sitings

| Type                       | Number    |
|----------------------------|-----------|
| Case Management Conference | 13        |
| Hearing                    | 15        |
| Judgment Delivery          | 8         |
| <b>Total</b>               | <b>36</b> |

The majority of sittings (86%), were held in complete virtual mode. Hybrid and in-person sittings accounted for 6% and 8% respectively. The Court resumed hybrid and in-person sittings post pandemic.

Over the period under review, the Court received the following filings:

### Appellate Jurisdiction

| New Matters                   |           |           | Cases Filed by Jurisdiction |           |           |
|-------------------------------|-----------|-----------|-----------------------------|-----------|-----------|
| Type                          | 2022/2023 | 2021/2022 | Country                     | 2022/2023 | 2021/2022 |
| Application for Special Leave | 13        | 14        | Barbados                    | 8         | 6         |
| Notice of Appeal              | 12        | 14        | Belize                      | 8         | 6         |
| <b>Total</b>                  | <b>25</b> | <b>28</b> | Dominica                    | 0         | 0         |
|                               |           |           | Guyana                      | 8         | 16        |
|                               |           |           | Saint Lucia                 | 1         | -         |
|                               |           |           | <b>Total</b>                | <b>25</b> | <b>28</b> |

There was an 11% decrease in new matters filed for the reporting period of 1 August 2022 - 31 July 2023, compared to the previous year, with eight cases from Barbados, eight from Belize, eight from Guyana, and one from St. Lucia. Sixty percent were civil matters while 40% were criminal matters. The decrease in the volume of new matters being filed is likely to be accounted for by the effects of the pandemic on hearings in the courts below. There were no new cases from Dominica.



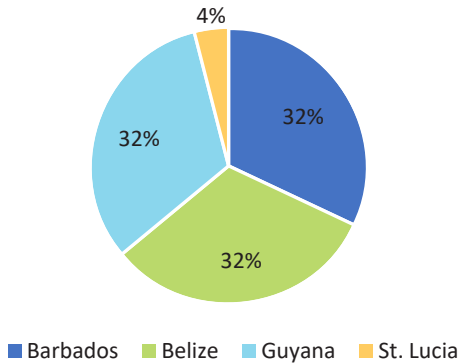


2022  
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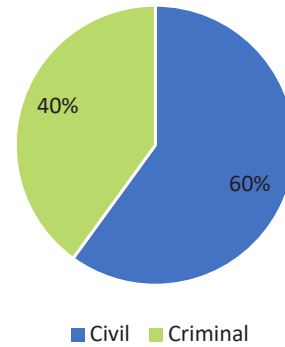
# ANNUAL REPORT

## Court Performance *(continued)*

Cases filed by Country



Case Type



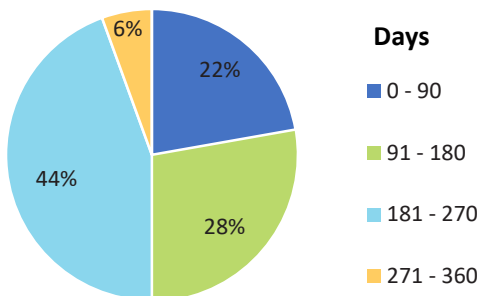
## Time to Disposition

50% of the matters filed was disposed of within six months of filing. The table below gives a more detailed summary.

| Time to Disposition |                          |                    |
|---------------------|--------------------------|--------------------|
| Number of Days      | Number of Cases Disposed | Cases Disposed (%) |
| 0 - 90              | 4                        | 22                 |
| 91 - 180            | 5                        | 28                 |
| 181 - 270           | 8                        | 44                 |
| 271 - 360           | 1                        | 6                  |
| <b>Total</b>        | <b>18</b>                | <b>100</b>         |

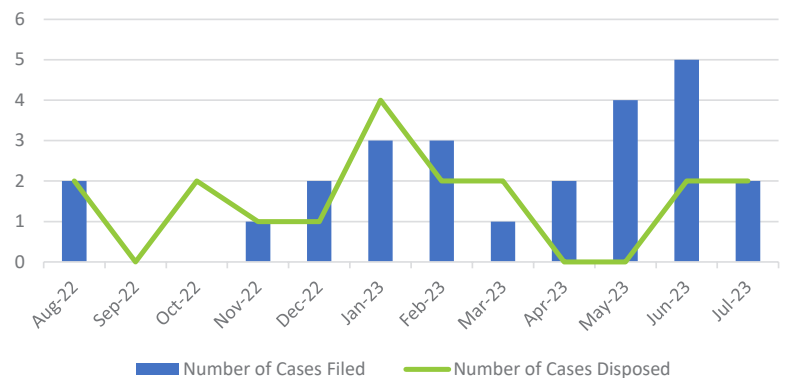
| Summary of Disposition |                                     |                |
|------------------------|-------------------------------------|----------------|
| Number of Days         | Cumulative Number of Cases Disposed | Cumulative (%) |
| 0 - 180                | 9                                   | 50             |
| 0 - 360                | 18                                  | 100            |

Time to Disposition



Clearance Rate

The clearance rate for matters filed reflects a rate of 72% for disposed matters against new matters. The peak period of new filings was April to June 2023, while the peak of disposals was December 2022 to February 2023.



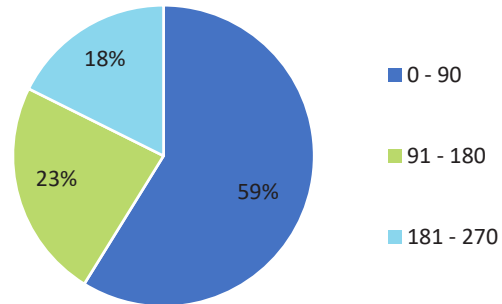


## Court Performance *[continued]*

### Age of Active Pending Caseload

| Days      | Number of Cases |
|-----------|-----------------|
| 0 - 90    | 10              |
| 91 - 180  | 4               |
| 181 - 270 | 3               |

### Number of Cases



During the period under review, the Bench adjudicated several novel matters that allowed for the effective use of the new Part 12A - Addition of Respondents, Intervention, and Amicus Curiae [Caribbean Court of Justice (Appellate Jurisdiction) Rules, 2021]. One such matter is *OO v BK and The Attorney General of Barbados* [2023] CCJ 10 (AJ) BB. This was an appeal from the Court of Appeal of Barbados where the appellant appealed to the CCJ, challenging the majority judgment of the Court of Appeal. She sought a ruling that the phrase ‘former spouse’ as used in the amended Act, Act 2 of 2016, was not time limited. In a unanimous decision, the CCJ, using both the literal and purposive approaches to statutory interpretation, held that the appellant was indeed a ‘former spouse’ and therefore, was entitled to a protection order. In the lead judgment, the Hon. Mme Justice Rajnauth-Lee examined the statutory framework and held

that imposing a time limit on an applicant’s capacity to apply for a protection order would run counter to the purpose of the Act, which was to provide greater protection to victims of domestic violence. To assist in the appeal, the Court decided it would be prudent to add the Attorney General of Barbados as a respondent. The Court also invited interested bodies with significant information to file an application to assist the Court as *amicus curiae*. Two organisations responded to the Court’s invitation. They applied to assist the Court: Operation Safe Space Movement for Change Inc (OSS) in association with the International Center for Advocates Against Discrimination Inc (ICAAD) and the UN Women Multi-Country Office – Caribbean. Permission was granted for both organisations to assist the Court. The judgment of the Court anonymised the parties to protect their privacy.

## Original Jurisdiction

| New Matters         |           |           |
|---------------------|-----------|-----------|
| Country of Origin   | 2022/2023 | 2021/2022 |
| Antigua and Barbuda | 0         | 1         |
| Dominica            | 2         | 0         |
| <b>Total</b>        | <b>2</b>  | <b>1</b>  |

There were only two new cases filed within the current reporting period. These two cases relate to the same factual circumstances. However, they engaged the Court’s remit of permitting a national to file a claim and adjudicating upon a claim filed once permission is granted as two separate matters procedurally.

The Court’s Original Jurisdiction function remains underutilised compared to its Appellate Jurisdiction.

## Judgment Summaries



### ***Attorney General of Guyana v Monica Thomas & Ors [2022] CCJ 15 (AJ) GY***

This is an appeal from the Co-operative Republic of Guyana.

The petitioners filed an Election Petition 99P/2020, challenging the validity of the General and Regional Elections results, seeking an order that the elections be deemed unconstitutional, null, void, and of no legal effect. The Chief Justice (Ag) dismissed the petition, ruling it null on the basis that one of the parties was improperly served as required by s 8 of the National Assembly (Validity of Elections) Act and r 9(1) of the National Assembly (Validity of Elections) Rules.

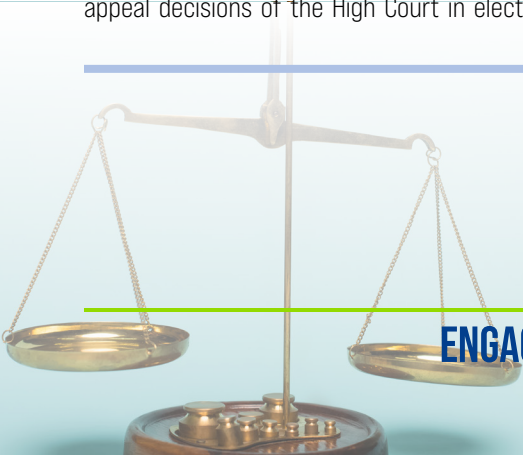
The petitioners appealed to the Court of Appeal. Objections were raised on the ground that the Court of Appeal lacked jurisdiction to hear and determine the appeal. Article 163 of the Constitution of Guyana outlined the court's election petition jurisdiction. According to Article 163(3), an appeal to the Court of Appeal lay from a decision of the High Court granting or refusing leave to institute proceedings for the determination of any question referred to in Article 163(1); or from the determination by the High Court of any such question, or against any order made in consequence of such determination. The majority of the Court of Appeal held that it had jurisdiction overhearing the petition.

In a majority judgment delivered by Mr Justice Anderson (Justices Wit and Rajnauth-Lee concurring), the CCJ disagreed, holding that the petition had to be determined within the regime outlined in article 163 of the Constitution and the relevant legislation established for challenges to an election. Article 163(3) circumscribed the right to appeal decisions of the High Court in election petitions to only two

circumstances. The Chief Justice's decision to strike out the petition due to improper service did not fall into either of those circumstances, and thus, no appeal was possible. Moreover, the special elections jurisdiction in Article 163 and the legislation must prevail over the general "civil law proceedings" jurisdiction contemplated by Article 123 of the Constitution and Section 6(2) of the Court of Appeal Act.

In a concurring judgment, Mr Justice Barrow agreed that the Court of Appeal lacked jurisdiction for different reasons. He noted that the Chief Justice's decision was an ordinary question of law regarding service of process and was an order made in chambers. Section 6(2) (a)(i) of the Court of Appeal Act placed an order made in chambers in the same statutory boat as an order made in a summary proceeding. For that type of order, there was no right of appeal to the Court of Appeal.

Agreeing with Mr Justice Barrow, Mr Justice Jamadar held that the dismissal of the petition for non-compliance with requirements for service was an exercise of judicial discretion pursuant to the ordinary powers and jurisdiction of the Court incorporated into the election legislative framework. An appeal of the decision did not lie with the Court of Appeal, but to the Full Court. Further, Guyana's deep basic structure and core constitutional values and principles found in its constitution should be used as a guide when faced with multiple interpretations of statutory provisions.





Judgment Summaries *(continued)*

### **Jarvis Small and Bibi Shareema Gopaul v DPP of Guyana [2022] CCJ 14 (AJ) GY**

This is an Appeal from the Co-operative Republic of Guyana.

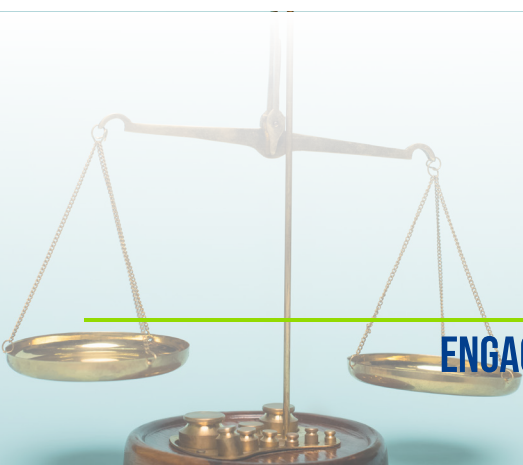
On 2 October 2010, the body of sixteen-year-old Neesa Gopaul was found inside a suitcase that was submerged in a creek near the Linden-Soesdyke Highway. Her mother, Bibi Gopaul, and the mother's lover, Jarvis Small, were charged with murder under s 100 of the Criminal Law Offences Act ('CLA'). In proceedings at the trial court, Small's attorney unsuccessfully applied for Small's trial to take place separately from that of Gopaul. At the close of the prosecution's case, Small's attorney submitted that there was no case for him to answer, but this, too, was refused by the trial judge. The jury returned guilty verdicts, and the trial judge imposed sentences of 106 years and 96 years imprisonment for Gopaul and Small, respectively. They appealed separately to the Court of Appeal, and that court upheld their convictions but reduced their sentences to 45 years. They then appealed separately to the Caribbean Court of Justice ('CCJ') against their convictions and sentences.

Justices Barrow and Jamadar delivered the judgment of the CCJ in two parts. The Court separately reviewed the evidence against the appellants. In relation to Small, there were three matters: reports that he sexually assaulted Neesa; a pair of dumbbells which were found with the suitcase in which Neesa's body was found; and a statement

by Small that he did not murder Neesa, but he knew who did. The Court found none of these capable of proving that Small had committed the offense of murder. The Court further found that the paucity of evidence against Small ought to have been apparent at the beginning of the trial when it was clear that evidence of a confession that Gopaul had made to Simone De Nobrega, her cellmate, was inadmissible against Small and would be highly prejudicial to him. The majority of the Court found that the joint trial gravely prejudiced Small because he was convicted on the strength of evidence, which was completely inadmissible against him.

In a dissenting judgment, Mr Justice Wit opined that both the convictions of Small and Gopaul were unsafe due to the lack of evidence of sufficient quality. In his opinion, the evidence of Gopaul's cellmate was uncorroborated and unreliable. The other supporting evidence was weak or equivocal.

The Court allowed the appeal of Jarvis Small. With respect to Bibi Gopaul, it allowed her to appeal in part. It substituted her previous sentence with a term of 30 years imprisonment with no eligibility for parole before the expiration of 15 years.







Judgment Summaries *(continued)*

## ***Jeffrey Sersland and Seferino Paz Jr v St Matthew University School of Medicine Ltd [2022] CCJ 16 (AJ) BZ***

This is an Appeal from Belize.

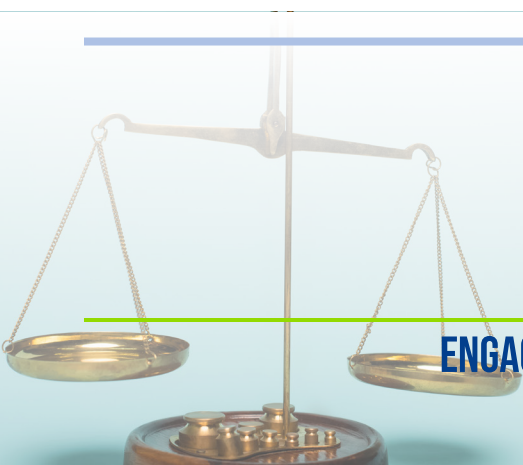
The respondent (or ‘the company’) was incorporated in Belize on 21 January 1997. The second appellant and another person were the company’s memorandum of association subscribers.

As of 31 December 2000, the appellants held 17,811 shares in the company, which amounted to about 35.3% of the total shares issued. On 27 November 2001, the majority shareholders of the company held an Extraordinary General Meeting in Florida, USA and increased the company’s authorised share capital from \$50,000 to \$1,000,000. Between November 2001 and March 2002, 949,050 new shares in the company were allotted. As a result of this increase and allotment, the appellants’ shareholding, taken together, was reduced, in their words ‘diluted,’ to 1.732% of the issued shares in the company. According to the appellant, these acts by the company’s majority shareholders amounted to serious acts of mismanagement.

The present case began with the appellants’ application to the Supreme Court for the appointment of an inspector pursuant to s 110(1)(b) of the Belizean Companies Act to investigate the affairs of the respondent (also referred to as the ‘investigation remedy’). The appellants argued in favour of a purposive interpretation of s 110(1)(b), and the respondent argued that the language of the section was clear and there was no need to go beyond its literal meaning.

Jointly writing the majority decision of the Caribbean Court of Justice (‘CCJ’), Justices Rajnauth-Lee and Burgess agreed with the appellants that a purposive approach should be adopted in interpreting s 110(1) (b). They explained that a compelling reason for employing that approach is s 65A of the Interpretation Act which states that where there is more than one construction of a provision, the construction promoting the general legislative purpose underlying that provision must be preferred. In adopting the purposive approach, the Court first considered s 110(1)(b) in its textual context and then turned to the “general legislative purpose” underlying the power of the Supreme Court to grant the investigation remedy.

The Court expressed the view that the legal rationale for enactment of the investigation remedy is best understood against the backdrop of other remedies available to minority shareholders, such as the common law derivative action, a personal action to enforce the member’s rights, and an application for the winding up of the company on just and equitable grounds. The Court made the point that the effectiveness of these remedies is dependent on the minority shareholders being able to bring to light facts, which in most cases are inaccessible to them. According to the Court, the legislative purpose of s 110(1)(b) is to provide a statutory mechanism to facilitate bringing to light those otherwise inaccessible facts. The Court, therefore, held that an investigation into the company’s affairs was to be conducted.





Judgment Summaries *(continued)*

### ***AB v The Director of Public Prosecutions [2023] CCJ 8 (AJ) GY***

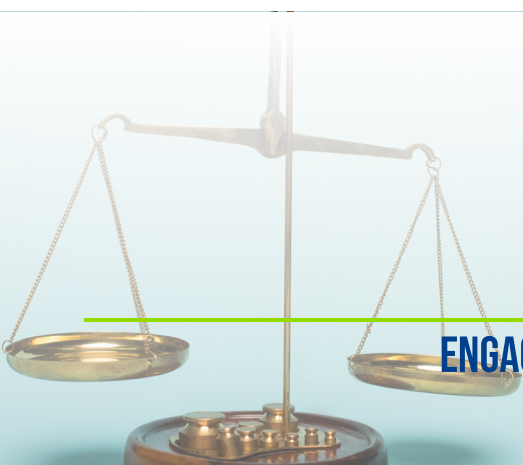
This is an application for special leave from the Co-operative Republic of Guyana.

In this matter, the applicant was convicted of two counts of sexual activity with a child contrary to the Sexual Offences Act of Guyana. He sought special leave from the CCJ to appeal the decision of the Court of Appeal of Guyana which had affirmed the imposition of two concurrent life sentences without the possibility of parole before the expiration of 20 years. He contended that his sentence was manifestly excessive and that the sentencing process of the trial judge was flawed. He also contended that the Court of Appeal's failure to review and correct these errors amounted to a serious miscarriage of justice which justified the granting of special leave by the CCJ.

The CCJ, in a judgment authored by Mr Justice Jamadar (Justices Rajnauth-Lee and Barrow concurring), dismissed the application for special leave. The Court observed that while its decisions in *Pompey v The Director of Public Prosecutions* and *Ramcharran v The Director of Public Prosecutions* provided guidance to trial judges on the best sentencing approaches in cases involving sexual violence on minors, failure to follow these best practice guidelines was not fatal. While the trial judge did not receive a victim impact statement, sentenced him immediately after the verdict was given, and did not consider a social services report, it was evident that she considered the aggravating factors placed before her including the age of the complainant,

the lack of a guilty plea, the applicant's attempt to shift blame, the repeated course of conduct, and the consequential emotional damage to the complainant. The trial judge's approach demonstrated an intention to consider and balance relevant sentencing factors, though not necessarily as fully as advised in *Pompey* and *Ramcharran*. Her sentencing remarks also showed that the applicant's rehabilitation and re-integration into society were considered.

With respect to his sentence, the CCJ noted that life imprisonment was the maximum penalty under the relevant section of the Sexual Offences Act and was within the range of punishment options available to the trial judge. Further, several precedents from Guyana showed that concurrent life imprisonment sentences were imposed for those convicted of the crime of sexual activity and who were adults in positions of trust, like the applicant. It was open for the trial judge to impose the life sentence due to the severity and other aggravating circumstances of the case. Although the trial judge did not precisely follow the sentencing approaches in *Pompey* and *Ramcharran*, it did not mean that in the exercise of her discretion, and the Court of Appeal in its review of the process, erred in law and in fact to create any serious manifest injustice or miscarriage of justice.



*Judgment Summaries (continued)****OO v BK and The Attorney General of Barbados [2023] CCJ 10 (AJ) BB***

This is an appeal from Barbados.

The appellant and the first respondent were in a relationship, during which time they lived together for 21 months and had a son. Their live-in relationship ended in November 2019. However, in February 2020, the pair resumed a visiting intimate relationship which ended in May 2020. After a violent incident involving the first respondent, the appellant applied for a protection order for herself and for her son at the Magistrate's Court.

At the hearing, the Magistrate focused on whether the appellant was a 'former spouse' for the purposes of the Domestic Violence (Protection Orders) Act, Cap 130A (Barbados), as amended by Act 2 of 2016. The appellant denied that she was a 'former spouse' or in any sexual or intimate relationship with the first respondent. The Magistrate therefore held that the legislation did not apply to the appellant and the Magistrate lacked jurisdiction. On appeal, the majority of the Court of Appeal upheld the Magistrate's decision.

In a unanimous decision, the CCJ, using the literal and purposive approaches to statutory interpretation, held that the appellant was a 'former spouse' and therefore was entitled to a protection order. In the lead judgment, Mme Justice Rajnauth-Lee examined the statutory framework and held that imposing a time limit on an applicant's capacity to apply for a protection order would run counter to the purpose of the Act, which was to provide greater protection to victims of domestic violence. Mme Justice Rajnauth-Lee also considered that the legislation should be interpreted in line with the fundamental human rights, core constitutional values, and international obligations of Barbados. Further, the status of the appellant to apply for the protection order was a matter of statutory interpretation, and thus a question of law for the Magistrate to decide.

In his concurring opinion, President Saunders agreed that the appellant was eligible for a protection order because she qualified under the legislation as a 'former spouse', a former cohabitant, and a former partner in a visiting relationship. President Saunders also noted that the appellant was a mother bringing proceedings against her child's father and thus, automatically was eligible for protection under the Act.

In a separate opinion, Mr Justice Anderson agreed that the appellant was a 'former spouse' and was fully entitled to apply for a protection order. Further, he emphasised that the Court must be cautious not to interpret legislation to mean something which Parliament did not mean or intend, simply because of constitutional preferences. Regarding international sources of law and their influence on interpretation of statutes, he emphasised that the Court must interpret what the Legislature enacted and not subordinate this for what the Executive agreed to internationally.

Agreeing with Mme Justice Rajnauth-Lee and President Saunders, Mr Justice Jamadar addressed the intersection of the three voices relevant to law-making and legal interpretation: the voices of society, voices of trauma, fear, and suffering – social context perspectives; the voices of the law – philosophical/policy and jurisprudential perspectives, and the voices of peace, healing, and reconciliation – therapeutic and restorative perspectives. These were highlighted in the case and revealed the statutory intentionality and meaning of the Act.



Judgment Summaries *(continued)*

### ***Alex Tasker v United States of America* [2023] CCJ 11 (AJ) BB**

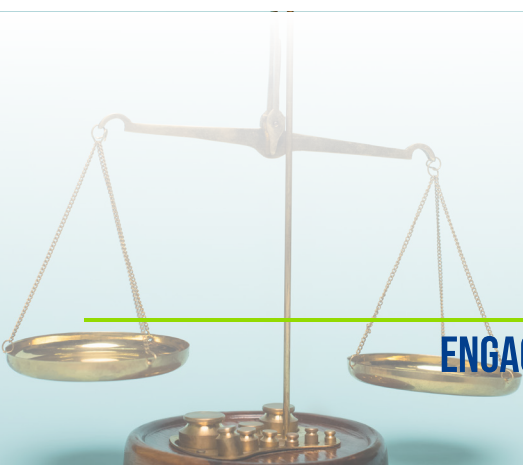
This is an application for special leave from Barbados.

Mr Alex Tasker was committed to surrender to the authorities of the United States of America to face charges for money laundering and conspiracy to launder money. This followed a request for extradition of Tasker by the United States in November 2020.

After the committal order was made, the Magistrate, in accordance with s 19 of the Extradition Act, advised Tasker of his right to apply for leave to appeal or for a writ of habeas corpus within 15 days of his committal. His attorney gave oral notice to the Magistrate of the intention to file an appeal pursuant to s 240 of the Magistrate’s Courts Act. On that same date, his attorney appealed the committal order by Notice of Appeal to the Court of Appeal pursuant to the process for appealing a Magistrate’s order or decision set out in s 240 of the Magistrate’s Courts Act. His attorney subsequently filed a Notice of Application, seeking leave to appeal the decision of the Magistrate pursuant to s 20 of the Extradition Act. However, the application for leave to appeal to the Court of Appeal was filed outside of the statutory time limit.

On appeal, the Court of Appeal considered the preliminary issues with respect to Tasker’s attempts to appeal the order of committal and dismissed his application for leave to appeal. He sought special leave to appeal this decision to the CCJ.

The CCJ dismissed the application for special leave. In a judgment authored by President Saunders, (Justices Wit and Anderson concurring), the CCJ held that the Court of Appeal was entitled to dismiss the application for leave to appeal. In the CCJ’s opinion, when examining the provisions of the Magistrate’s Courts Act and the Extradition Act, the process to appeal an order of committal was explicit in the Extradition Act, which was the specific legislation dedicated to the management of extradition proceedings and contained a specific procedure for appeal in such proceedings. Further, consistent with the distinctiveness of extradition proceedings, while there is a general right of appeal provided for under the Magistrate’s Courts Act, under the Extradition Act one must apply for leave to appeal. To suggest that these two procedures can be understood to mean the same, or that the Notice of Appeal filed pursuant to the Magistrate’s Courts Act can be construed as an application for leave to appeal to the Court of Appeal as proposed by Tasker was erroneous. Additionally, the argument that the Court of Appeal had the power to enlarge the time for filing the application for leave to appeal under the Extradition Act was problematic, given that that Act contained no explicit provision for extending the time limits for filing such an application.







Judgment Summaries *[continued]*

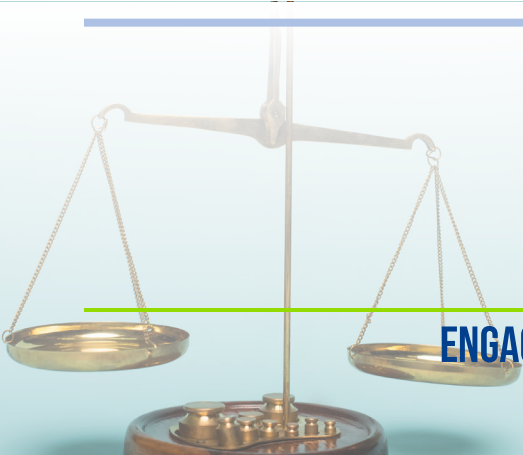
## ***Ellis Richards, Medical Benefits Board & Others v The State of Trinidad and Tobago [2023] CCJ 10J***

This claim arose out of the collapse of the Trinidad and Tobago financial conglomerate, CL Financial Limited (CLF) in 2009. Following its collapse, the Government of Trinidad and Tobago ‘bailed out’ CLF and its Trinidad and Tobago subsidiaries, Colonial Life Insurance Company Limited (CLICO), CLICO Investment Bank (CIB), and British American (BAT), by engaging in several measures. The claimants – nationals of, and institutions established in, Antigua and Barbuda and Grenada – were policyholders of another CLF subsidiary, British American Insurance Company Limited. They alleged that measures taken by the Government to intervene in CLF, CLICO, CIB, and BAT were discriminatory as the same protection was not offered to them. Further, the Central Bank of Trinidad and Tobago took active steps to exclude them from the scope of rescue, therefore, disadvantaging them. They alleged breaches of Articles 7, 36, 37 and 38 of the Revised Treaty of Chaguaramas (RTC). In its defence, the defendant argued that the actions complained of by the claimants fell outside the scope of the RTC and thus, the Court’s jurisdiction. Article 30 excluded ‘Activities in a Member State involving the exercise of governmental authority’ from the scope of operation of Chapter 3 of the RTC. Such activities were defined as ‘activities conducted neither on a commercial basis nor in competition with one or more economic enterprises.’

The CCJ addressed the issue of whether the defendant’s actions fell outside the scope of Chapter 3 of the RTC and whether they fell within the meaning of Articles 30(2) and 30(3) and if they did, what

the consequences for the proceedings would be. The CCJ examined the objectives of Chapter 3, which addressed the four core rights of the CARICOM Single Market Economy – the right to provide services, the right of establishment, the freedom of movement of Community nationals, and the freedom to move capital. Chapter 3 imposed certain obligations on Member States and under these areas, Member States agreed to yield aspects of their sovereignty for the collective good. However, Article 30’s inclusion in the RTC reserved a space for Member States to conduct certain activities which were excluded from the scope of operation of Chapter 3. Where a dispute arose as to whether a governmental activity fell within Article 30(2) and 30(3), the Court must consider the facts, including the nature of the activity in question and the general context in which the activity was conducted.

Examining the claimant’s pleadings, the defendant’s actions were not conducted for a commercial purpose or in competition with other economic enterprises. Rather, they were intended to mitigate the effects of CLF’s financial collapse on its policyholders and the wider economy. Thus, the defendant’s actions fell within the activities covered by Articles 30(2) and 30(3) and outside the scope of application of Chapter 3 of the RTC. The claims in relation to Articles 36, 37 and 38 and 7 (in so far as it related to Chapter 3) were dismissed. The claims relating to a breach of Article 184(1)(j) and Article 7 (as far as applicable) were ordered to proceed.





Judgment Summaries *(continued)*

## ***Caye International Bank v Rosemore International Corp [2023] CCJ 4 (AJ) BZ***

This is an appeal from Belize.

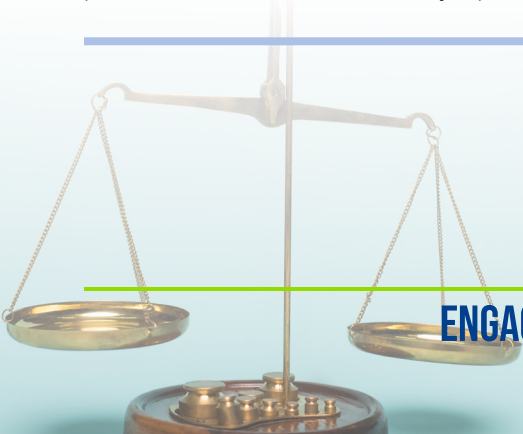
Caye International Bank Ltd (Caye) transferred USD \$175,000.00 from the account of its customer, Rosemore International Corp (Rosemore) to a Canadian account belonging to Yaron David Walter (Walter) without Rosemore’s authorisation. The instruction was an email account compromise, where Walter sent an email message from Rosemore’s online account. This transfer was first discovered by Jason Connor (Connor), the sole signatory of Rosemore when he received a ‘low priority’ email from Caye on 23 April 2015, informing him of a message in his online banking account. Connor was unable to log on to his account and promptly informed Caye. He only gained access to his account in August 2015.

Rosemore initiated proceedings against Caye for damages for breach of express and implied terms of the Depository Agreement and in the alternative, damages for negligence by Caye, its agents, and/or servants in wiring Rosemore’s funds to Walter. Both the High Court and Court of Appeal found in favour of Rosemore. Caye then appealed to the CCJ. The CCJ considered: (1) whether Caye breached clause 14 of the Depository Agreement; (2) whether Caye breached its Quincecare duty; (3) whether clause 14 excluded Caye’s liability for breach of its Quincecare duty; (4) whether clause 51 excluded Caye’s liability for breach of its Quincecare duty; and (5) whether the Indemnity Clause indemnified Caye against liability for breach of its Quincecare duty.

The CCJ considered clause 14 of the Depository Agreement which provided that ‘Account Holder may, upon verification of signature

or upon identification satisfactory to Bank, authorize wire transfers to and from the Account. All outgoing wire transfers must be from accounts on which the Account Holder is an owner. No third-party requests will be processed.’ The CCJ adopted the modern Blairmont approach to contractual interpretation and found that clause 14 was not breached as Caye followed the proper verification and identification processes. The CCJ found that Caye was subject to the ‘Quincecare duty’ which consisted of a negative duty to refrain from executing an order once the bank is ‘put on inquiry’ as well as a positive duty to do something more than simply not comply with a payment instruction. The Court found that Caye was put on inquiry as the history of the account showed that there was only one insubstantial withdrawal on the account; the purpose stated for the transaction was not in line with the stated purpose of Rosemore; the request came from an unfamiliar domain; and there were observable differences between the signature on the wire transfer form and Connor’s signature. The CCJ found that Caye ought to have contacted Connor to verify the transaction and therefore breached its Quincecare duty as it did not exercise the skill and care of an ordinary prudent Banker.

The Court considered clause 14 and 51 and found that in the absence of clear words, a reasonable observer would not believe that Rosemore agreed to give up its rights to the implied Quincecare duty. The Court affirmed the order of the Court of Appeal and awarded costs to Rosemore.





Judgment Summaries *(continued)*

### ***Larry Pierre Tatem v Katherine Tatem [2023] CCJ 6 (AJ)BB***

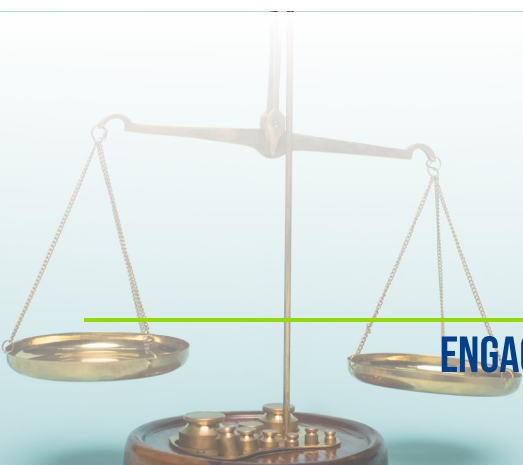
This is an application for special leave to appeal from Barbados.

On 16 September 2020, Justice Worrell ordered Larry Pierre Tatem to pay the sum of BBD \$273,160.00 to Katherine Tatem, for arrears of maintenance, by 15 March 2021 failing which, he would have been committed to prison for a period of 28 days. Tatem appealed the order and applied to the Court of Appeal for a stay of enforcement of the committal order, pending the hearing of the substantive appeal. The reasons relied upon by Tatem for the stay was that he could not pay the maintenance as he had no assets; he had already paid another substantial maintenance sum with the assistance of family and friends; he was undergoing counselling, and he was in no psychological state to work. However, no evidence was provided to support his inability to pay. The Court of Appeal refused the stay as it found that it had no merit and the substantive issues raised in support of the application for a stay were issues that the Court of Appeal had roundly rejected when they heard an earlier application for a stay in other similar proceedings advanced by Tatem.

Tatem applied to the CCJ for special leave to appeal the decision of the Court of Appeal. Mr Tatem submitted that the Court of Appeal erred because (1) it ignored the order of the CCJ that the substantive appeal be heard as a matter of urgency; (2) it placed no or insufficient importance to the fact that incarceration was the consequence of the order sought to be stayed (3) it purported to find that the appeal

had no prospect of success in the absence of the Judge’s reasons and the transcript of the proceedings; and (4) it failed to consider the provisions of the Debtors Act Cap 198 and ignored the fact that the process of imprisoning persons for non-payment of judgment debts is open to constitutional challenge.

The CCJ dismissed the application and found that Mr Tatem failed to show how the delay in hearing the substantive appeal affected the application for the stay. Additionally, there was an abundance of evidence upon which the Court of Appeal could conclude that Mr Tatem’s assertion that he could not pay the maintenance order was false. Therefore, the Court of Appeal need not proceed on the basis that incarceration was a result of the order; as it was a result of Mr Tatem’s failure to pay. Furthermore, the CCJ stated that the Court of Appeal found and was entitled to so find that the application for the stay had no merit whatsoever. In relation to the constitutionality of the stay, the CCJ held that it was open to Mr Tatem to pursue that action by the appropriate procedure, it was not open to the Court of Appeal to anticipate such a challenge and stay the application before it. The application for special leave was dismissed and costs were awarded to Katherine Tatem.





Judgment Summaries *(continued)*

***Basil Williams v Prithima Kissoon, Guyana National Newspaper Ltd,  
The Attorney General of Guyana [2023] 3 CCJ (AJ) GY***  
This is an application for special leave to appeal from Guyana.

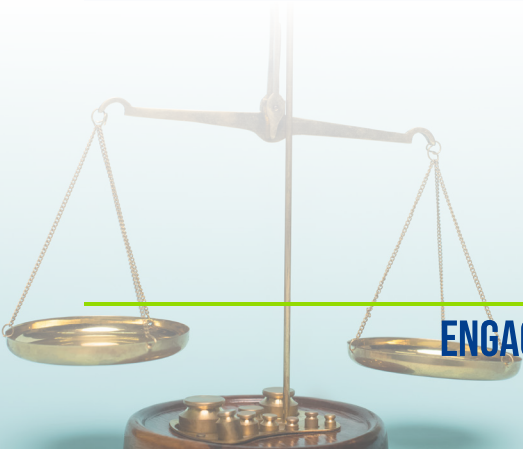
Prithima Kissoon, the former Deputy Solicitor sued Basil Williams, the ex-Attorney General of Guyana for defamation in his personal capacity. In response to an application made, the High Court struck Williams from the claim in his personal capacity on the basis that it was contrary to the State Liability and Proceedings Act Cap 6:05 (the Act). Kissoon appealed this decision to the Full Court of the Supreme Court of Justice, which was comprised of two judges, one of whom was Kissoon’s brother-in-law. The Court allowed the appeal and restored Williams to the suit in his personal capacity.

Williams appealed this decision to a judge in chambers in the Court of Appeal. However, the judge struck out the application on the basis that he did not have jurisdiction. Williams proceeded to a full Panel of the Court of Appeal seeking leave to appeal and an extension of time to appeal. The full Panel dismissed the application, finding that the intended appeal had no merit. Williams applied to the CCJ for special leave to appeal against the decision of the full Panel. He argued that the composition of the Full Court justified him being granted special leave to appeal the decision of the full Panel of the Court of Appeal which affirmed the Full Court’s decision.

In respect of the composition of the Full Court, the CCJ considered the authorities relating to bias and the Bangalore Principles of

Judicial Conduct. The CCJ found that the judge of the Full Court ought to have recused himself given his close relationship with Kissoon. Nevertheless, the Court found that this issue was not determinative of the application for special leave because it still had to assess whether Williams otherwise met the test for being granted special leave, that test being whether the intending appellant demonstrated a realistic prospect of the appeal being successful.

The Court considered the Act and noted that it was modelled after the United Kingdom’s, Crown Proceedings Act 1947 (the UK Act). The UK Act was enacted to make the Crown vicariously liable in tort for the acts of their servants and agents. Section 2 of the UK Act and s 3 of the Act imposed liability on the Crown (the State in the case of republican Guyana) in cases where torts are committed by the agents or servants of the Crown, or State as the case may be, in the course of the execution of their duties. The Court further considered the Act and found that there was nothing in the Act or any authority that removed the right to sue the actual tort-feasor for acts or omissions in the performance of their duties as agent or servant of the State. The Court, therefore, dismissed the application for special leave.







Judgment Summaries *(continued)*

### ***Anand Kalladeen and Anand Sanasie v Roger Harper and Others* [2023] CCJ 5 (AJ) GY**

This is an application for special leave to appeal from the Co-operative Republic of Guyana.

This application was filed by Mr Anand Kalladeen and Mr Anand Sanasie, past members of the Demerara Cricket Board (DCB), against the judgment of the Court of Appeal which upheld the High Court's decision that it had the inherent jurisdiction to amend a final Order of the High Court. The respondents to the application, Mr Roger Harper and others, are members of other Guyanese Cricket Boards.

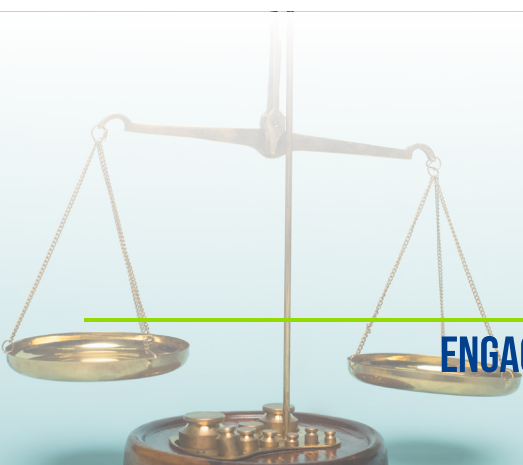
Kalladeen and Sanasie argued that the High Court Judge had no jurisdiction to amend a final Order as he was *functus officio* and the Order was the subject of an appeal; that the courts below erred in determining that the application to vary the timelines in the Order constituted enforcement proceedings; that the Court of Appeal erred in failing to consider the impact of the amended order on the pending appeal; that the High Court judge considered fresh issues of fact and law in determining the application to adjust the timelines; and that the holding of DCB elections within four days of the variation of the timelines was unreasonable and unsupported by law.

The CCJ, in a majority judgment delivered by President Saunders (along with Justices Anderson and Rajnauth-Lee), dismissed the application determining that it did not satisfy the special leave test. Kalladeen and Sanasie did not have a prospect of successfully arguing that in

adjusting the timelines in the Order there was a miscarriage of justice or the appearance of an egregious error in law. The High Court retains the residual jurisdiction to vary its decision until the Order is recorded and/or otherwise perfected. The High Court judge was not *functus officio*.

When the High Court judge adjusted the timelines in the Order, he did so in accordance with the Rules of the Court which confers jurisdiction on the Court to extend any time prescribed by an Order upon application or on its own initiative. If the timelines in the Order were not adjusted, the Order would have been otiose. There was no evidence that any fresh issues of fact and law were considered in determining the application to vary the High Court Order. Beyond the adjustments of the timelines, the substance of the High Court Order remained unchanged. The High Court was under no legal obligation to consider what may ensue at the hearing of the appeal of the Order and there was no application for a stay of execution before the Court. There was no evidence that the adjustment of the timelines was unreasonable, nor did it fail to comply with the applicable law and procedure.

The CCJ ordered that the application for special leave be dismissed and costs were awarded to Mr Roger Harper and others.





Judgment Summaries *(continued)*

### **Ramnarace Ramassar v Stella Scantlebury [2023] CCJ 7 (AJ) BB**

This is an application for special leave to appeal from Barbados.

This application arose out of a dispute between Mr Ramnarace Ramassar and Ms Stella Scantlebury over tenanted premises. Ramassar was Scantlebury’s tenant and Scantlebury obtained an ejection order against Ramassar in relation to the tenanted premises. The Court of Appeal dismissed Ramassar’s appeal against the ejection order and awarded costs to Scantlebury. Ramassar’s application for leave to appeal in the CCJ was refused by the Court of Appeal.

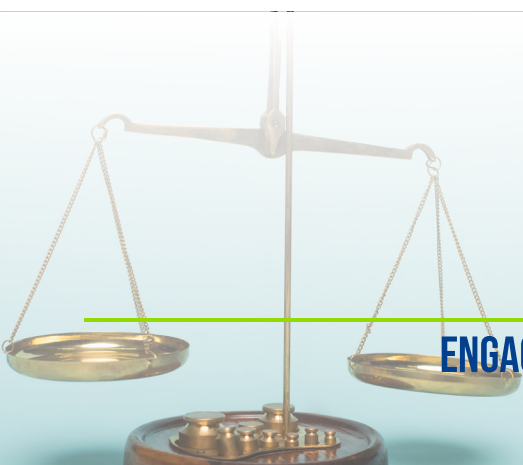
In his application for special leave to appeal made to the CCJ, Ramassar enumerated six grounds for the appeal but did not state unambiguously whether he wished to appeal the Court of Appeal’s decision to refuse leave to appeal (the procedural appeal) or the decision dismissing the appeal against the ejection order (the substantive appeal). The CCJ proceeded to consider the application on the footing that Ramassar sought special leave to appeal the procedural appeal refusing leave to appeal and the substantive appeal reaffirming the ejection order.

The CCJ, in decisions delivered by Justices Anderson and Barrow (Justice Burgess), dismissed the application with costs to Scantlebury. Mr Justice Anderson found that to the extent that Ramassar sought to appeal the procedural appeal refusing leave to appeal, the application was a non-starter as there is no appeal from a decision of the Court of Appeal refusing leave to appeal. Those whose applications were

refused must seek special leave from the CCJ to appeal the substantive decision from which the leave was refused.

To the extent that the application sought leave in relation to the substantive appeal, it failed on the merits. Ramassar argued that a point of public importance arose concerning whether section 13 of the Landlord and Tenant Act should be interpreted to mean that a produced Certificate of Registration ought to be valid as at the date of the tenancy or whether a Certificate obtained after the tenancy but before its termination suffices. The CCJ was not convinced that any such point of public importance arose and held that it would take a strong case to justify opening the door to considering the interpretation of section 13 in the way urged by Ramassar. This case was not such a case.

Mr Justice Barrow (concurring) emphasised that the recourse of an applicant to whom the Court of Appeal has refused leave to appeal to the CCJ is to apply for special leave against the substantive decision from which the leave was refused. Ramassar’s grounds of appeal against the refusal by the Court of Appeal to grant leave to appeal and the application to extend time to apply for special leave to appeal that refusal were found to be meaningless.





Judgment Summaries *(continued)*

### ***Jamar Dwayne Bynoe v The State* [2023] CCJ 2 (AJ) BB**

This is an appeal from the Republic of Barbados.

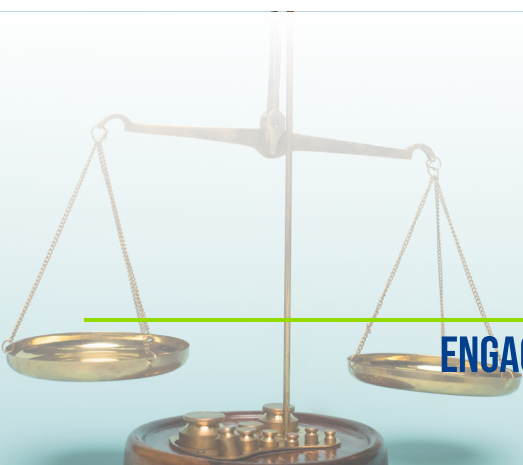
Sometime after 7 p.m. on 3 September 2010, two persons entered a clothing store in Bridgetown, Barbados where they demanded money from the proprietor. One person was armed with a knife and the other had a Molotov cocktail. During this time, there were shoppers and employees throughout the store. The person armed with the Molotov cocktail, lit it and threw it to the back of the store and as a result, the building caught fire. Six persons fled into a room in the back of the store. There was no rear exit. The six persons were later found dead, and the applicant was charged with the murder of all six persons.

After a full trial, the applicant was convicted of six counts of murder on 1 July 2016. The case for the prosecution was based heavily on a written confession allegedly given by the applicant. The applicant appealed his conviction, and on 7 June 2022, the Court of Appeal upheld his conviction. On 19 July 2022, the applicant applied to the Caribbean Court of Justice ('CCJ') for special leave to appeal against the decision of the Court of Appeal.

Mr Justice Barrow wrote the majority decision of the CCJ. The Court found that certain of the proposed grounds of appeal which the applicant sought to argue before it were grounds that were not brought before the Court of Appeal. The Court held that this was

impermissible and such grounds could not be considered. Next, the Court considered an argument advanced by the applicant that the trial judge failed in her duty to assist the legally unrepresented applicant (a defendant then) by failing to advise him of his right to the assistance of a handwriting expert and to provide for such assistance, so as to prove his assertion that the signature appearing on a confession document in respect of the murder charges did not belong to him. The Court found that the trial judge did not err, as the burden lay on the prosecution of producing evidence to prove the authenticity of the signature, and the appellant's constitutional right to silence protected him from involuntarily giving any information on the matter and, possibly, incriminating himself.

In relation to the other proposed grounds, the Court held that these were substantially the re-argument or re-presentation of grounds which were argued in the Court of Appeal and considered that the judgment of that court had properly dealt with those grounds. Ultimately, the CCJ held that it was satisfied that the Court of Appeal properly considered all the arguable proposed grounds and that there was no basis for allowing such grounds to be argued again. Accordingly, special leave was refused by the Court.





Judgment Summaries *(continued)*

### ***Orwin Hinds and Cleon Hinds v The State* [2023] CCJ 1 (AJ) GY**

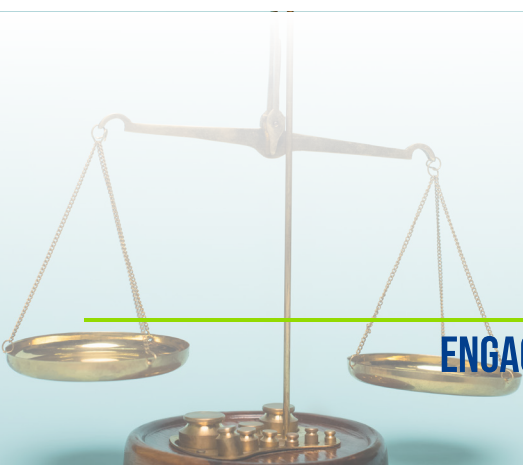
This is an appeal from the Co-operative Republic of Guyana.

Brothers, Orwin Hinds and Cleon Hinds, were convicted for the murder of Ms Clementine Fiedtkou-Parris for the payment of money, contrary to s 100(1)(d) of the Criminal Law (Offences) Act ('the Act'). The Trial Court imposed sentences of 81 years without eligibility for parole before 45 years. On appeal, the Court of Appeal reduced those sentences to 50 years.

The decision of the Court of Appeal was appealed to the Caribbean Court of Justice ('CCJ'). The CCJ noted that the convictions of the brothers were primarily based on their written and oral confessions, and additionally in relation to Orwin, on the evidence of an eyewitness who identified him in an identification parade. In his written statement, Orwin described the plan that was hatched with his brother and two other men, 'Dutchie' and 'Blackboy', to kill the deceased, an elderly woman, for a sum of money. Orwin said that he obtained a gun, gave it to Cleon who then lent it to Blackboy. He said that he and the other men went along with a driver to the deceased's house before the killing. He told the men that he wanted no part of it, but eventually was persuaded to go. He and Dutchie entered the house where they passed a man on the stairs. He said that Dutchie told him to restrain the man, which he did, and he then heard two shots. They left and heard the following day that Fiedtkou-Parris had died. Later that day,

Orwin said that Blackboy gave him GYD \$80,000 and Cleon GYD \$5,000 for the killing. In Cleon's written statement, he confessed to being told about the payment to murder Fiedtkou-Parris, and his decision to lend the gun to the organisers to 'get in on the business'.

The CCJ found that there was nothing in the appellants' arguments which could undermine the probative value and weight of their confessions. On the issue of sentencing, the Court first noted that the murder fell into the class of the worst murders under s 100(1) of the Act. These are far more violative of the society's peace and order and they are subject to the special sentencing regime set out in s 100A(1) (a). Under s 100A(1)(a), a convicted person shall be sentenced to death or imprisonment for life. Where a sentence of life imprisonment is imposed, s 100A (3) states that the Court shall specify a period which the person should serve before becoming eligible for parole. The CCJ found that the setting of a minimum period that must be served before there could be eligibility for parole was a mandatory obligation and one which the Court of Appeal did not fulfil. The CCJ sentenced each appellant to imprisonment for life, with eligibility for parole after a period of 20 years imprisonment including the time spent on remand awaiting trial.







2022  
2023

# ANNUAL REPORT

## Our Management Team



Back row, L to R

**Gabrielle Figaro-Jones**  
Registrar and Chief Marshal

**Shivanand Ramnanan**  
Senior Manager, Corporate  
Administration

**Gizel Thomas-Roberts**  
Deputy Registrar and Marshal

**Susan Campbell-Nicholas**  
Human Resources Manager

Front row, L to R

**Andrea Callender**  
Finance and  
Administration Manager

**Ria Mohammed-Pollard**  
Communication and  
Information Manager

**Ayinde Burgess**  
Information Systems Manager

**Jacinth Smith**  
Chief Librarian



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# ANNUAL REPORT

## Department/Unit Updates

### Public Education and Protocol Unit (PEPU)

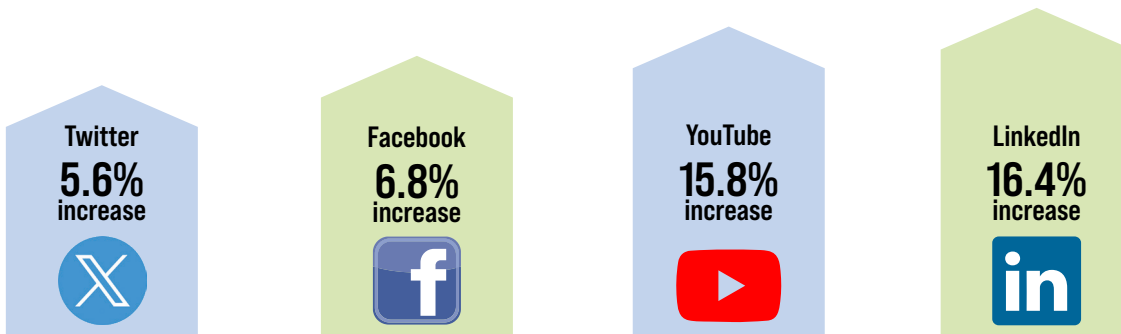
# ENGAGE EMPOWER ENERGISE

The central theme of the Annual Report for the 2022/2023 judicial year is “Engage, Empower, Energise”. This theme underscores the continuous pursuit of excellence and education within the Caribbean Court of Justice (CCJ). In alignment with this theme, both the President and the Registrar have emphasised in their messages how the principles of engagement, empowerment, and energy have been seamlessly integrated into the pursuit of excellence. Throughout the year, the Court demonstrated judicial excellence in its interactions with stakeholders.

### Engagement and Empowerment

During the reporting period, the Court engaged with internal and external stakeholders through various informational sessions. Judiciaries across the region were briefed on the Original Jurisdiction and referral process under Article 214 of the Revised Treaty of Chaguaramas through the CCJ’s Academy for Law. Additionally, the Court empowered the business communities by providing information on the fundamental rights and freedoms of CARICOM/CSME under the Original Jurisdiction. Feedback from over 64% of key stakeholders indicated satisfaction with the workshops, with all participants expressing intent to recommend them to colleagues.

To enhance public education, the Court expanded its presence on social media by launching its Instagram account. A revised social media strategy was implemented to better serve stakeholder communication and information needs better. The success of these efforts was evidenced by significant growth across all the Court’s platforms:



ENGAGE • EMPOWER • ENERGISE



2022  
2023

# A N N U A L R E P O R T

Department/Unit Updates • Public Education and Protocol Unit (PEPU) *(continued)*

## Fostering Relationships and Enhancing Capacity

In line with Strategic Issue 6 of the Court's Strategic Plan, efforts to foster stronger relationships with external stakeholders were continued. This included hosting visits and meetings with various groups such as law students, non-governmental organisations, and bar associations.

Additionally, the Court successfully hosted the XIII Annual CCJ International Law Moot, the first to be held in person since the onset of the COVID-19 pandemic in 2020. Support was also provided for the initial planning of the CCJ Academy for Law's 7th Biennial Conference.

## Future Initiatives

Looking ahead, the Court is committed to continuously soliciting feedback and addressing the needs and expectations of CCJ stakeholders. Plans include the implementation of a regional survey on the knowledge, attitudes, and perceptions of the CCJ in 2024, funded by the EDF grant. Furthermore, stakeholder engagement will remain a priority through continued initiatives funded by the EDF grant, aimed at educating the Caribbean Community on its fundamental rights and freedoms.

## Conclusion

The Court's role as a hub for legal education, collaboration, and dialogue has been reinforced through visits and interactions with diverse stakeholders, furthering its mission of promoting justice and the rule of law in the Caribbean region and beyond. Additionally, active participation in diplomatic engagements has enhanced the CCJ's international reputation and facilitated partnerships for the advancement of justice globally.

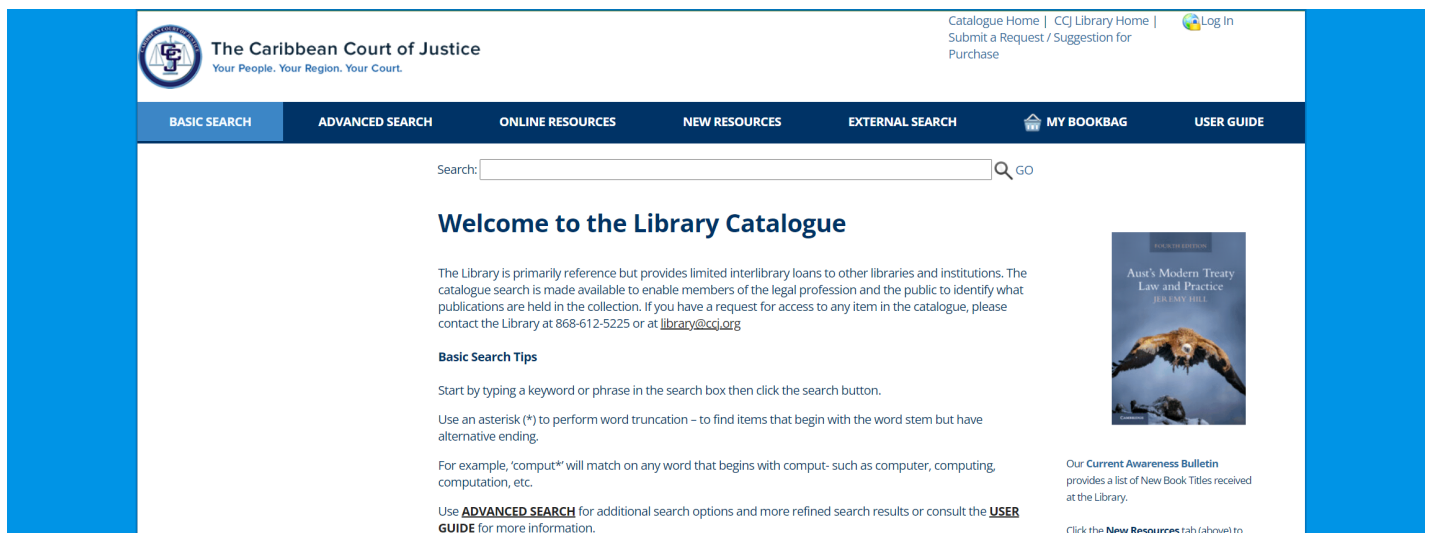


## Department/Unit Updates *(continued)*

### Library Services Unit

One of the Library Services Unit's aims is to support the information needs of the Court and the legal profession throughout the Caribbean Community. Over the last year, this objective was achieved through our operational activities. Staff continued to provide timely legal information through the circulation and loan of materials (internally and via inter-library loans) and responding to reference and research queries. Staff also engaged with other stakeholders through participation in Court tours and orientation sessions for in-service interns.

In addition to these activities, aspects of the central theme – Engage, Empower, Energise – were also realised through our special projects. The re-design of the Court's website facilitated the inclusion of the Library's Online Public Access Catalogue (OPAC) on our webpage. Previously, the catalogue was only accessible to our internal users. As a result, all our users are now empowered to search the library's collection, including the court's judgments and papers and speeches delivered by our judges, submit requests, and keep up to date with what is new at the library.



The screenshot shows the OPAC home page with the following elements:

- Header:** The Caribbean Court of Justice logo and tagline "Your People. Your Region. Your Court." on the left. On the right, links for "Catalogue Home", "CCJ Library Home", "Log In", and "Submit a Request / Suggestion for Purchase".
- Navigation Menu:** A dark blue bar with white text for "BASIC SEARCH", "ADVANCED SEARCH", "ONLINE RESOURCES", "NEW RESOURCES", "EXTERNAL SEARCH", "MY BOOKBAG", and "USER GUIDE".
- Search Bar:** A white search box with a magnifying glass icon and a "GO" button.
- Main Content:**
  - Welcome to the Library Catalogue:** A heading followed by a paragraph explaining the library's reference services and contact information (868-612-5225 or [library@ccj.org](mailto:library@ccj.org)).
  - Basic Search Tips:** A section with three bullet points: 1) Start by typing a keyword or phrase in the search box then click the search button. 2) Use an asterisk (\*) to perform word truncation - to find items that begin with the word stem but have alternative ending. 3) For example, 'comput\*' will match on any word that begins with comput- such as computer, computing, computation, etc.
  - User Guide:** A note to use **ADVANCED SEARCH** for additional search options and more refined search results or consult the **USER GUIDE** for more information.
  - Book Cover:** A small image of a book titled "Aust's Modern Treaty Law and Practice" by Jeffrey H. Hill.
  - Current Awareness Bulletin:** A note stating "Our Current Awareness Bulletin provides a list of New Book Titles received at the Library." and a link to click the **New Resources** tab (above) to view it.

Home page of the Library's Online Public Access Catalogue (OPAC)





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# ANNUAL REPORT

## Department/Unit Updates • Library Services Unit *(continued)*

Our work continued with upgrading the internal repository, CCJSpace, – which archives and preserves some of the library’s digital resources. Several activities were completed during the period, and some are currently underway. These include the migration of the data to the new platform, the development of data entry conventions, and the review and streamlining of communities and collections.

The library also contributed significantly to the CAJO project, which resulted in the publication of the Criminal Bench Book for Barbados, Belize, and Guyana. Staff provided resources and reviewed chapters and footnotes for accuracy. Staff at the Unit were also integral in the development and finalisation of the internal Style Guide (Judgments and Legal Materials). Work also continued developing the Caribbean Judicial Information System (CJIS).

The library continued to provide guidance on managing the Court’s records. During the period under review, activities included an audit of the records of the Registrar’s Chambers and the revision of file plans

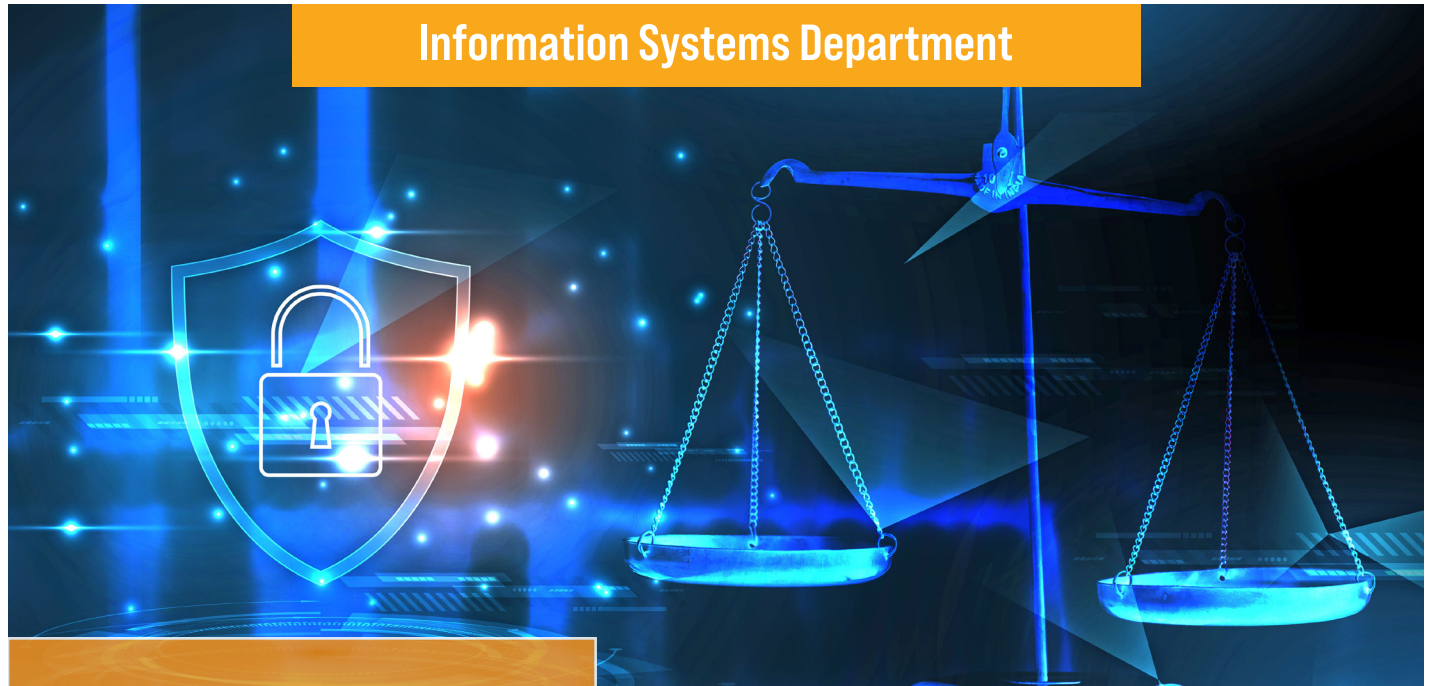
for various Departments and Units, including Facilities Assets & Office Management, Information Systems, Library Services, President’s Chambers, Registry, and Security and Logistics.

Library staff also virtually attended professional associations’ meetings, conferences, and internal training sessions to empower them through upskilling. It is anticipated that these opportunities will help to energise the team so that they can continue to provide optimum service.

The Library bade farewell to Ms Jacinth Smith, Chief Librarian, who proceeded on pre-retirement leave in May 2023. Ms Smith was instrumental in establishing the Court’s Library and has contributed immensely to its growth and development. Her knowledge of the profession and dedication were displayed in many aspects of her work. Her leadership, guidance, and resourcefulness motivated her staff and inspired them to aim for excellence in every aspect of their work.

## Department/Unit Updates *(continued)*

### Information Systems Department



The Information Systems (IS) Department focused its efforts on security and protecting the Court's digital assets. Emphasis was also placed on modernising our infrastructure, including hardware and software. The team remained vigilant and proactive in safeguarding the organisation's data and systems amid the rapidly evolving cybersecurity threats.

Multi-factor authentication (MFA) was implemented across multiple systems, ensuring additional protection for user accounts. The high level of MFA adoption significantly reduced the risks of unauthorised access to the Court's resources. Additionally, it resulted in improved confidence in the data security measures. These measures were significant as the Court increased its use of online tools and continued supporting a hybrid approach to work.

Along with implementing the security measures, the Department increased user awareness and understanding of cybersecurity best practices through its "Tech Thursdays" continuous training programme. The IS Department utilised this lunchtime training initiative to help develop healthy security habits among staff and introduce ways to increase productivity with existing software tools.

During the reporting period, the IS Department worked alongside the Judicial Reform and Institutional Strengthening Project to implement digital audio recording systems in various Caribbean territories. Introducing these systems helped improve the accuracy of the court records while reducing delays in transcription and costs over time. The Department also played a role in implementing the Caribbean Judicial Information System (CJIS), a repository of knowledge assets, such as research papers, project reports, judgments, and speeches spanning the Caribbean. Instrumental contributions were made to redesign the infrastructure to improve the overall security of the CJIS. This was done in preparation for the handover to the Court for continued maintenance and support.

The Library Unit also received support from the IS Department to expand the reach of its Online Public Access Catalogue (OPAC) for internal users to international users of its library services. The necessary measures were taken to ensure the Library's services are safely and securely



## Department/Unit Updates • Information Systems Department *(continued)*

accessible by all users worldwide. Further to these actions, additional steps are planned for the upcoming year to reduce the risks and improve the level of security required for similar services.

For the Registry Unit, support was provided for the Court's itinerant sitting in Guyana. The IS Department put considerable effort into ensuring that the access to technology and courtroom experience at the Seat of the Court in Trinidad and Tobago were available to its users while sitting in another jurisdiction. This meant working closely with each jurisdiction to introduce and configure the necessary technology solutions so that performance standards, such as access to justice, accessibility, and transparency, were maintained.

While in the jurisdiction mentioned above, the Public Education and Protocol Unit (PEPU) was provided with the necessary support to deliver the planned referral training programmes. The support included providing technology to the secretariat and audiovisual support for the training sessions. Assistance was also provided to

PEPU for the redevelopment of the Court's website, ensuring the security of the backend was in accordance with best practices. A review of the website's performance is planned over the next year to determine any infrastructural improvements that may be required.

### Future Direction

As the IS Department looks toward the future, focus will be placed on infrastructural projects for building capacity for planned storage needs and business continuity. Emphasis will continue to be placed on improving the security posture of the Court while enhancing service delivery to internal and external stakeholders. Another notable area that will receive attention from the IS Department will be the courtrooms. A major upgrade is planned for the spaces to improve their infrastructural reliability and capacity, while future-proofing the technology. Additionally, given the growing interest in artificial intelligence, the IS Department will begin exploring practical ways to introduce this new technology to the Court.

## Department/Unit Updates *(continued)*

### Human Resources Unit

Over the period 2022-2023, the Human Resources Unit (HR) executed the following routine activities such as:

- Pension Plan enrolment
- Processing of health claims for Judges
- Processing of Local Plan Group Health claims for employees
- International and Local Group Health plan enrolment
- Creating a Performance Work Plan
- Processing a Performance Management System
- Logistics for on-site and locally provided training
- Provision of job letters
- Control of File Plan
- Records Management

The HR Unit assisted with the onboarding, orientation, and policy sensitisation of 10 new employees of the CCJ, as well as the out-processing of five employees based on resignations and retirements.

Several activities were undertaken, including a Health and Wellness Session for staff and an Easter Activity for children of staff members of the CCJ/RJLSC.

The Unit also spearheaded the coordination of several training activities, including the Executive/Leadership, Management, and Team Building Retreat at the Hilton Hotel and Conference Room from 31 May to 1 June 2023 and the in-house staff training on the CSME, and the Appellate and Original Jurisdictions. The Unit also facilitated training in Certified Information Systems Security Professional (CISSP) for selected employees.

The HR Unit team continued to participate in several committees and was instrumental in issuing Long Service and other CCJ Awards for recognition and appreciation. During the period, the Unit recognised and celebrated the contribution of Ms Susan Cambell-Nicholas who contributed nine years to the CCJ and the RJLSC. Upon her retirement, Mr Leon Richardson, the Chief Human Resources Officer (CHRO), assumed duties in the newly- redesignated position of Organisational Development/Human Resource Advisor of the RJLSC. The team also welcomed Ms Satie Rampersad-Heera as Temporary Human Resource Officer-Manpower and Development (MGD) , during the one-year leave of absence of Ms Patrice Valentine. Mrs Annette Clarke-James, Human Resources Officer – Compensation and Benefits deserves special mention for accepting higher-level duties in the absence of a CHRO for an extended period.

The launch of the Culture Change Initiative included a logo reveal that coincided with the internal commemoration of the Court's 18th Anniversary in April.



Department/Unit Updates *(continued)*

## Security and Logistics Unit

Colonel (retired) Darnley Wyke, assumed duties as the new Chief Security and Logistics Officer (CSLO) on the 25 July 2022. With a significant emphasis on teambuilding, the watchwords, **T**ogether **E**ach **A**chieves the **M**ission, became synonymous with each monthly Unit meeting and event.

During the reporting period, the Unit engaged internal and external stakeholders of the Court as it conducted a series of strategic engagements with the major players in the local security arena. The CSLO and Security Supervisor, benefited from participating in the Court's two-day leadership retreat at the Trinidad Hilton and Conference Centre and set about a comprehensive review of policies and procedures governing the team's activities.

With the resumption of in-person activities and engagements, the Security and Logistics Team (SALT) led successful events that re-introduced a windball cricket touring team and a Family Day. Approval for the long-awaited foundation training for Security Officers was received at the end of the period and will be executed in Q3 with eager anticipation.



SALT family day



Security graduation

One Security Officer returned to the Unit after a lateral provision of services, and another was appointed to act in the same capacity as a temporary replacement. The ongoing efforts to train and educate regional judiciaries were also supported by the deployment of the Security Supervisor as part of the delegation that visited the Co-operative Republic of Guyana for the itinerant sitting and associated activities. The SALT also assisted with logistic support for the quarterly meetings of the RJLSC.

The responsibilities to secure the Court, its publics, the President's residence, and the Judges as well as provide logistic support to facilitate the smooth functioning of the Court remain the cornerstone of the SALT's activities. As we strive toward the fulfilment of our mission, vision, and values, the team stands ready to serve with gladness as a critical element of the organisation.

## European Development Fund Grant



### The CCJ and the EU formalise partnership

In 2022, the CCJ and the European Union, through the 11th European Development Fund, formalised a partnership which is intended to support the effective administration of criminal justice systems in the Caribbean with an overarching objective of improving access and delivery of justice. The project's specific goals include strengthening the functions and outreach of the CCJ, supporting the establishment and operationalization of the Caribbean Community Administrative Tribunal (CCAT), and advancing legal education in the Caribbean.

The Project comprises a grant contract and a procurement component. The grant contract has a total budgeted value of €931,940, comprising a €690,000 contribution from the European Union (EU) and a €241,940 contribution from the CCJ.

The procurement component was made effective through a Contribution Agreement between the European Union and the CARICOM/CARIFORUM. The Agreement contains a total budget of €1.26 million, funded by the European Union. In Q1 2023, the Caribbean Community Secretariat and the CCJ established a Memorandum of Understanding to govern the implementation of the procurement component.

Thus far, in terms of executing the CCJ portion of the Project, which involves strengthening the functions and outreach of the Court, Referral Training and Sensitisation Workshops with stakeholder groups have been conducted in three jurisdictions: Belize (November 2022), Trinidad and Tobago (May 2023), and Guyana (June 2023).





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## The Annual CCJ International Law Moot returned to the Seat of the Court in 2023



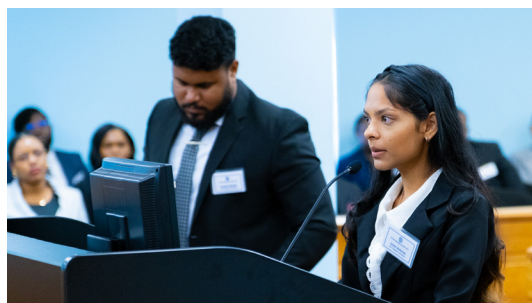
[Click image to view the 13th Annual CCJ International Law Moot Highlights!](#)

The Annual Caribbean Court of Justice (CCJ) International Law Moot is an activity where law students participate in a simulated court proceeding. To bring the proceeding to life, each law faculty or institution represents the claimant or defendant in an Original Jurisdiction case before Judges of the CCJ. The CCJ views the Moot as an excellent way to introduce regional law students to the tenets of the Revised Treaty of Chaguaramas and raise awareness of the Court and its Original Jurisdiction.



In 2023, the Court hosted the thirteenth instalment of the competition from 16-17 March 2023, in person at the Seat of the Court in Port of Spain, after a three-year pause necessitated by the COVID-19 pandemic. The panel of judges comprised the Honourable Justices Wit, Anderson, and Rajnauth-Lee. Seven (7) regional teams, namely the Eugene Dupuch Law School, Hugh Wooding Law School, Norman Manley Law School, The University of the West Indies (St. Augustine and Cave Hill campuses), Anton de Kom University of Suriname, and the University of Guyana participated in this year's event.

The Norman Manley Law School from Jamaica emerged as the overall competition winner. The University of the West Indies, Cave Hill campus received the silver medal and the award for Best Academic Institution. The Social Media Spirit Prize, which was introduced at the previous competition to raise the profile of the participating teams, increase camaraderie, and extend involvement in the Moot to the broader academic community and the public. This prize was won by the Norman Manley Law School. Mr Rahym Augustin-Joseph copped the inaugural Sir Henry Forde Best Oralist Award.



Of the 12 students who responded to the post-Moot survey, (83%) strongly agreed they have a deeper understanding of the Caribbean Court of Justice and the Original Jurisdiction. The Court eagerly awaits the 14th Annual CCJ International Law Moot in March 2024.



## CCJ's Carnival Lime

The CCJ's Carnival event is one of the most anticipated staff events of the year. It represents an opportunity for the Court to introduce new staff members to aspects of local culture and even more importantly, to build a culture of camaraderie and further develop positive employee relations. The last time the Court enjoyed such an event was in 2019 so the 2023 version was eagerly anticipated. Staff, their family, and friends enjoyed the seasonal entertainment and, of course, good clean fun.



This year's event was themed "Blue - The Cooler Party" and promoted the idea that employees and other invitees should wear blue as an expression of the CCJ brand and our core values of integrity, industry, courtesy and consideration, and excellence. Guests were also asked to bring their coolers with their drink of choice. There was a short programme with key aspects to actively engage staff such as door prizes and the *"Carry Yuh Key Competition"*. For the contest, staff rendered their version of a Road March or a Soca Monarch song from any year since the Court's inception. Contestants went above and beyond in their performances and emulated their favourite soca artistes in their dress and even recreated their stage performance for the competition. The spirited competition was a success, and no contestant left the stage empty-handed.

The evening's entertainment also included performances from Viking Ding Dong and Austin "Superblue" Lyons, much to the delight of the intimate crowd. After the artistes' performances, staff and guests remained, enjoying the rest of their night among family, friends, and colleagues.



## CCJ's 18th Anniversary Celebrations

On 16 April 2023, the Caribbean Court of Justice turned 18. The Court recognised this achievement as an ample opportunity for us to acknowledge our journey and look forward with optimism to the years ahead.



As such, the Public Education and Protocol Unit (PEPU) coordinated a series of activities that reflected President Saunders' 2023 overarching goals for culture change and the CCJ's strategic goal 1.3.1, which seeks to *“develop tools and solutions that will ensure a more informed and engaged workforce”*. Some activities were accomplished in partnership with the Human Resources Department and the recently established Culture Change Committee.



In the lobby, there was the first ever **“Culture Corner”**: a display of artifacts from CARICOM territories, graciously loaned to the exhibit from judges and staff members. CCJ employees contributed original pieces such as artwork, books, handmade items, replicas, and more to fully furnish the dedicated space with memorabilia from the 12 Member States. The “Culture Corner” aimed to facilitate awareness and appreciation of the varying cultures present at the Court. At the staff function, employees from Barbados, Belize, Guyana, Jamaica, Saint Vincent and the Grenadines, and Trinidad and Tobago presented their dedicated artifacts and why they represented their home nations. National pride and patriotism were also displayed through the beautiful array of national colours donned by those in attendance.



While we reminisced about the 18 years behind us, President Saunders reminded the gathering of our vision **“to be a model of judicial excellence”** and encouraged staff to equip themselves to accomplish even more in the years to come. The in-house function for staff concluded with a Caribbean-themed brunch that featured indigenous food items from throughout the region.





## Committees

### CCJ Committee for Improving Access to Justice for Persons with Disabilities

In June 2022, the Honourable Mr Justice Adrian Saunders, President, and the Honourable Mme Justice Maureen Rajnauth-Lee represented the CCJ at a Hilton Hotel in Port of Spain, Trinidad conference. The conference was chaired by Professor Velma Newton, Regional Project Director of IMPACT JUSTICE, and attended by persons with disabilities (PWDs) and organisations representing PWDs across the Caribbean. The conversations were rich, and the issues discussed reminded people of PWDs' challenges as they seek to access justice in the courts.

President Saunders and Mme. Justice Rajnauth-Lee immediately recognised that the time was right for the CCJ and the RJLSC to develop a policy that would address the issues that PWDs face both in the workplace and in the courtroom. Such a policy would accord with the CCJ's mission to provide accessible, fair, and efficient justice for the people and states of the Caribbean Community.

Consequently, a committee was appointed to develop a policy that would enhance the protection of the rights of PWDs as they interact with the CCJ both as internal and external users. The Committee comprises Mme Justice Rajnauth-Lee; (Chair), Mrs Gisel Thomas-Roberts; Deputy Registrar and Marshal, Mr Dike Noel; Chief Public Education and Protocol Officer, Ms Sonia Thompson; Information Systems Support Technician, Mrs Jennifer Scipio-Gittens; Social Worker and Administrative Officer, and Mrs Hilary Wyke, Judicial Counsel (Administrative Officer to the Committee). The Committee also includes two external members: Mrs Ria Mohammed-Davidson, Attorney at Law, and Co-Chair of the Human Rights Committee of

the Law Association of Trinidad and Tobago and Ms Shamla Maharaj, Product Delivery Analyst (Scotiabank, Eastern Caribbean Region), and representative of the Consortium of Disability Organizations (CODO).

The Committee's work began with the development and distribution of a survey that sought responses on challenges facing PWDs at the CCJ Judges, managers, and staff. The results of the survey provided an important starting point.

Additionally, the Committee was pleased to learn that the Caribbean Association of Judicial Officers (CAJO) had begun collaborating with the JURIST Project to develop Disability and Inclusion Guidelines for Judiciaries and Judicial Officers. These important Guidelines were published in February 2023 and will be adopted by the CCJ with such adaptations as are considered necessary.

The Committee has settled its Terms of Reference and is in the advanced stages of finalising a draft policy. It is envisaged that the Committee will embark on meaningful consultations with internal and external stakeholders, particularly with organisations that represent PWDs. It is important to note that the Committee's work is always guided by the principle **"Nothing about us, without us."**

The Court and the Committee formally record the debt of gratitude owed to Mrs Jennifer Scipio-Gittens, who has highlighted for many years the issues PWDs face and advocated for the protection of their rights.



Committees *(continued)*

## Health, Safety, Security, and the Environment Committee

The Health, Safety, Security, and the Environment (HSSE) Committee was reestablished after a two-year hiatus during the COVID-19 pandemic; where no meetings were held because the President of the Court convened a Special Response Team Committee to manage the organisation’s response to the COVID-19 pandemic and other threats. The Senior Manager of Corporate Administration reconvened the Committee following the arrival of Colonel (Retired) Darnley Wyke, Chief Security and Logistics Officer, who serves as its Chairman. The Committee also comprises employees from a cross-section of each department and unit of the CCJ. During the period under review, monthly online meetings have been held with the Committee’s members to review the Terms of Reference (TOR), the HSSE Draft Policy, and the proposed equipment list. Safety Wardens were also re-introduced and are stationed on each building floor. In a case of emergency, the Safety Wardens are expected to assist the Security Officers in efficiently evacuating the building and accounting for all staff, contractors, and visitors from each level.

The other main duties of Safety Wardens are to:

Lead the fire drills and ensure a safe and efficient evacuation of staff and visitors from the Court.

Ensure all workers are accounted for during and post evacuation.

Assist all persons in the workplace should an emergency occur, including assisting PWDs, e.g., helping a wheelchair-bound person to evacuate.

Identify and report to the HSSE Committee all hazards in the workplace.

During the reporting period, one emergency drill was conducted to test the standard evacuation procedure and fire safety equipment. These drills are planned and run periodically to ensure all staff members are familiar with them so that in a real emergency, the risks of injury and loss of life are diminished. The Safety Warden’s Handbook review was also conducted during this period and should be submitted for approval before the end of 2024.

In considering the environmental changes due to natural or man made emergencies that may affect the work of the HSSE Committee, revisits of the emergency muster points were also done to determine their current suitability. The HSSE Committee looks forward to continuing its efforts to educate the staff and stimulate a culture of safety in the workplace. The mantra of the HSSE Committee remains, **“If you see something, say something.”**

## The Rules Committee

The committee commenced meetings on 3 April 2023 with a mandate to review the Appellate and Original Jurisdiction Rules and submit to President by year’s end a report of any revision to existing rules or proposal of new rules as the committee deemed necessary. The committee met biweekly and, by the close of the period under review, had completed the review of the Appellate Jurisdiction Rules and made significant headway into the review of the Original Jurisdiction Rules.



## Committees *(continued)*

### Recognition and Appreciation Committee

The initial mandate of the committee was fulfilled, that is, the development of an Employee Recognition Programme and the subsequent establishment of a Recognition and Appreciation Policy. This policy gave birth to the Awards Committee, to support the programme.

The members then regrouped during the period under review to provide support through consultations and sensitization sessions of the Awards Committee and the various units with the responsibility of executing the programme. During this period, the final phase of the roll-out of the programme occurred, which was the competitive awards for which the Awards Committee had responsibility for selecting awardees.

### Monitoring and Evaluation Committee

The Monitoring and Evaluation Committee (M&E) serves as the guardian of organisational objectives, tasked with ensuring efficiency and effectiveness in implementation. The Committee scrutinises projects and programmes with meticulous attention to detail. Through systematic data collection and analysis, successes and areas for improvement are identified. Using key performance indicators and evaluation frameworks, the Committee ensures that the Court's operations are aligned with its Strategic Plan. Between August 2022 and July 2023, the M&E met twice to assess the progress of the Court's Departments against their work plans. The Departments reported to the M&E on the status of their initiatives, lessons learned, and the way forward. The Committee made recommendations grounded in evidence, empowering Managers and Unit Leaders to steer initiatives towards optimal outcomes. The M&E is subject to the oversight of an Executive Sub-Committee which meets monthly to ensure that Court operations consistently align with the discussions at the broader M&E meetings.

### Policies and Procedures Approval Committee

The Policies and Procedures Approval Committee (PPAC) was established by the President, effective 27 April 2023. Its primary mandate is to assess the viability and relevance of existing policies and procedures within the Court. This comprehensive review is essential to ensure the continued effectiveness of organisational policies. The scope of the policy review extends across various critical dimensions, guaranteeing the ongoing relevance of these policies. It involves a meticulous examination of the stated objectives and purposes of each policy, contextualised within the background against which they were initially formulated. This scrutiny aims to ascertain their relevance in the current organisational landscape.

Within the reporting period, the PPAC conducted an assessment to prioritise the review of policies and actively engaged with relevant stakeholders, including policy writers, employees, and management whose diverse perspectives and valuable insights enrich the review process.

The PPAC's agenda included reviewing 20 existing policies and simultaneously formulating recommendations for the approval of 15 new policies. This delineation not only facilitated a thorough examination of the current policy landscape but also demonstrated a commitment to innovation and adaptability. By aligning policies with the evolving needs of the Court, the PPAC continues to play a crucial role in ensuring the organisation remains agile and responsive.





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## Committees *(continued)*

### Website Committee

Strategic Issue 1 of the Caribbean Court of Justice's Strategic Plan 2019-2024 focuses on Communication with an expected outcome being the improved communication both internally and with all stakeholders in the regional and global communities. In keeping with this issue, President of the Caribbean Court of Justice, the Honourable Mr Justice Adrian Saunders, commissioned the Website Committee.

The fundamental purpose of the Committee is to develop strategies in relation to the CCJ's website and online presence in keeping with a. The mission and vision of the Court as set out in the Strategic Plan 2019-2024; b. The performance standards to which the Court adheres; and c. The Court's responsibility to engage in public education. Since the Terms of Reference for the Committee was adopted and became effective in 2021, the Website Committee has made great strides in reconstructing [www.ccj.org](http://www.ccj.org) ensuring that it is modern and representative of a forward-looking Court. The most recent integration of the Online Public Access Catalogue and the Caribbean Judicial Information System allowed internal and external users alike to search through judgments in both the Appellate and Original Jurisdiction as well as other Court publications and enhance their online experience.

As the work on the CCJ's website continues, the Committee endeavours to further energise the platform so that its stakeholders are empowered to use it diligently and consistently.

### Administrative Style Guide Committee

An Administrative Style Guide plays a crucial role in promoting professionalism, clarity, and consistency in written communications across the organisation, ultimately enhancing its image and effectiveness. The Administrative Style Guide Committee, established by the CCJ President the Hon. Mr Justice Adrian Saunders in April 2021, was set up to do just this. It was tasked to produce a guide that would be the standard for all administrative correspondence/documents generated from the Court. The Guide encompasses elements such as:

- a. a standardised letterhead and formatting style
- b. rules governing the use of the Court's letterhead
- c. authorised signatories for Court correspondence
- d. usage guidelines for the Court's rubber stamp, and
- e. the adoption of British English spelling conventions.

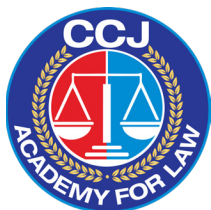
Despite facing challenges due to conflicting Court activities and deadlines, the Committee remained dedicated to its objectives. Although there were obstacles hindering the submission of a final draft in November 2022, a complete and comprehensive draft of the Administrative Style Guide was achieved and submitted in July 2023. The Guide will become the standard reference for all administrative communications within the organisation.



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## Outreach



the CCJ Academy for Law

### ACTIVITIES AUGUST 2022 – JULY 2023

#### Academy Presentation to the UWI Cave Hill Faculty of Law, September 2022

On 15 September 2022, Chairman of the CCJ Academy for Law, The Honourable Mr. Justice Winston Anderson, presented on the topic *“Caribbean Public Health: The Use of Law to Address NCDs in the Caribbean – A Call to Action”* to the Law & Health Research Unit of UWI Cave Hill Faculty of Law.

#### First Hemispheric Meeting of Regional Courts

On 22-23 September 2022, the Academy for Law collaborated with the Caribbean Court of Justice in hosting the First Hemispheric Meeting of Regional Courts under the theme, *“The Rule of Law and International Justice”*. The Academy’s chairman served as a panellist amongst the Hon. Mr Justice Adrian Saunders (President of the Caribbean Court of Justice), the Hon. Dame Janice Perreira (Chief Justice of the Eastern Caribbean Supreme Court), the Hon Dr Cesar Ernesto Salazar Grande (President of the Central American Court of Justice), the Hon Hugo R Gomez (President of the Court of Justice of the Andean Community), and the Hon Ricardo Manrique (President of the Inter-American Court of Human Rights). Participants explored the challenges facing regional courts during their operations and shared best practices in substantive areas of international and community law. The Rule of Law and International Justice, Compliance and Enforcement of International Judgments, Institutional Arrangements of International Courts, the Relationship with Domestic Courts and the Referral Obligation were amongst the topics discussed and this Conference led to the creation and adoption of the Port of Spain Declaration.



#### Third Eminent Caribbean Jurists Series: Legendary Caribbean Legal Practitioners, 27 September 2022

The first of the Selection and Advisory Committee was held on 27 September 2022, and since then, the Committee was to go on to meet an additional eleven (11) times. The general purpose of the Selection and Advisory Committee was to streamline the nomination process for awardees for the year’s award and finalise the list of awardees. Our next meeting was scheduled to take place in the first week of December 2022 where final details were to be confirmed. For the year’s award ceremony, a total number of forty-eight (48) persons were selected from the one hundred and fifteen (115) nominated for the bestowment of the Caribbean Legendary Legal Practitioners Awards. The third installment of the

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## the CCJ Academy for Law *[continued]*

CCJ Academy of Law's Eminent Caribbean Jurist Series was intended to recognise "*Legendary Caribbean Legal Practitioners*". In celebration of the life and work of the respective nominees for this year's award, the Academy delivered a publication of a book documenting and celebrating the careers of Caribbean legal pioneers and giants. It was our hope that the book will be read widely across the region and outside the legal and academic communities, so persons can be informed of the great achievements of some of our most renowned legal practitioners.

### **UNDP Spotlight Initiative began 3 October 2022**

The CCJ Academy for Law's collaboration with the Spotlight Initiative of the United Nations Development Programme (UNDP) began on 3 October 2022. The Spotlight Initiative is a global initiative of the United Nations (with support from the European Union) which aims to eliminate all forms of violence against women and girls. In the Caribbean, the Spotlight Initiative focuses on Gender-Based Violence (GBV), specifically family violence (FV), which involves physical, social, sexual, economic, psychological/emotional abuse and acts of aggression within relationships that are considered as family connections or akin to family.

### **Referral Outreach to Belize, November 2022**

On the 24-25 November 2022, a small delegation from the Court travelled to Belize to conduct the inaugural workshop on the Referral Process and the Original Jurisdiction (OJ) of the CCJ. The Hon. Mr Justice Anderson, Communication and Information Manager Mrs Ria Mohammed-Pollard, and Judicial Counsel Ms Chelsea Dookie, were present for the two-day programme which acquainted its participants with the referral process according to Article 214 of the Revised Treaty of Chaguaramas and familiarised them with the Court's remit as an international tribunal. Dr Chantal Ononaiwu, Trade Policy and Legal Specialist at the CARICOM Secretariat, joined the CCJ team to expand on the OJ. Over two days, Belize's judges, registrars, Magistrates, attorneys and the business community, and civil society gathered in segmented groups to deepen their understanding of the referral obligations of local courts and the Court's original jurisdiction. This engagement was co-funded by the Jurist Project and the European Union.

### **7th Biennial Conference of the CCJ Academy for Law, first planning meeting 17 November 2022**

The Academy's Biennial Conference is the flag event that brings together legal practitioners, scholars, policy makers, students, and others to engage in thought provoking discussions on current legal and societal issues with an aim of fostering professional development. The Academy has since hosted six (6) previous Biennial Conference and this year our 7th Biennial Conference will be convened under the theme "*Criminal Justice Reform: Achieving a Modern Criminal Justice System*". The Planning Committee was first convened on 17 November 2022, with eight (8) meetings thereafter.

### **Board of Directors Meeting**

The annual Board of Directors Meeting was held 1 March 2023 at which the activities of the Academy were reviewed and plans for further activities were considered and approved. Of particular significance was the adoption of statements of the vision, mission and values of the Academy, expansion in the Board of Directors, and greater emphasis placed on the role of management institutions within the Academy. The perennial need for greater human and material resources was noted. The financial arrangements were considered satisfactory, and the Chairman reiterated the need for an external audit of the finances to ensure fullest transparency and accountability.

### **Partnership with CARIFI & WIPO, 29-30 March 2023**

There was a successful partnership with CarIFI & WIPO (29-30 March 2023) in putting on a virtual workshop that investigated the relationship between Alternative Dispute Resolution and Intellectual Property. The workshop was well attended by people from around the region and was generally well received as being interesting and informative and a point of intervention by stakeholders into the process.

## the CCJ Academy for Law *[continued]*

### Referral Training in Trinidad and Tobago

The CCJ Academy for Law in collaboration with the Judicial Educational Institute of Trinidad and Tobago (JEITT) and the Caribbean Court of Justice (CCJ) orchestrated a referral training workshop for judicial officers on 18 May 2023 at the Convocation Hall of Hall of Justice. Over fifty (50) Justices of Appeal, Judges, Masters, Registrars, Chairs of specialised courts and tribunal and court officials, gathered to learn about the CCJ's referral process and the important role that municipal courts, specialised courts and tribunals play. This workshop was co-funded by the European Union through the 11th European Development Fund. CCJ Academy for Law Chairman, Mr Justice Winston Anderson and the then Deputy, Mr Justice Jacob Wit discussed the concept of referrals and introduced the process respectively. Dr Chantal Ononaiwu, Director, External Trade, CARICOM Secretariat, led the practical examination of the referral process and assessed the audience's understanding of the aspects through a group simulation exercise. The initial feedback from participants was encouraging as they praised the format of the workshop and the knowledge imparted from the presenters.



Referral training in TT



Justice Anderson speaks about referring matters to the CCJ

### Referral Training in Guyana

On the 23rd of June 2023, the Academy continued its Referral Training and Sensitization process with the Judiciary of Guyana at the Arthur Chang Conference Centre in Guyana. The Session was attended by judicial officers and other stakeholders who may have an interest in the referral process.

### Public Lecture on Criminal Justice by Justice Wit

On 24 June 2023, Justice Jacob Wit, Deputy Chair of the CCJ Academy for Law delivered a Public Lecture at the Arthur Chung Conference Centre Guyana entitled "*Rethinking the Criminal Justice System*". The lecture was widely regarded as brilliant, scintillating, and, typically of Justice Wit, provocative. It was also intended to be a precursor to the 7th Biennial Law Conference on Criminal Justice Reform. CAL Chairman, Justice Anderson delivered closing remarks at the Public Lecture.



Criminal law lecture by Justice Wit



the CCJ Academy for Law *[continued]*

## SUPPORT FOR WORK OF CHAIRMAN AND OFFICERS

The officers of the Academy have put in significant work during the period to keep the Academy's brand and activity visible.

### Caribbean Public Health Law Forum (CPHLF)

CAL continues to collaborate with the Caribbean Public Health Law Forum which was launched in June 2021 as a joint initiative between the Pan American Health Organization (PAHO/WHO), Caribbean Court of Justice Academy for Law (CAL), the Law & Health Research Unit of the University of the West Indies and Healthy Caribbean Coalition. CPHLF's obligations include the promotion of increased awareness on the role of, and best practices in the use of law to prevent and control NCDs, as well as the development of improved capacity within the region to leverage advocacy for public health.



Justice Anderson speaks at the Law Week Symposium

### Guyana Bar Association's Law Week Symposium

The Chair of the Academy was the featured speaker at the Guyana Bar Association's Law Week Symposium at the Arthur Chung Convention Center on 28 April 2023. The symposium's theme was "*New Frontiers in Law, Preparing for the Future*" and he presented on the topic: "*New Legal Technologies: Pivot or Perish*".

### Remarks at the Annual Law Conference of the Guyana Judiciary

On 1 July 2023, the Academy's Chairman presented on "*Cross-Border Litigation in the Guyana Courts: Preparing for the Coming Deluge*" at the Annual Law Conference of the Guyana judiciary.



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## The Caribbean Association of Judicial Officers (CAJO)



The Caribbean Association of Judicial Officers' (CAJO) 7th Biennial Conference occurred from 27-29 October 2022 at the Royalton Resort, Saint Lucia. The Eastern Caribbean Supreme Court was the host of the Conference. The theme of the Conference, ***“Caribbean Judiciaries in a Changing World”***, was selected as it captured the urgent need for regional judiciaries to meaningfully engage in a rapidly evolving world order and be sufficiently responsive to the changing demands of justice. This recognition was emphasised with the onset of the COVID-19 pandemic which compelled momentous change.

The Conference programming was spread across three days, with the first day comprising a keynote address by the Honourable Mia Mottley, SC, Prime Minister of Barbados. Additionally, there was one plenary session on ***‘Digital and Artificial Intelligence Interventions for Enhancing the Work of Judiciaries,’*** and two pairs of concurrent breakout sessions on ***‘Emerging Issues in Family Law’*** and ***‘Forced Labour, Human Trafficking, and Modern Forms of Slavery’*** as well as ***‘Criminal Trials Without Juries’*** and ***‘Performance Standards for Courts.’*** The second day comprised a keynote address by Professor Trevor Munroe, one plenary session on ***‘Judicial Wellness,’*** and a pair of concurrent breakout sessions on ***‘Privacy and Data Protection in***

***the Courts: Civil and Common Law’*** and ***‘Community Law Obligations and Domestic Law.’*** The third and final day comprised two plenary sessions on ***‘Environmental Justice’*** and ***‘Gender Justice.’*** Over 150 judicial officers, including Chief Justices and heads of judiciaries, Judges, Magistrates, Registrars, and court administrators from across the Caribbean, participated in the Conference.

Institutionally, CAJO was incorporated as a non-profit organisation and commenced a membership drive. CAJO also drafted and published a policy and code of behaviour to prevent harassment at CAJO initiatives.

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## The Caribbean Association of Judicial Officers' (CAJO) *[continued]*

In November 2022, the Hon. Mr Justice Jamadar, on behalf of CAJO, delivered a presentation at the annual training for the Judiciary and Magistracy of Bermuda on *'Diversity and Inclusion in the Administration of Justice – Implications for Integrity, Justice, and Public Trust and Confidence.'* In the same month, he also presented at a master class for the Faculty of Law, The University of the West Indies, Mona, on *'The Good Governance Principle: A Public and Private Law Symbiosis.'*

From 26-28 January 2023, CAJO engaged in several other territorial initiatives, including the following in-person sessions in Barbados: *'Achieving Goals Meeting Expectations'*; and an environmental outreach programme – *'Plant a Tree: Save the Planet.'* On 31 May 2023, the organisation hosted a regional virtual member-only forum entitled *'Appeal-proof Decision-Making Fantasy or Reality?'* In June 2023, CAJO Chair, the Hon. Mr Justice Jamadar, presented at ANAO's Mid-Year Meeting in Washington DC on *'Judicial Wellness and Mindful Judging.'*

During this period, CAJO also issued several noteworthy publications, and together with the Caribbean Court of Justice (CCJ) and The University of the West Indies, it undertook a *'Joint Caribbean Centric Jurisprudence Research Project.'* This publication assessed how Caribbean material was used and referred to in core courses at the

Faculties of Law, The University of the West Indies. The results of this study were published in a report dated September 2022. In February 2023, CAJO worked together with the JURIST Project to publish, both in electronic form and print, the following publications: (i) *'Disability, Inclusion, and Awareness Guidelines'* and (ii) the *'Criminal Bench Book for Guyana, Barbados, and Belize.'* CAJO also worked with the CCJ and the JURIST Project to research and publish the *'Disability, Inclusion, and Awareness Final Research Project Report.'*

CAJO News Issue 16, published in January 2023, and CAJO News Issue 17, published in July 2023, were completed during the period. CAJO News Issue 16 celebrates the success of the 7th Biennial Conference and offers readers an opportunity to revisit the impactful programming, memorable moments, and spirit of camaraderie. CAJO News Issue 17 focuses on rights-based interventions. It concentrates on a few such areas of historical deficit in which the CAJO has been working to advance rights and correlated responsibilities so that the aspirational statements in our Caribbean constitutions may be experienced by all our peoples in their day-to-day lives, especially as they engage the legal systems. The reports, publications, and CAJO News Issues can all be accessed on CAJO's website <https://thecajo.org>.

# The JURIST Project Comes to a Close



## Background

The **Judicial Reform and Institutional Strengthening (JURIST) Project** was a multi-year regional Caribbean judicial reform initiative funded by the Canadian government with the goal of *“establishing a judicial system more responsive to the needs of women, men, youth, business and the poor.”* The project, which ended on 31 March 2023, was implemented on behalf of Global Affairs Canada and the Conference of Heads of Judiciary of CARICOM (the Conference). The Caribbean Court of Justice (CCJ) served as the project’s regional executing agency throughout its duration, which focused on improvement, transition, and sustainability.

Emphasising improvement, transition, and sustainability, JURIST supported regional jurisdictions’ progressive adjustments and improvements to enhance their justice delivery. Some of the significant achievements and highlights from the JURIST Project over the reporting period included:

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| <ul style="list-style-type: none"> <li>• Revision of the Model Guidelines for Sexual Offence Cases. There is renewed interest from several new judiciaries in creating specialised courts for sexual offences.</li> </ul>                            | <ul style="list-style-type: none"> <li>• Production and publication of the Caribbean Association of Judicial Officers (CAJO) new Regional Disability and Inclusion Awareness Guidelines (a template to be adapted by interested judiciaries).</li> </ul>                      |
| <ul style="list-style-type: none"> <li>• Circulation throughout the region of the Criminal Bench Book for Magistrates and Parish Courts Judges. Development of a criminal bench book for the high courts of Barbados, Belize, and Guyana.</li> </ul> | <ul style="list-style-type: none"> <li>• Completion of the review of Guyana’s Criminal Procedure Rules, development of a strategic plan, completion of family mediation training, and the introduction of a case management information system for the magistracy.</li> </ul> |
| <ul style="list-style-type: none"> <li>• Development of a model harassment policy for judiciaries and judicial bodies in the region by the CCJ, in partnership with UN Women. Policy to be adapted and implemented across the region.</li> </ul>     | <ul style="list-style-type: none"> <li>• Implementation by the Judiciary of Barbados of statistical analysis and performance measurement and issuance of the first-ever statistical report on the performance of its courts.</li> </ul>                                       |
| <ul style="list-style-type: none"> <li>• Development by the Judiciary of Barbados of a Registry Desk Manual that includes process mapping and opportunities for improved delay identification and backlog reduction interventions.</li> </ul>        | <ul style="list-style-type: none"> <li>• The Eastern Caribbean Supreme Court (ECSC) addressed mediation expansion, technology improvement, and cross-pollination/fertilisation, explicitly focusing on specialised courts and registry processes.</li> </ul>                  |





## The JURIST Project Comes to a Close *[continued]*

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| <ul style="list-style-type: none"> <li>• A process for generating concepts and proposals for improvements to court administration involved the creation of working groups or committees, including multi-disciplinary teams, that offered the benefit of a variety of perspectives for improved performance.</li> </ul>  | <ul style="list-style-type: none"> <li>• Finalisation of an agreement requesting the CCJ to house and maintain the CJS and assist with coordinating regional technical and human resources to share knowledge and good practices, utilising the resources and models developed through JURIST project support.</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Development and dissemination by CAJO of the curriculum and good practices to aid regional judiciaries' reform efforts.</li> </ul>  | <ul style="list-style-type: none"> <li>• Completion of several reflective monitoring sessions and activities in this final year. A series of JURIST Project area briefs document changes, good practices, and opportunities in judicial reform achieved by judiciaries in the region with JURIST support.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Development of a <b>Sustainability Plan for CCJ</b> to facilitate a smooth transition beyond the JURIST Project.</li> </ul>   | <ul style="list-style-type: none"> <li>• <b>Completion of Gender Equality Protocols</b> for Magistrates and Judges of Barbados.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Completion of a knowledge exchange on <b>Sexual Offence Courts</b> that brought the focus back to the implementation of the Model Guidelines for Sexual Offence Cases in Antigua and Barbuda (ECSC Jurisdiction) and Guyana. Key deliverables included allowing the jurisdictions to share lessons learned and best practices, develop knowledge products that capture strategy and best practices, and to create an environment to update the Model Guidelines with findings.</li> </ul> | <ul style="list-style-type: none"> <li>• Completion of a Baseline Study Report for <b>Indigenous and Tribal Peoples (ITPs)</b> with specific focus on the experience of ITPs when they interact with the Courts and attempt to access justice.</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Completion of a <b>Case Flow Management Statistical Report</b> that included analysis and recommendations to support the Barbados Judiciary in using <b>empirical evidence</b> to engage in strategic planning and budgeting and identify solution-oriented interventions that address delays that lead to the creation of backlogs.</li> </ul>   | <ul style="list-style-type: none"> <li>• Completion of two judicial education programmes facilitated by CAJO focused on:             <ul style="list-style-type: none"> <li>◦ Preparing decisions for timely delivery for regional magistrates, and parish court judges, and</li> <li>◦ Setting and sustaining performance standards for regional magistrates and parish judges.</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Completion of <b>Being Media Ready Training</b> in collaboration with CAJO, which sought to enhance judicial and justice sector stakeholders' theoretical know-how and hands-on experience to engage with the media for interviews and media conferences.</li> </ul>  | <ul style="list-style-type: none"> <li>• Completion of Judicial Settlement and Case Management Training for Judicial Officers of the Eastern Caribbean jurisdiction.</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Completion of a training event for members of bar associations across the Caribbean on adjudicating sexual offences cases with a focus on working with vulnerable witnesses.</li> </ul>   |   |



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# ANNUAL REPORT

## The JURIST Project Comes to a Close *(continued)*

The Transition Team was established at the end of the seventh year with a broad mandate to ensure that the transfer of responsibilities is structured and sustainable. During several meetings during year eight, the Transition Team identified priority areas of the project and some of the critical areas that the CCJ will assume or activities to be sustained such as:

- The Model Guidelines for Sexual Offence Cases in the Caribbean Region (including revising and supporting its application)
- Gender-sensitive adjudication (refresher training in collaboration with CAJO)
- Public education (possible updating of manuals, ongoing training of trainers and training, in collaboration with CAJO)
- Manuals are to be updated in various areas
- Bench books for magistrates and parish court judges (updating, possibly in collaboration with CAJO)
- Criminal bench book for high courts (completion; will need periodic updating)
- The knowledge management system (to be administered by CCJ)

At the close of a very dynamic year nine, it is noteworthy that the critical areas prioritised for handover to CCJ (including CAJO) have either been completed and adopted by jurisdictions, or have been subsumed under the mandate and activities of the CCJ, which includes CAJO and the CCJ Academy of Law. It will be up to all of these capable institutions to determine the relative priorities in the future and the best ways to maintain and sustain the products and progress achieved with JURIST Project support.



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# ANNUAL REPORT



Flu Shots

## Staff Activities



End of year celebrations 2022



Carnival 2023



ENGAGE • EMPOWER • ENERGISE





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# ANNUAL REPORT

## MORE Staff Activities



CCJ 18th  
Anniversary  
Celebrations



ENGAGE

EMPOWER

ENERGISE



## A Tribute to Ms Jacinth Smith and Ms Susan Campbell-Nicholas



Ms Jacinth Smith

Ms Jacinth Smith and Ms Susan Campbell-Nicholas entered the next phases in their journeys when they retired from active service from the CCJ and RJLSC, respectively.

Ms Smith joined the CCJ from Barbados in 2005 and served as the Chief Librarian, while Ms Campbell-Nicholas assumed duty as the Human Resources Manager of the RJLSC with service to the CCJ in 2014. Throughout their tenure, they both demonstrated unwavering dedication to achieving the Court's mission and vision and their efforts have undoubtedly left an indelible mark on the organisation. Their commitment, leadership, and positive attitudes have benefitted the members of their Units and set a remarkable example for all employees.



Ms Susan Campbell-Nicholas

As they embark on this new chapter of their lives, we acknowledge their contributions and service to the Court and the region and express our deepest gratitude for their hard work and wish them a future filled with joy, relaxation, and new adventures!

*"We wish Ms Smith a very happy retirement! You have helped many of us find a footing in the CCJ, and even though it is hard to see you leave, we hope you enjoy every day of this retirement. May your years be even more wonderful than your time with us. We will surely miss some of your advice, which you delivered in true Bajan style: 'Remember, cat luck ain't dog luck' or 'Me ent know about all-a-wanna, but I gine mek sure that I not gine go across there!' or 'When yuh en' got horse, ride cow.'" All the best to you, Ms Smith. Time for you to 'mek sport'!"*

LéShaun-Salandy and Sheryl Washington-Vialva  
on behalf of the Library Services Unit

*"Ms Campbell-Nicholas was always approachable with an open-door policy. The job of an HR professional is like being stuck between a rock (senior management) and a hard place (staff), but she did it with a smile."*

Simone Jackson on behalf of the RJLSC team



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# ANNUAL REPORT

# AUDITED FINANCIAL STATEMENTS

FOR THE YEAR ENDED  
31 DECEMBER 2022

(EXPRESSED IN TRINIDAD AND TOBAGO DOLLARS)



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# ANNUAL REPORT

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## Statement of Management's Responsibilities

Management is responsible for the following:

Preparing and fairly presenting the accompanying financial statements of The Caribbean Court of Justice which comprise the statement of financial position as at 31 December 2022, the statements of comprehensive income and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information;

- Ensuring that the Court keeps proper accounting records.
- Selecting appropriate accounting policies and applying them in a consistent manner.
- Implementing, monitoring, and evaluating the system of internal control that assures security of the Court's assets, detection/prevention of fraud, and the achievement of the Court's operational efficiencies.
- Ensuring that the system of internal control operated effectively during the reporting period.
- Producing reliable financial reporting that complies with laws and regulations; and
- Using reasonable and prudent judgment in the determination of estimates.

In preparing these audited financial statements, management utilised the International Financial Reporting Standards (IFRS), as issued by the International Accounting Standards Board and adopted by the Institute of Chartered Accountants of Trinidad and Tobago. Where International Financial Reporting Standards presented alternative accounting treatments, management chose those considered most appropriate in the circumstances.

Nothing has come to the attention of management to indicate that the Court will not remain a going concern for the next twelve months from the reporting date; or up to the date the accompanying financial statements have been authorised for issue, if later.

Management affirms that it has carried out its responsibilities as outlined above.

Signed  
Title: Court President  
Date: 28 April 2023

Signed  
Title: Commissioner  
Date: 28 April 2023





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# ANNUAL REPORT

## Independent Auditors' Report



**The Court President  
The Caribbean Court of Justice**

### Opinion

We have audited the financial statements of The Caribbean Court of Justice (“the Court”), which comprise the statement of financial position as at 31 December 2022, the statements of comprehensive income, changes in accumulated fund and 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 statement present fairly, in all material respects, the financial position of the Court as at 31 December 2022, and financial performance and 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 Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Court in accordance with the international Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code), and we have fulfilled our other 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 Court'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 Court or to cease operations, or have no realistic alternative but to do so.

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



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# ANNUAL REPORT

Independent Auditors' Report (Continued)

## Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that 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 aggregate, they could reasonably be expected to influence the economic decisions of users taken based on these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism 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 to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Court'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 Court'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 Court 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 are responsible for the direction, supervision and performance of the audit. We remain solely responsible for our audit opinion.

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.

San Juan  
28 April 2023

  
Chartered Accountants



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# ANNUAL REPORT

## Statement of Financial Position As at 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|   | Note | 2022<br><u>TT\$</u>       | 2021<br><u>TT\$</u>       |
|---|------|---------------------------|---------------------------|
| <b>Assets</b>                                 |      |                           |                           |
| <b>Non-current assets</b>                     |      |                           |                           |
| Property and equipment                        | 3    | 2,069,686                 | 2,833,942                 |
| Retirement benefits due from Trust Fund       | 4    | 101,915,459               | 121,175,969               |
| <b>Total non-current assets</b>               |      | <b><u>103,985,145</u></b> | <b><u>124,009,911</u></b> |
| <b>Current assets</b>                         |      |                           |                           |
| Other receivables                             | 5    | 486,135                   | 427,931                   |
| Due from related parties                      | 6    | 730,434                   | 961,246                   |
| Cash and cash equivalents                     |      | 3,055,905                 | 4,628,273                 |
| <b>Total current assets</b>                   |      | <b><u>4,272,474</u></b>   | <b><u>6,017,450</u></b>   |
| <b>Total assets</b>                           |      | <b><u>108,257,619</u></b> | <b><u>130,027,361</u></b> |
| <b>Accumulated fund and liabilities</b>       |      |                           |                           |
| <b>Accumulated fund</b>                       |      |                           |                           |
| Accumulated fund                              |      | 4,096,707                 | 7,921,451                 |
| <b>Total accumulated fund</b>                 |      | <b><u>4,096,707</u></b>   | <b><u>7,921,451</u></b>   |
| <b>Non-current liability</b>                  |      |                           |                           |
| Retirement benefit liability                  | 7    | 101,915,459               | 121,175,969               |
| <b>Total non-current liability</b>            |      | <b><u>101,915,459</u></b> | <b><u>121,175,969</u></b> |
| <b>Current liabilities</b>                    |      |                           |                           |
| Deferred Income                               | 8    | 1,261,352                 | -                         |
| Other payables                                | 9    | 984,101                   | 929,941                   |
| <b>Total current liabilities</b>              |      | <b><u>2,245,453</u></b>   | <b><u>929,941</u></b>     |
| <b>Total accumulated fund and liabilities</b> |      | <b><u>108,257,619</u></b> | <b><u>130,027,361</u></b> |

The accompanying notes on pages 82 to 98 and Supplementary Financial information on pages 100 to 103 form an integral part of these financial statements.

These financial statements were approved for issue by the Court President and an RJLSC Commissioner on 30 June 2023 on behalf of the Caribbean Court of Justice.

Court President:

Commissioner:



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# ANNUAL REPORT

## Statement of Comprehensive Income For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|   | Note | 2022<br>TT\$               | 2021<br>TT\$            |
|---|------|----------------------------|-------------------------|
| Funding from the Trust Fund                     | 10   | 16,851,140                 | 47,363,877              |
| Other income                                    | 11   | <u>540,375</u>             | <u>510,350</u>          |
|   |      | <b>17,391,515</b>          | <b>47,874,227</b>       |
| Administrative expenses                         | 12   | <u>(47,635,069)</u>        | <u>(46,465,383)</u>     |
| <b>(Deficit)/Surplus for the year</b>           |      | <b><u>(30,243,554)</u></b> | <b><u>1,408,844</u></b> |
| <b>Other comprehensive gain/loss:</b>           |      |                            |                         |
| Re-measurement of defined benefit pension plans |      | <u>26,418,810</u>          | <u>(501,750)</u>        |
| <b>Total comprehensive (deficit)/surplus</b>    |      | <b><u>(3,824,744)</u></b>  | <b><u>907,094</u></b>   |

The accompanying notes on pages 82 to 98 and Supplementary Financial information on pages 100 to 103 form an integral part of these financial statements.





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## Statement of Changes in Accumulated Fund For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|  | <b>Accumulated<br/>Fund</b> |
|--|-----------------------------|
| <b>Year ended 31 December 2022</b>       |                             |
| Balance as at, 01 January 2022           | 7,921,451                   |
| Total comprehensive deficit for the year | <u>(3,824,744)</u>          |
| <b>Year ended 31 December 2022</b>       | <b><u>4,096,707</u></b>     |
| <b>Year ended 31 December 2021</b>       |                             |
| Balance as at, 01 January 2021           | 7,013,110                   |
| Prior year adjustment                    | 1,247                       |
| Total comprehensive surplus for the year | <u>907,094</u>              |
| <b>Year ended 31 December 2021</b>       | <b><u>7,921,451</u></b>     |

The accompanying notes on pages 82 to 98 and Supplementary Financial information on pages 100 to 103 form an integral part of these financial statements.



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# ANNUAL REPORT

## Statement of Cash Flows For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|  | <b>2022</b>               | <b>2021</b>             |
|--|---------------------------|-------------------------|
|  | <b><u>TT\$</u></b>        | <b><u>TT\$</u></b>      |
| <b>Cash flows from operating activities</b>  |                           |                         |
| Total comprehensive (deficit)/surplus for the year   | (3,824,744)               | 907,094                 |
| Adjustments to reconcile total comprehensive (deficit)/surplus for the year to net cash from operating activities: |                           |                         |
| Depreciation   | 1,545,619                 | 1,458,130               |
| Interest income  | <u>(2,617)</u>            | <u>(2,543)</u>          |
|  | <b><u>(2,281,742)</u></b> | <b><u>2,363,928</u></b> |
| Decrease/(increase) in retirement benefit due from Trust Fund  | 19,260,510                | (4,529,130)             |
| (Increase)/decrease in other receivables   | (58,204)                  | 198,928                 |
| Decrease in due from related parties   | 230,812                   | 12,400                  |
| (Decrease)/increase in retirement benefit liability  | (19,260,510)              | 4,529,130               |
| Increase/(decrease) in other payables  | 54,160                    | (187,501)               |
| Increase in deferred income  | <u>1,261,352</u>          | <u>-</u>                |
| <b>Net cash (used in)/generated from operating activities</b>  | <b><u>(793,622)</u></b>   | <b><u>2,387,755</u></b> |
| <b>Cash flows from investing activities</b>  |                           |                         |
| Interest received  | 2,617                     | 2,543                   |
| Acquisition of property and equipment  | <u>(781,363)</u>          | <u>(832,848)</u>        |
| <b>Net cash used in investing activities</b>   | <b><u>(778,746)</u></b>   | <b><u>(830,305)</u></b> |
| <b>(Decrease) / Increase in cash and cash equivalents</b>  | <b>(1,572,368)</b>        | <b>1,557,450</b>        |
| Cash and cash equivalents as at January 1  | <u>4,628,273</u>          | <u>3,070,823</u>        |
| <b>Cash and cash equivalents as at December 31</b>   | <b><u>3,055,905</u></b>   | <b><u>4,628,273</u></b> |

The accompanying notes on pages 82 to 98 and Supplementary Financial information on pages 100 to 103 form an integral part of these financial statements.



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## Notes to the Financial Statements For the Year Ended 31 December 2022 (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 14 February 2001, by the Agreement Establishing the Caribbean Court of Justice (the “Agreement”). The Agreement was signed on that date by the following Caribbean Community (“CARICOM”) states 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 15 February 2003, bringing the total number of signatories to 12.

The Court was inaugurated on 16 April 2005, in Port of Spain, Trinidad and Tobago. The first Commission came into force on 21 August 2003 and works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves.

The Court is the highest judicial tribunal, designed to be more than a Court of last resort for member states of the Caribbean Community. For, in addition to replacing the Judicial Committee of the Privy Council, the Court is vested with 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”). 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.

### 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 Court’s functional and presentation currency.

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

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

There were no new standards, amendments and interpretations which are effective from 01 January 2022 and have been adopted by the Court.

##### (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 Court’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 Court and have not been disclosed.

**Notes to the Financial Statements**  
**For the Year Ended 31 December 2022**  
(Expressed in Trinidad and Tobago Dollars)

**2. Significant accounting policies (Continued)**

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

- (iii) Standards and amendments to published standards early adopted by the Court

The Court 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 judgements 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 (g) | Other receivables             |
| Note (j) | Financial assets              |
| Note (k) | Financial liabilities         |
| Note (m) | Provisions                    |
| Note (n) | Employee benefits             |

**(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 recognised in the statement of comprehensive income. Year-end balances are translated at year-end exchange rates.

**(e) Property and equipment**

Items of property 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 material and direct labour, any other cost 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 the items of property and equipment have different useful lives, they are accounted for as separate items of property and equipment.





**Notes to the Financial Statements  
For the Year Ended 31 December 2022  
(Expressed in Trinidad and Tobago Dollars)**

**2. Significant accounting policies (Continued)**

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

The gain or loss on disposal of property and equipment is determined by comparing the proceeds from disposal with the carrying amount of the property 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 and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the component will flow to the Court, and its cost can be measured reliably. The carrying amount of the replaced component is derecognized. The costs of the day-to-day servicing of property and equipment are recognized in the statement of comprehensive income as incurred.

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 property and equipment.

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

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

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

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

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

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

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



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# ANNUAL REPORT

## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (Continued)

#### (g) Other receivables

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

#### (h) Due (to) / from related party

Due (to) / from related party is stated at cost.

#### (i) Cash and cash equivalents

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

#### (j) Financial assets

The Court classifies its financial assets at amortized cost. These assets arise principally from the Court'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 are 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.

Impairment provisions for financial assets other than related party balances 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 financial assets 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 financial assets. For financial assets, 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 financial assets will not be collectible, 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 Court's financial assets measured at amortized cost comprise retirement benefits due from Trust Fund, other receivables, due from related parties and cash and cash equivalents in the statement of financial position.



**Notes to the Financial Statements  
For the Year Ended 31 December 2022  
(Expressed in Trinidad and Tobago Dollars)**

**2. Significant accounting policies (Continued)**

**(k) Financial liabilities**

The Court classifies its financial liabilities as financial liabilities at amortised cost. This primarily consists of other payables.

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

**(l) Accumulated fund**

The accumulated fund represents the excess (deficit) of funding received over (less than) expenditure.

**(m) Provisions**

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

**(n) Employee benefits**

The Trust Fund had previously proposed that since the retirement arrangements of the Court 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 the judges and non-judicial staff should be paid from the Trust Fund as they fall due. These proposals were accepted by the Court. Refer to Notes 4 and 7.

**(i) Non-judicial staff pension plan**

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

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

When a staff member reaches retirement, the Court's actuary determines the pension entitlement for that employee based on their accumulated balance using appropriate actuarial assumptions. The Trust Fund, at the request of the Court, provides to the Court 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 are treated as a defined benefit obligation of the Court.

**(ii) Defined benefit plan**

The Court's obligation in respect of the defined benefit pension plan for judges is calculated by estimating the amount of future benefit that judges have earned in return for their service in the current and prior periods; that benefit is discounted to determine its present value. The calculation is performed by the Court's actuary using the projected unit credit method.



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# A N N U A L R E P O R T

## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

### 2. Significant accounting policies (Continued)

#### (o) 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 Court is exempt from all direct and indirect taxes, duties and levies imposed in Trinidad and Tobago.

#### (p) Revenue recognition

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

Unconditional funding related to the ongoing operations of the Court 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 Court 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 Court 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 accrual basis.

#### (q) Administrative expenses

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





Notes to the Financial Statements  
For the Year Ended 31 December 2022  
(Expressed in Trinidad and Tobago Dollars)

3. Property and equipment

|                                 | Computer<br>& Software<br>TT\$ | Furniture,<br>Fixtures &<br>Equipment<br>TT\$ | Flags,<br>Crest &<br>Seals<br>TT\$ | Library<br>Books<br>TT\$ | Security<br>Equipment<br>TT\$ | Leasehold<br>Improvements<br>TT\$ | Vehicles<br>TT\$   | Total<br>TT\$       |
|---------------------------------|--------------------------------|---|------------------------------------|--------------------------|-------------------------------|-----------------------------------|--------------------|---------------------|
| <b>Year ended 31 Dec 2022</b>   |                                |   |                                    |                          |                               |                                   |                    |                     |
| <b>Cost</b>                     |                                |   |                                    |                          |                               |                                   |                    |                     |
| As at, 1 Jan 2022               | 11,582,623                     | 12,517,459                                    | 439,120                            | 15,206,703               | 1,597,709                     | 1,699,779                         | 4,450,701          | 47,494,094          |
| Additions                       | 327,986                        | 355,927                                       | -                                  | 24,536                   | 53,714                        | 19,200                            | -                  | 781,363             |
| <b>As at, 31 Dec 2022</b>       | <b>11,910,609</b>              | <b>12,873,386</b>                             | <b>439,120</b>                     | <b>15,231,239</b>        | <b>1,651,423</b>              | <b>1,718,979</b>                  | <b>4,450,701</b>   | <b>48,275,457</b>   |
| <b>Accumulated depreciation</b> |                                |   |                                    |                          |                               |                                   |                    |                     |
| As at, 1 Jan 2022               | (11,417,199)                   | (11,583,347)                                  | (433,808)                          | (15,136,180)             | (1,527,208)                   | (891,135)                         | (3,671,275)        | (44,660,152)        |
| Charge for the year             | (183,691)                      | (394,656)                                     | (2,669)                            | (45,400)                 | (50,758)                      | (89,021)                          | (779,424)          | (1,545,619)         |
| <b>As at, 31 Dec 2022</b>       | <b>(11,600,890)</b>            | <b>(11,978,003)</b>                           | <b>(436,477)</b>                   | <b>(15,181,580)</b>      | <b>(1,577,966)</b>            | <b>(980,156)</b>                  | <b>(4,450,699)</b> | <b>(46,205,771)</b> |
| <b>Net Book Value</b>           |                                |   |                                    |                          |                               |                                   |                    |                     |
| As at, 31 December 2022         | 309,719                        | 895,383                                       | 2,643                              | 49,659                   | 73,457                        | 738,823                           | 2                  | 2,069,686           |
| As at, 31 December 2021         | 165,424                        | 934,112                                       | 5,312                              | 70,523                   | 70,501                        | 808,644                           | 779,426            | 2,833,942           |



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## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

### 3. Property and equipment (Continued)

|                                 | Computer &<br>Software<br><u>TT\$</u> | Furniture,<br>Fixtures &<br>Equipment<br><u>TT\$</u> | Flags,<br>Crest &<br>Seals<br><u>TT\$</u> | Library<br>Books<br><u>TT\$</u> | Security<br>Equipment<br><u>TT\$</u> | Leasehold<br>Improvements<br><u>TT\$</u> | Vehicles<br><u>TT\$</u>   | Total<br><u>TT\$</u>       |
|---------------------------------|---------------------------------------|--|---|---------------------------------|--------------------------------------|--|---------------------------|----------------------------|
| <b>Year ended 31 Dec 2021</b>   |                                       |  |   |                                 |                                      |  |                           |                            |
| <b>Cost</b>                     |                                       |  |   |                                 |                                      |  |                           |                            |
| As at, 1 Jan 2021               | 11,582,623                            | 11,821,811   | 439,120                                   | 15,181,849                      | 1,597,709                            | 1,587,433                                | 4,450,701                 | 46,661,246                 |
| Additions                       | -                                     | 695,648  | -   | 24,854                          | -                                    | 112,346                                  | -                         | 832,848                    |
| <b>As at, 31 Dec 2021</b>       | <b><u>11,582,623</u></b>              | <b><u>12,517,459</u></b>                             | <b><u>439,120</u></b>                     | <b><u>15,206,703</u></b>        | <b><u>1,597,709</u></b>              | <b><u>1,699,779</u></b>                  | <b><u>4,450,701</u></b>   | <b><u>47,494,094</u></b>   |
| <b>Accumulated depreciation</b> |                                       |  |   |                                 |                                      |  |                           |                            |
| As at, 1 Jan 2021               | (11,272,693)                          | (11,351,154)   | (431,139)                                 | (15,062,886)                    | (1,382,647)                          | (807,229)                                | (2,894,274)               | (43,202,022)               |
| Charge for the year             | (144,506)                             | (232,193)  | (2,669)                                   | (73,294)                        | (144,561)                            | (83,906)                                 | (777,000)                 | (1,458,130)                |
| <b>As at, 31 Dec 2021</b>       | <b><u>(11,417,199)</u></b>            | <b><u>(11,583,347)</u></b>                           | <b><u>(433,808)</u></b>                   | <b><u>(15,136,180)</u></b>      | <b><u>(1,527,208)</u></b>            | <b><u>(891,135)</u></b>                  | <b><u>(3,671,275)</u></b> | <b><u>(44,660,152)</u></b> |
| <b>Net Book Value</b>           |                                       |  |   |                                 |                                      |  |                           |                            |
| As at, 31 December 2021         | <u>165,424</u>                        | <u>934,112</u>                                       | <u>5,312</u>                              | <u>70,523</u>                   | <u>70,501</u>                        | <u>808,644</u>                           | <u>779,426</u>            | <u>2,833,942</u>           |
| As at, 31 December 2020         | <u>309,930</u>                        | <u>470,657</u>                                       | <u>7,981</u>                              | <u>118,963</u>                  | <u>215,062</u>                       | <u>780,204</u>                           | <u>1,556,427</u>          | <u>3,459,224</u>           |



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## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|  | 2022<br><u>TT\$</u>       | 2021<br><u>TT\$</u>       |
|--|---------------------------|---------------------------|
| <b>4. Retirement benefit due from Trust Fund</b> |                           |                           |
| Retirement benefits due from Trust Fund          | <b><u>101,915,459</u></b> | <b><u>121,175,969</u></b> |

The Trust Fund had previously proposed that since the retirement arrangements of the Court 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 the judges and non-judicial staff should be paid from the Trust Fund as they fall due. These proposals were accepted by the Court. For the judges, this balance is determined by the present value of the future cost of the judges' pensions, while for non-judicial staff the balance is determined by the total of the non-judicial staff's employee account balances. Refer to Notes 2 (n) and 7.

### 5. Other receivables

|   |                       |                       |
|---|-----------------------|-----------------------|
| VAT recoverable   | 212,292               | 148,915               |
| Employee advances                                       | 218,818               | 173,150               |
| Due from the Caribbean Association of Judicial Officers | -                     | 52,315                |
| Due from Caribbean Community Administrative Tribunal    | 27,092                | 27,092                |
| Other assets  | <u>27,933</u>         | <u>26,459</u>         |
|   | <b><u>486,135</u></b> | <b><u>427,931</u></b> |

### 6. Due from related parties

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

#### a) Due from related parties:

|                  |                       |                       |
|------------------|-----------------------|-----------------------|
| - The commission | 681,607               | 924,595               |
| - JURIST project | <u>48,827</u>         | <u>36,651</u>         |
|                  | <b><u>730,434</u></b> | <b><u>961,246</u></b> |

Amounts due from the Commission and the JURIST Project are interest-free, with no fixed repayment terms.

|  |           |           |
|--|-----------|-----------|
| b) Trust fund income received on behalf of and transferred to the Commission | 1,519,138 | 2,035,556 |
| c) Expenses charged to the Commission  | 52,454    | 41,138    |

The Commission works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves.

### Key management compensation

|   |           |           |
|---|-----------|-----------|
| d) Salaries and other short-term benefits | 5,330,732 | 5,975,481 |
|---|-----------|-----------|



## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|  | 2022                      | 2021                      |
|--|---------------------------|---------------------------|
|  | <u>TT\$</u>               | <u>TT\$</u>               |
| <b>7. Retirement benefit liability</b> |                           |                           |
| Judges                                 | 70,947,450                | 85,859,460                |
| Non-Judicial staff                     | <u>30,968,009</u>         | <u>35,316,509</u>         |
|  | <b><u>101,915,459</u></b> | <b><u>121,175,969</u></b> |

### Judges pension arrangement

The President and Judges of the Court are to be paid pension benefits as per a final salary defined benefit pension plan in respect of continuous service with the Court. The benefits are based on one of the following categories depending on the number of years of continuous service at the time of retirement.

|                               |   |
|-------------------------------|---|
| Less than 5 years' service    | A gratuity of 20% of the pensionable emoluments at the time of retirement for every year of continuous service.       |
| 5 to 10 years of service      | A monthly pension equivalent to two-thirds of the monthly pensionable emoluments at the time of retirement, for life. |
| More than 10 years of service | A monthly pension equivalent to the monthly pensionable emoluments at the time of retirement, for life.               |





**Notes to the Financial Statements**  
**For the Year Ended 31 December 2022**  
 (Expressed in Trinidad and Tobago Dollars)

**7. Retirement benefit liability (Continued)**

**Judges pension arrangement (continued)**

Principal actuarial assumptions at the reporting date are as follows:

|  | <b>2022</b>              | <b>2021</b>              |
|--|--------------------------|--------------------------|
|  | <b><u>TT\$</u></b>       | <b><u>TT\$</u></b>       |
| Discount rate  | 5.3%                     | 2.7%                     |
| Expected rate of return on plan assets                 | N/A                      | N/A                      |
| Salary growth rate                                     | 1%                       | 1%                       |
| Average expected remaining working lives of members    | 9.66 years               | 10.2 years               |
| Fair value of plan assets as at the beginning of year  |                          |                          |
| Contributions by the Court                             | 4,161,180                | 4,161,180                |
| Benefits paid  | <u>(4,161,180)</u>       | <u>(4,161,180)</u>       |
| <b>Fair value of plan assets as at the end of year</b> | <b><u>-</u></b>          | <b><u>-</u></b>          |
| Present value of obligation as at beginning of year    | 85,859,460               | 86,515,080               |
| Interest cost  | 2,274,600                | 1,920,030                |
| Current service cost - Employer's portion              | 3,679,500                | 2,983,740                |
| Past service cost                                      | 2,836,560                | -                        |
| Benefit payments                                       | <u>(4,161,180)</u>       | <u>(4,161,180)</u>       |
| Actuarial loss on obligation                           | <u>(19,541,490)</u>      | <u>(1,398,210)</u>       |
| <b>Present value of obligation as at end of year</b>   | <b><u>70,947,450</u></b> | <b><u>85,859,460</u></b> |
| <b>Profit or loss</b>                                  |                          |                          |
| Service cost   | 2,274,600                | 1,920,030                |
| Interest cost  | <u>6,516,060</u>         | <u>2,983,740</u>         |
|  | <b><u>8,790,660</u></b>  | <b><u>4,903,770</u></b>  |
| <b>Other comprehensive income</b>                      |                          |                          |
| Net actuarial loss recognized                          | <u>19,541,490</u>        | <u>1,398,210</u>         |
| <b>Total expense</b>                                   | <b><u>19,541,490</u></b> | <b><u>1,398,210</u></b>  |

## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

### 7. Retirement benefit liability (Continued)

#### Judges pension arrangement (continued)

|                          | 2022<br>TT\$             | 2021<br>TT\$               |
|--------------------------|--------------------------|----------------------------|
| Opening liability        | (85,859,460)             | (86,515,080)               |
| Total expense            | 10,750,830               | (3,505,560)                |
| Contributions paid       | <u>4,161,180</u>         | <u>4,161,180</u>           |
| <b>Closing liability</b> | <b><u>70,947,450</u></b> | <b><u>(85,859,460)</u></b> |

As the retirement benefit liability is payable by the Trust Fund when it becomes due, a receivable balance from the Trust Fund is recorded in the statement of financial position to match the retirement benefit liability.

|  |                            |                            |
|--|----------------------------|----------------------------|
| Present value of the obligation                                | <u>70,947,450</u>          | <u>(85,859,460)</u>        |
| <b>Liability recognised in statement of financial position</b> | <b><u>(70,947,450)</u></b> | <b><u>(85,859,460)</u></b> |

#### Non-Judicial staff pension plan

The Court and its employees, with the exception of judges, 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 Court. Refer to Notes 2 (n) and 4.

#### Movement in the present value of defined benefit obligation

|   |                          |                          |
|---|--------------------------|--------------------------|
| Defined benefit obligation as at start of year          | 35,316,509               | 30,131,759               |
| Current service cost                                    | 1,505,250                | 1,605,600                |
| Interest cost   | 976,740                  | 755,970                  |
| Contributions paid                                      | 755,970                  | 822,870                  |
| Past service cost – transfer from RJLSC to CCJ          | -                        | 408,090                  |
| Remeasurements:   |                          |                          |
| - Experience adjustment                                 | (5,004,120)              | 2,160,870                |
| - Actuarial gains from changes in financial assumptions | (1,873,200)              | (260,910)                |
| - Benefits paid   | <u>(709,140)</u>         | <u>(307,740)</u>         |
| <b>Defined benefit obligation as at end of year</b>     | <b><u>30,968,009</u></b> | <b><u>35,316,509</u></b> |

#### Liability profile

The defined benefit obligations as at the year ends were allocated as follows:

|                  |     |     |
|------------------|-----|-----|
| - Active members | 85% | 87% |
| - Pensioners     | 15% | 13% |



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## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

### 7. Retirement benefit liability (continued)

#### Non-Judicial staff pension plan (continued)

##### Liability profile (continued)

The weighted average duration of the defined obligation at the year-end was 13.4 years (2021: 16.5 years). 87% (2021: 87%) of the benefits accrued by active members were vested. Less than 1% (2021: 1%) of the defined benefit obligation for active members was conditional on future salary increases.

##### 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.

|   | 2022                    | 2021                    |
|---|-------------------------|-------------------------|
|   | <u>TT\$</u>             | <u>TT\$</u>             |
| <b>Expenses recognised in profit and loss</b> |                         |                         |
| Current service cost                          | 1,505,250               | 1,605,600               |
| Net interest on net defined benefit liability | 976,740                 | 755,970                 |
| Past service cost                             | -                       | 408,090                 |
| <b>Net pension costs</b>                      | <b><u>2,481,990</u></b> | <b><u>2,769,660</u></b> |

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

Re-measurements recognised in other comprehensive income

|  |                           |                         |
|--|---------------------------|-------------------------|
| Experience losses  | <u>(6,877,320)</u>        | 1,899,960               |
| <b>Total amount recognised in other comprehensive income</b> | <b><u>(6,877,320)</u></b> | <b><u>1,899,960</u></b> |

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

|  |                          |                          |
|--|--------------------------|--------------------------|
| Opening defined benefit liability                        | 35,316,509               | 30,131,759               |
| Net pension cost   | 2,481,990                | 2,769,660                |
| Re-measurements recognized in other comprehensive income | (6,877,320)              | 1,899,960                |
| Employee's salary deductions                             | 755,970                  | 822,870                  |
| Benefits paid by the Court                               | <u>(709,140)</u>         | <u>(307,740)</u>         |
| <b>Closing defined benefit liability</b>                 | <b><u>30,968,009</u></b> | <b><u>35,316,509</u></b> |

##### Summary of principal assumptions as at December 31

|                  |         |         |
|------------------|---------|---------|
| Discount rate    | 5.0% pa | 2.7% pa |
| Salary increases | 3.0% 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 the year ends are as follows:

Life expectancy at age 65 for current pensioner in years:

|          |      |      |
|----------|------|------|
| - Male   | 17.6 | 17.5 |
| - Female | 21.5 | 21.4 |



**Notes to the Financial Statements**  
**For the Year Ended 31 December 2022**  
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**7. Retirement benefit liability (Continued)**

**Non-Judicial staff pension plan (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 assumptions used.

| <b>As at 31 December 2022</b> | <b>1% pa higher</b> | <b>1% pa lower</b> |
|-------------------------------|---------------------|--------------------|
| Discount rate                 | (635,550)           | 749,280            |
| Salary increases              | 26,760              | (26,760)           |
| <b>As at 31 December 2021</b> | <b>1% pa higher</b> | <b>1% pa lower</b> |
| Discount rate                 | 923,220             | (769,350)          |
| Salary increases              | 60,210              | 60,210             |

An increase of one year in the assumed life expectancies shown above would decrease the defined benefit obligation as at 31 December 2022 by \$153,870 (2021: \$207,390).

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

**Funding**

The Court provides benefits under the Plan on a pay as you go basis and thus pays benefits as and when they fall due. The Court expects to pay contributions totaling \$1,184,130 in 2023.

|   | <b>2022</b>              | <b>2021</b>              |
|---|--------------------------|--------------------------|
|   | <b><u>TT\$</u></b>       | <b><u>TT\$</u></b>       |
| <b>8. Deferred Income</b>                               |                          |                          |
| Grant funding from European Development Fund            | <b><u>1,261,352</u></b>  | <u>-</u>                 |
| <b>9. Other payables</b>                                |                          |                          |
| Pension contributions due to Trust Fund                 | 246,237                  | 593,602                  |
| Accounts payable  | 157,264                  | 286,847                  |
| Accruals  | 385,172                  | 59,942                   |
| Deferred income   | -                        | 593                      |
| Due to CAJO   | 192,219                  | -                        |
| Due to Caribbean Academy for Law & Court Administrative | -                        | 100                      |
| Miscellaneous liabilities                               | <u>3,209</u>             | <u>(11,143)</u>          |
|   | <b><u>984,101</u></b>    | <b><u>929,941</u></b>    |
| <b>10. Funding from the Trust Fund</b>                  |                          |                          |
| Funding received from the Trust Fund                    | 43,269,950               | 34,829,867               |
| Pension income (payable)/receivable from the Trust Fund | <u>(26,418,810)</u>      | <u>12,534,010</u>        |
|   | <b><u>16,851,140</u></b> | <b><u>47,363,877</u></b> |





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## Notes to the Financial Statements For the Year Ended 31 December 2022 (Expressed in Trinidad and Tobago Dollars)

|                                    | <b>2022</b>              | <b>2021</b>              |
|------------------------------------|--------------------------|--------------------------|
|                                    | <b><u>TT\$</u></b>       | <b><u>TT\$</u></b>       |
| <b>11. Other income</b>            |                          |                          |
| Foreign exchange gain              | 438,808                  | 469,010                  |
| Filing fee                         | 70,434                   | 38,739                   |
| Realized EDF grant income          | 27,474                   | -                        |
| Interest income                    | 2,617                    | 2,543                    |
| Memorabilia sales                  | <u>1,042</u>             | <u>58</u>                |
|                                    | <b><u>540,375</u></b>    | <b><u>510,350</u></b>    |
| <b>12. Administrative expenses</b> |                          |                          |
| Salaries and allowances            | 30,218,824               | 30,483,304               |
| Pension cost and gratuities        | 8,391,558                | 8,843,960                |
| Depreciation                       | 1,545,619                | 1,458,130                |
| Insurance expenses                 | 1,698,610                | 1,441,490                |
| Professional fees                  | 889,549                  | 700,930                  |
| Telephone and internet             | 649,218                  | 729,982                  |
| Library materials                  | 879,382                  | 733,379                  |
| Repairs and maintenance            | 575,267                  | 643,331                  |
| Janitorial expenses                | 698,409                  | 720,772                  |
| Other administrative expenses      | 515,685                  | 269,152                  |
| Entertainment expenses             | 216,052                  | 168,520                  |
| Office supplies                    | 260,065                  | 163,592                  |
| Education and training             | 420,596                  | 54,190                   |
| Uniforms                           | 43,899                   | (28,301)                 |
| Motor vehicle expenses             | 248,615                  | 49,567                   |
| Bank charges                       | 43,239                   | 33,385                   |
| Public education                   | <u>340,482</u>           | <u>-</u>                 |
|                                    | <b><u>47,635,069</u></b> | <b><u>46,465,383</u></b> |
| Number of employees                | 90                       | 89                       |

### 13. Financial risk management

#### Financial risk factors

The main financial risks arising from the Court'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.



**Notes to the Financial Statements**  
**For the Year Ended 31 December 2022**  
(Expressed in Trinidad and Tobago Dollars)

**13. Financial risk management (Continued)**

**Foreign exchange risk**

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

The table below summarizes the Court's assets and liabilities, at the year ended, which are denominated in United States Dollars and Euros.

|   | <b>2022</b>               | <b>2021</b>               |
|---|---------------------------|---------------------------|
|   | <b><u>TT\$</u></b>        | <b><u>TT\$</u></b>        |
| <b>Assets</b>                           |                           |                           |
| Retirement benefits due from Trust Fund | 101,915,459               | 121,175,969               |
| Cash and cash equivalents               | <u>2,612,114</u>          | <u>3,506,216</u>          |
| <b>Total assets</b>                     | <b><u>104,527,573</u></b> | <b><u>124,682,185</u></b> |
| <b>Net exposure</b>                     | <b><u>104,527,573</u></b> | <b><u>124,682,185</u></b> |

The table below summarizes the sensitivity of the Court's assets and liabilities to changes in foreign exchange movements at the year-end. The analysis is based on the assumption that the relevant foreign exchange rate increased/decreased by 5% to the Trinidad and Tobago dollars (2021: 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.

| <b>Foreign exchange risk</b> | <b>Effect on accumulated fund</b> |             |
|------------------------------|-----------------------------------|-------------|
|                              | <b>2022</b>                       | <b>2021</b> |
| Impact on accumulated fund:  |                                   |             |
| Increased by 5%              | 5,226,378                         | 6,234,109   |
| Decreased by 5%              | (5,226,378)                       | (6,234,109) |

**Credit risk**

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



**Notes to the Financial Statements**  
**For the Year Ended 31 December 2022**  
 (Expressed in Trinidad and Tobago Dollars)

**13. Financial risk management (Continued)**

**Liquidity risk**

Liquidity risk arises from the Court's management of working capital. It is the risk that the Court 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.

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

|                               | Less than (3)<br>months<br><u>TT\$</u> | Less than<br>(1) year<br><u>TT\$</u> | No stated<br>maturity<br><u>TT\$</u> | Total<br><u>TT\$</u>    |
|-------------------------------|--|--------------------------------------|--------------------------------------|-------------------------|
| <b>At 31 December 2022</b>    |  |                                      |                                      |                         |
| <b>Financial liabilities:</b> |  |                                      |                                      |                         |
| Other payables                | 984,101                                | -                                    | -                                    | 984,101                 |
| Grant funding from EDF        | -                                      | 1,261,351                            | -                                    | 1,261,352               |
| <b>Total liabilities</b>      | <b><u>984,101</u></b>                  | <b><u>1,261,351</u></b>              | <b><u>-</u></b>                      | <b><u>2,246,634</u></b> |
| <b>At 31 December 2021</b>    |  |                                      |                                      |                         |
| <b>Financial liabilities:</b> |  |                                      |                                      |                         |
| Other payables                | <u>1,117,442</u>                       | -                                    | -                                    | <u>1,117,442</u>        |
| <b>Total liabilities</b>      | <b><u>1,117,442</u></b>                | <b><u>-</u></b>                      | <b><u>-</u></b>                      | <b><u>1,117,442</u></b> |

**14. Subsequent events**

Management evaluated all events that occurred from 01 January 2023, through 28 April 2023, the date the financial statements were available to be issued. During the period, the Court did not have any subsequent events requiring recognition or disclosure in the financial statements.



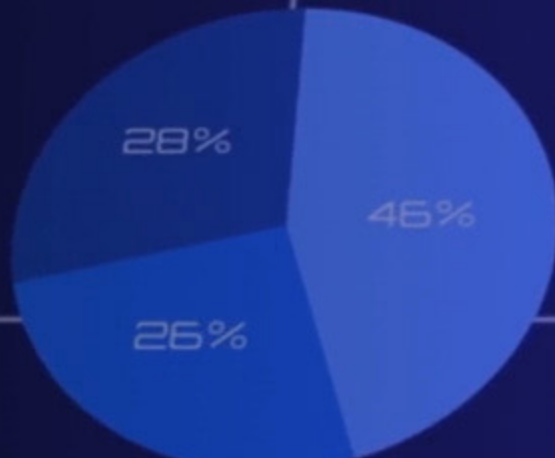
2022  
2023

# ANNUAL REPORT

## SUPPLEMENTARY FINANCIAL INFORMATION

FOR THE YEAR ENDED  
31 DECEMBER 2022

(EXPRESSED IN UNITED STATES DOLLARS)



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# ANNUAL REPORT

## Independent Auditors' Report on the Supplementary Financial Information



To the Court President  
The Caribbean Court of Justice

We have audited the financial statements of the Caribbean Court of Justice for the year ended 31 December 2022 and have issued our report thereon dated 28 April 2023.

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 Caribbean Court of Justice taken as a whole. The accompanying supplementary financial information, consisting of the statements of financial position, comprehensive income and changes in accumulated fund, 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.

28 April 2023  
San Juan  
Trinidad, West Indies



2022  
2023

# ANNUAL REPORT

## Statement of Financial Position As at 31 December 2022 (Expressed in United States Dollars)

|   | <b>2022</b>              | <b>2021</b>              |
|---|--------------------------|--------------------------|
|   | <b><u>US\$</u></b>       | <b><u>US\$</u></b>       |
| <b>Assets</b>                                 |                          |                          |
| <b>Non-current assets</b>                     |                          |                          |
| Property and equipment                        | 309,370                  | 423,609                  |
| Retirement benefits due from Trust Fund       | <u>15,234,000</u>        | <u>18,113,000</u>        |
| <b>Total non-current assets</b>               | <b><u>15,543,370</u></b> | <b><u>18,536,609</u></b> |
| <b>Current assets</b>                         |                          |                          |
| Other receivables                             | 72,666                   | 63,965                   |
| Due from related parties                      | 109,183                  | 143,684                  |
| Cash and cash equivalents                     | <u>456,787</u>           | <u>691,820</u>           |
| <b>Total current assets</b>                   | <b><u>638,636</u></b>    | <b><u>899,469</u></b>    |
| <b>Total assets</b>                           | <b><u>16,182,006</u></b> | <b><u>19,436,078</u></b> |
| <b>Accumulated fund and liabilities</b>       |                          |                          |
| Accumulated fund                              | <u>612,363</u>           | <u>1,184,073</u>         |
| <b>Total accumulated fund</b>                 | <b><u>612,363</u></b>    | <b><u>1,184,073</u></b>  |
| <b>Non-current liability</b>                  |                          |                          |
| Retirement benefit liability                  | <u>15,234,000</u>        | <u>18,113,000</u>        |
| <b>Total non-current liability</b>            | <b><u>15,234,000</u></b> | <b><u>18,113,000</u></b> |
| <b>Current liability</b>                      |                          |                          |
| Deferred income                               | 188,543                  | -                        |
| Other payables                                | <u>147,100</u>           | <u>139,005</u>           |
| <b>Total current liability</b>                | <b><u>335,643</u></b>    | <b><u>139,005</u></b>    |
| <b>Total accumulated fund and liabilities</b> | <b><u>16,182,006</u></b> | <b><u>19,436,078</u></b> |

Translation rate used – USD 1.00 = TTD 6.69 (2021: USD 1.00 = TTD 6.69)



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## Statement of Comprehensive Income For the Year Ended 31 December 2022 (Expressed in United States Dollars)

|   | <b>2022</b><br><b>US\$</b> | <b>2021</b><br><b>US\$</b> |
|---|----------------------------|----------------------------|
| Funding from the Trust Fund                     | 2,518,855                  | 7,079,802                  |
| Other income                                    | <u>80,774</u>              | <u>76,286</u>              |
|   | <b><u>2,599,629</u></b>    | <b><u>7,156,088</u></b>    |
| Administrative expenses                         | <u>(7,120,339)</u>         | <u>(6,945,498)</u>         |
| <b>(Deficit)/surplus for the year</b>           | <b><u>(4,520,710)</u></b>  | <b><u>210,590</u></b>      |
| <b>Other comprehensive gain/loss</b>            |                            |                            |
| Re-measurement of defined benefit pension plans | <u>3,949,000</u>           | <u>(75,000)</u>            |
| <b>Total comprehensive (deficit)/surplus</b>    | <b><u>(571,710)</u></b>    | <b><u>135,590</u></b>      |

Translation rate used – USD 1.00 : TTD 6.69 (2021: USD 1.00 : TTD 6.69)



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# ANNUAL REPORT

## Statement of Changes in Accumulated Fund For the Year Ended 31 December 2022 (Expressed in United States Dollars)

|  | <b>Accumulated<br/>fund<br/>US\$</b> |
|--|--------------------------------------|
| <b>Year ended 31 December 2022</b>       |                                      |
| Balance as at, 01 January 2022           | 1,184,073                            |
| Total comprehensive deficit for the year | <u>(571,710)</u>                     |
| <b>Year ended 31 December 2022</b>       | <b><u>612,363</u></b>                |
| <br>                                     |                                      |
| <b>Year ended 31 December 2021</b>       |                                      |
| Balance as at, 01 January 2021           | 1,048,298                            |
| Prior year adjustment                    | 186                                  |
| Total comprehensive surplus for the year | <u>135,590</u>                       |
| <b>Year ended 31 December 2021</b>       | <b><u>1,184,073</u></b>              |

Translation rate used – USD 1.00 : TTD 6.69 (2021: USD 1.00 : TTD 6.69)





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