

**IN THE CARIBBEAN COURT OF JUSTICE
Appellate Jurisdiction**

ON APPEAL FROM THE COURT OF APPEAL OF BARBADOS

**CCJ Appeal No CV 2 of 2006
BB Civil Appeal No 29 of 2004**

BETWEEN

**THE ATTORNEY GENERAL
SUPERINENDENT OF PRISONS
CHIEF MARSHAL**

**FIRST APPELLANT
SECOND APPELLANT
THIRD APPELLANT**

AND

**JEFFREY JOSEPH
LENNOX RICARDO BOYCE**

**FIRST RESPONDENT
SECOND RESPONDENT**

*Before The Rt Honourable
And The Honourables*

*Mr Justice de la Bastide, President
Mr Justice Nelson
Mr Justice Pollard
Mr Justice Saunders
Mme Justice Bernard
Mr Justice Wit
Mr Justice Hayton*

**Summary
of the Judgment of The Honourable Mr Justice David Hayton which
was delivered on November 8th 2006**

Hayton J in his brief judgment endorses the joint judgment of the learned President and Saunders J, except for a point on the relative roles of the court and the Barbados Privy Council (“BPC”). Where the BPC has been found not to have acted in a procedurally fair fashion in dealing with a murderer’s claim for mercy under s 78 of the Constitution, he considers that the court does not have power under s 24 to deal fully with the matter itself

but must remit it to the BPC for a procedurally fair resolution of the claim.

This is a brief statement of the main points discussed in the judgment and is not intended to be a substitute for the full text as delivered by The Hon Mr Justice Hayton of the Caribbean Court of Justice on Wednesday 8th November 2006.

Issued by The Court Protocol and Information Officer
Caribbean Court of Justice
On November 8th 2006