

# Our Leaders



# REPORT from the President



**The Right Honourable Sir Dennis Byron**  
President of the Caribbean Court of Justice

It is with a sense of deep reflection that I deliver what is the last Annual Report Message as President of the CCJ.

I am proud to have played a part in upholding the highest standards of judicial excellence which have become customary of the Court. Since its inauguration in 2005, the Court has, through its original and appellate jurisdictions, cemented several important principles of law; and, particularly during the past year, much of this judicial work has been supported by the application and refinement of comprehensive case management principles. This

has resulted in no case backlog as at 31 July 2017. In fact, every case filed prior to 1 June 2017 had been heard, although there were some reserved judgments which will be delivered during the Court vacation.

I am especially gratified by the improvement of the technology systems that support the Court's operations. The deployment of the Curia e-Filing and Case Management suite in January, which also incorporated a performance toolkit with the ability to generate statistical reports, has allowed our Court to be more efficient and responsive in delivering justice to the region. This builds on a process which I pioneered in 2013 with the introduction of filing cases and documents by email. The transition to e-Filing is therefore a logical progression that allows litigants to file documents online thereby facilitating broader access to the jurisdiction of the Court. This system takes us further into the realm of the 21st century with a mobile application component which allows the judiciary and senior court staff to now access and manage court information anywhere and at any time.

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## Report from the President Cont'd

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This technological revolution has extended to other areas of the Court resulting in improved video conferencing capabilities as evidenced by the live streaming of our cases for public viewing. Such advancements support the broader mission of the Court to facilitate access to justice by providing all interested persons with a front seat to witness the adjudication processes of the Court. These developments are also timely since the Court's case load has notably increased in comparison to previous years. This is tangible evidence that the CCJ has widened the scope of access to justice to persons throughout the region.

The technology revolution within the Court has produced improvements to its automation of the financing and resources management systems with the installation of sophisticated systems during the past year. The areas of documentation management and inter-departmental communication have been improved through the installation of Microsoft Office 365 which include the SharePoint document sharing platform. They have contributed to making the Court paperless and highlights that the Court is cognizant of the significant economic and environmental costs that are associated with sustained paper dependence. This aligns with the broader CARICOM ideal of developing management frameworks that serve as the basis for a greener, low-carbon economic transition that at the same time addresses the broader goal of sustainable development.

A number of important projects have been implemented during the past year – too numerous to mention in this message. Many of these projects are connected to the principles of Court Excellence, as developed by the International Framework for Court Excellence (IFCE), which is a quality management system designed to help courts to improve their performance. To this end, following the successful completion of our job evaluation exercise we then moved on to the second phase of our efforts to improve employee relations – the implementation of an employee engagement programme. This programme is premised on the direct involvement of all levels of staff in designing processes aimed at continuously improving our work environment.

A project I was especially proud to be involved in this year is the establishment of the Caribbean Community Administrative Tribunal (CCAT) which is an independent institution focused on resolving disputes between employees and

their CARICOM institution employers that enjoy immunity from civil suits. This tribunal finally fills a lacuna that has long existed in the constituent instruments of the majority of CARICOM institutions for the settlement of employment disputes. By providing a proper forum for the ventilation of employment disputes, the tribunal is a transformative project not just for the Court but also for the further evolution and maturity of the Caribbean integration movement and regional rule of law. The response to CCAT has been encouraging and it is expected that the tribunal will be operational in the coming year.

I must also acknowledge the ongoing work of the Judicial Reform and Institutional Strengthening Project (JURIST). The change in its organisational structure with the engagement of an independent Project Director was a notable development and has contributed enormously to the management operations of the Project. We look forward to seeing the benefits to the region based on these changes. In this regard, I wish to acknowledge the adoption of new Civil Procedure Rules by Guyana earlier this year which is a welcome development that will greatly improve the quality of justice delivery and contribute to a reduction of case backlog in the courts. I must admit that my pleasure at this step taken by Guyana is somewhat diluted by the sloth of its judiciary in adopting ancillary measures that are necessary in ensuring the system operates effectively, and, in particular, the adoption of e-Filing and related packages and the completion of a dedicated backlog elimination programme.

## Report from the President Cont'd



The President of the CCJ, the Rt. Hon. Sir Dennis Byron was the keynote speaker at the 2017 International Arbitration Conference convened by Business BVI.

One of the major accomplishments of my presidency occurred this year with the sponsoring of the Advanced Performance Exponents Inc. (APEX), which is a special-purpose, not-for-profit, agency, that is committed to delivering technology-based solutions and services to support court ecosystems. APEX is owned by the CCJ, the regional judiciaries and bar associations. I believe that it has the potential to further advance the justice landscape of the region. As APEX develops, I envision it continuing to facilitate programmes and initiatives aimed at strengthening the justice systems of the region and improving the standards of efficiency of court-related services.

I also wish to acknowledge the ongoing work of the Caribbean Association of Judicial Officers (CAJO) and the Caribbean Academy for Law and Court Administration (CALCA) – the educational arm of the CCJ. CAJO has exemplified the regional spirit of the Caribbean judiciary through the courts of Curaçao hosting the CAJO Conference in September of this year.

CALCA, fresh on the heels of its successful Biennial Conference in November 2016, has collaborated with regional public health, academic, and industry interests on the Regional Alcohol Legislative Reform Project to address the scourges of underage drinking and drunk driving in our Caribbean societies. The Court has also done work to support the JURIST Project's Sexual Offences Committee including the development of the framework for a sexual offences court and a bench book publication.

I must note with regret that the referendum held in Grenada in November 2016, which included a Bill that, if successful, would have seen the island accede to the appellate jurisdiction of the Court, was unsuccessful. Despite this setback, along with no other countries joining the Court in the past year, I remain optimistic that as we work assiduously and continue to demonstrate the highest standards of judicial excellence, we will hopefully lay the foundation for other countries in the region to come on board.

It would be remiss of me to not acknowledge my brother, the Honourable Mr. Justice Nelson, who ended his tenure at the Court earlier this year. Mr. Justice Nelson has served this Court with distinction since its inauguration in 2005 and I wish him all the best in his future endeavours as he embarks on this new phase of his journey in life. I also wish to welcome the Honourable Mr. Justice Barrow, the newest addition to the CCJ Bench and our first Belizean judge, whose dynamic entry into the Court has been very impressive.

I conclude in expressing that it has been the privilege of my life to serve as the President of a Court that has, in merely 12 years of existence, been one of the most instrumental facilitators of regional integration. It has been an absolute pleasure to work along with every member of staff and I value the many lessons and relationships I have acquired over the years. I am optimistic about the continued journey of this Court in charting judicial excellence across the region.

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# REPORT from the Registrar and Chief Marshal



**Ms. Jacqueline Graham**  
Registrar and Chief Marshal

## One common interwoven thread in the development of the CCJ is its pioneering use of technology.

Now in its 12th year of operations, information technology as a critical component in the court's operations, remains a top priority for the institution as it continues to pursue its work in support of its mission, vision and strategic goals towards basic principles of fairness, access, efficiency and openness that underpins the administration of justice.

The use of technology plays a key role in driving the transformation within the organization; its systems, its processes and its people towards the improvement of electronic access to the Court's case files and information, making court operations more transparent and efficient and ensuring the long-term preservation of Court data and information and cutting edge court customer service delivery.

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The introduction of the 2017 Rules of Court signaled to the regional and international public that the use of technological solutions and avenues are now embedded in the CCJ's case management procedures.

## Report from the Registrar and Chief Marshal Cont'd

Another key aspect of the Court's institutional strengthening efforts involves embarking on the development of the Court's Strategic Plan 2018 – 2023 to chart the next five years of its development.

The introduction of the 2017 Rules of Court signaled to the regional and international public that the use of technological solutions and avenues are now embedded in the CCJ's case management procedures. The benefits of this work include new hardware, software and network capabilities; improved video streaming capabilities, increased productivity within case management (in and out of courtroom), accommodation for better video quality for the court's audio-visual record and live streaming of cases, and better storage and protection of court records. The Registry processes were also expanded to include a more efficient process for taxation of costs. Coupled with this, the implementation has begun for a new records management system.

In addition to the case management transformative initiative, the Court has also continued to focus on its business processes by embarking on an internal assessment further to the guidelines set out by the International Framework for Court Excellence

(IFCE). Another key aspect of the Court's institutional strengthening efforts involves embarking on the development of the Court's Strategic Plan 2018 – 2023 to chart the next five years of its development. This supports the Court's continued focus on its mandate of being at the forefront of promoting a Caribbean jurisprudence and business continuity in the judicial process.

This year, the Court's longest-serving Judge; the Honourable Mr. Justice Rolston Nelson, retired in May 2017. He served the Court with great distinction and is a fount of wisdom, a tireless worker, an outstanding person. On behalf of the staff of the Court, I bid Justice Nelson best wishes and thank him for leaving such an indelible mark on the institution.

On 1 June 2017, the CCJ's bench welcomed a new member; the Honourable Mr. Justice Denys Barrow. In attending the swearing in ceremony in Belize, I was heartened to have witnessed the outpouring of support and pride by the people of Belize. It truly serves as a reminder of the fervent belief of the Caribbean people in the work of this Court and the vital responsibility that this presents upon the judges and staff of the CCJ to continue to provide high quality justice to the region.

Regionally, significant progress has been made in the establishment of a Caribbean Community Administrative Tribunal (CCAT) during the 4th annual CALCA Conference which took place in St. Maarten in October 2016. The tribunal, which is slated to be housed at the Court, is an independent administrative process to allow for an impartial mechanism to resolve employment disputes involving staff employed by eligible CARICOM institutions. In addition,



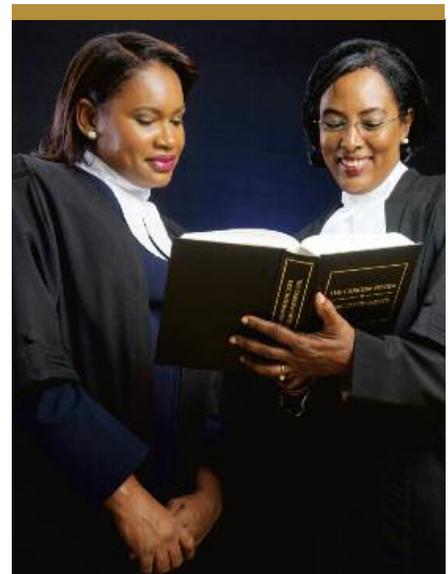
Ms. Jacqueline Graham, Registrar and Chief Marshal of CCJ, presents the winners of the "Best Academic Institution" prize to members of the team representing the University of the West Indies, Cave Hill.

## Report from the Registrar and Chief Marshal Cont'd

Communications and Information Manager, Ms. Charmaine Wright, and the HR Manager, Ms. Susan Campbell-Nicholas, have both been appointed to the CARICOM Results Based Management Leadership Group established by the CARICOM Secretariat to support the effective implementation of the CARICOM Strategic Plan 2015-2019.

The achievements of this year would not be possible without the hard work of the Judges and the employees of the Court. With the continuing challenge of doing more with less, I wish to thank the entire staff for their hard work and admirable conscientiousness in serving the Court. I am particularly grateful for the support of the management team who, despite constricting budgets, competing priorities and long working hours, continued to ensure that the Court, its staff and its customers are well-served. I am also grateful for the service and the support of our regional colleagues and the regional public, our suppliers and service providers. Their respective contributions are indispensable to the success of all that we do to support the Court's work.

As the Secretary to the Regional Judicial and Legal Service Commission (RJLSC), I also wish to single out the staff and Commissioners of the Regional



The management of the CCJ's Registry was bolstered with the recruitment of a Deputy Registrar, Ms. Meisha-Ann Kelly in September 2016. Miss Kelly holds a Bachelor of Science degree in Political Science, Economics and International Relations (Hons.) and a Bachelor of Laws degree (Hons.) from the University of the West Indies.



President of the Caribbean Court of Justice, the Right Honourable Sir Dennis Byron (seated), signs the revised Rules governing the Original Jurisdiction. The signing took place on 21 April 2017 at an event held by the Court in celebration of its 12th anniversary. The CCJ's Registrar and Chief Marshal, Mrs. Jacqueline Graham, who was a part of the review committee, watches as the document is authorised.

Judicial and Legal Service Commission (RJLSC) who have worked tirelessly to improve working conditions for our Judges and staff during this year. Their unwavering support is remarkable. I also wish to express my gratitude to the Trustees and staff of the CCJ Trust Fund and the entire JURIST Project team. They are members of the extended family of the Court and are integral in fulfilling our very important mandate.

The CCJ is well on its way in the next decade of its growth and development. I invite you to read through these pages, stay close to the Court's website and come into our doors, whenever you are in Port of Spain, to see your Court in action.

# HIGHLIGHTS

## from Judicial Year 2016-7

This successful court year is due in no small part to contributions from the CCJ team and other stakeholders. A few of the highlights of the year are showcased here:

The region's 1st bespoke court management system **Curia, including an e-Filing module,** is commissioned and is now being fully utilised by the Court.

There has been a focus this year in upskilling our team. This year **88% of CCJ staff members received training and are now certified,** first aid responders.

The educational arm of the CCJ, the Caribbean Academy for Law and Court Administration, attracted over 200 regional and international participants to its **4th Biennial Conference** which featured over 25 interactive plenary and concurrent sessions.

Our **research capabilities were bolstered** with the addition of three more Judicial Assistants. They provide the research and draft materials, under the direction of the judges, to accelerate the delivery of justice.

The CCJ website received just under **165,000 page views** during the judicial year with most of the visitors coming from Trinidad and Tobago, Barbados, Jamaica, Guyana and the United States of America.

During the year, the **CCJ conducted training sessions** in Guyana on the **revised Civil Procedure Rules,** case management and injunctions.

A cross-functional team **completed the review of the Rules of Court,** within the deadline set by the Court President, to modernize the document containing the Court's procedures.

# PLANS FOR THE JUDICIAL YEAR AHEAD

The upcoming judicial year will include the departure of the Court President, who will demit office in 2018, and builds upon the work of the previous year.

The judges and staff of the CCJ are committed to continuous improvement of the Court and building a stronger organization for the benefit of our stakeholders. Here are some of the major plans for the judicial year ahead:

