

President's Message

from the Hon. Mr. Justice Adrian Saunders



The period under review for this Annual Report covers the period from 1 August 2017 to 31 July 2018. It was towards the end of this period, on 4 July 2018 in Jamaica, just prior to the 39th Regular Meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM), that I had the extraordinary honour to be sworn in as the Court's third President.

The transition process was a smooth one given that I was at the time the longest-serving judge of the Court and had enjoyed an excellent relationship with the judges and staff. In particular, I had worked closely with both former Presidents of the Court: firstly, Mr. Justice Michael de La Bastide and latterly, and especially, Sir Dennis Byron.

I take this opportunity to express, again, the region's sincere gratitude to both former Presidents for the invaluable leadership they have given to the Court. Each of these legal luminaries has laid a solid platform upon which we must build. It follows, almost naturally, that this Annual Report carries the theme of 'Building', that is, erecting a structure on a laid platform.

It is also quite fitting that my presidency coincides with the elaboration of our 'building plans' in the form of our new Strategic Plan 2019 - 2024. I have the privilege of chairing our Strategic Planning Committee and, I am only too well aware, that a tremendous amount of work has gone into the

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preparation of this Plan. In the year ahead, one of my main areas of focus will be to orient all the Units of the Court behind its successful implementation.

Over the last year, the Court maintained its solid track record of outstanding judicial work. The appellate caseload of the Court steadily expanded.

But, even more significant than the increase in the number of appeals heard and judgments delivered, was the impressive variety and significance of the cases themselves. These included criminal and commercial law appeals, matters of statutory interpretation, and important questions of Caribbean constitutional law. The cases of *Nervais and Severin v The Queen and Attorney General of Guyana v Richardson*, for example, plumb the depths of and leave a huge footprint on Commonwealth Caribbean constitutionalism.

On the other hand, the flow of cases in the Original Jurisdiction has remained sluggish even as opportunities for the growth of this jurisdiction are great. This contradiction points to the need, perhaps, for more work to be done to inform the Caribbean public, the legal profession and the Caribbean judiciary about their respective rights, obligations and entitlements under the Revised Treaty of Chaguaramas.

During the judicial year, the Court also continued a robust engagement with its partners (JURIST, CAJO, UN Women, to name a few) aimed at advancing Caribbean jurisprudence and improving the quality and effectiveness of judges and the administration of justice. In particular, we are incredibly proud of the work the Court has done in promoting the dispensation of justice through a gender lens.

One of the first, if not the first, issue that arises whenever anyone speaks of the Court is the fact that, to date, there are several states in the region that have not altered their Constitutions to make the CCJ their final Court of Appeal. This, despite the fact that regional states ratified an international treaty agreeing to take this step, and then expended tens of millions of dollars to establish and outfit the Court.



The Honourable Mr. Justice Saunders, newly sworn-in President of the CCJ, takes the oath of office administered by His Excellency the Most Honourable Sir Patrick Allen, ON, GCMG, CD, KSt.J., Governor-General of Jamaica.

I am convinced that to gain stronger support in the region, more information must be provided to the Caribbean public about the Court, its institutional architecture, its work over the last 13 years and what it can do to advance democracy and the rule of law in the Caribbean. This, in turn, requires messaging that reaches and resonates with every man, woman, boy and girl. Our Strategic Plan recognises this challenge and is geared at meeting it head-on.

The Court has been fulfilling its main purpose of developing our Caribbean jurisprudence. It has been doing so with a first-rate complement of judges and an efficient court staff that enable the Court to perform amazing feats.

The year ahead will be challenging, but I look forward to it with optimism. I fervently believe that the Court is on the right trajectory.

The Honourable Mr. Justice Adrian Saunders
President