

**“Replacing the Privy Council with the Caribbean Court of Justice  
In the OECS Countries.”**

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## **Introduction**

The current trend in global affairs to create regional alliances has led the nations of the world to reconsider the current state of their institutions; the nations of the Commonwealth Caribbean have not been the exception. In particular there has been growing popularity among the Caribbean nations to create regional institutions that serve and legitimize the new order established. One of the institutions that would further legitimize the creation of regional alliances in the Commonwealth Caribbean states would be the Caribbean Court of Justice.

This research paper contemplates the idea of replacing the Judicial Committee of the Privy Council with a Caribbean Court of Justice. The first paragraphs will discuss the functioning of the Privy Council as well as its relationship with the Commonwealth Caribbean by giving details of its relationship since the colonial era through current times. Next, this author will discuss why there is growing popularity among the Caribbean countries to replace the Privy Council as the final court of appeal with a regional court; specifically, what has triggered this growing popularity. Furthermore, an assessment will be made of the advantages and disadvantages of instituting the Caribbean Court of Justice (CCJ) as the final appellate court. In particular, I will look at how the implementation of a Caribbean Court of Justice would benefit the member countries of the Organization of Eastern Caribbean States (OECS). This will all be done in an attempt to demonstrate that by maintaining the Privy Council as the final court of appeal in the Commonwealth Caribbean a colonial type relationship is perpetuated which hampers the progress made towards regional integration.

## **The Privy Council**

At the center of the judicial system in the Commonwealth Caribbean lies the English Judicial Committee of the Privy Council. “The Judicial Committee of the Privy Council is primarily the final Court of Appeal for those Commonwealth territories which have retained the appeal to Her Majesty in other matters.”<sup>i</sup> The Privy Council is an institution that became established as the final court for the individual countries during the era of colonialism.

The Privy Council was instituted under the premise that the King is the fountain of all justice throughout his Dominions, and exercises jurisdiction in his Council, which acts in advisory capacity to the Crown. During the colonial era, the King exercised final appellate jurisdiction over all colonies and territories.<sup>ii</sup> In the case of the West Indies the services of the Judicial Courts were requested as a relief from the decisions of the local courts. In particular, the Court intervened in cases pertaining to property such as plantations. By the end of the 19<sup>th</sup> century, and as the English dominion expanded, the Privy Council had jurisdictional power over more than a quarter of the globe. It had earned the distinction of being respected as a court of great skill, erudition and versatility.<sup>iii</sup>

Notwithstanding, as the era of colonization came to an end and the British territories obtained their independence, the services of the Privy Council were no longer required by the sovereign nations. In 1931 the Statute of Westminster enabled the then independent Dominions to abolish the appeal to the Judicial Committee if they so wished, and in the 30 years following the end of the Second World War the great majority of the other overseas territories of the Crown became independent.<sup>iv</sup> India gave up the appeal

upon achieving independence in 1947 and then came the gradual winding down of appeals from Sri Lanka (Ceylon), Africa and Australia. The appeal from Malaysia was abolished in December 1984 and from the Australian States in March 1986. Singapore abolished the appeal in 1994. The appeal from Honk Kong came to an end on 30<sup>th</sup> June 1997 on the cessation of British Sovereignty over the territory and the appeal from Gambia ended in 1998.”<sup>v</sup> In the case of the Caribbean, however, (with the exception of Guyana) the Privy Council maintained its jurisdiction at the request of the region. Since then, the Privy Council has rendered its services to the Caribbean gratuitously and continues to do so to this day perpetuating the colonial status of the Caribbean islands.<sup>vi</sup> One must then ask why, if the Privy Council is so respectable and impartial in its decisions, did the rest of the Commonwealth nations eliminate its jurisdictions?

There are several arguments to this case. The reasoning behind having the Privy Council as the final court of appeal was intrinsically related to the fact that its function was to promote uniformity in the common law throughout the Empire. Once the Empire was dissolved, however, the role of the Privy Council ceased to be that of creating uniformity throughout the territories. Now however, the binding authority of Privy Council decisions rests solely on the fact that the Privy Council is the highest court of each individual independent territory’s judicial system.<sup>vii</sup> According to Isaac Hyatali, the countries that abolished the jurisdiction of the court did so because it would be offensive to their sovereignties as independent nations to have a foreign tribunal as their final court of appeal.<sup>viii</sup> “It is a compromise of sovereignty to leave that decision to a court which is part of the former colonial hierarchy, a court in the appointment of whose members we have no say.”<sup>ix</sup> In the case of those that abolished the jurisdiction after retaining it for

several years after independence, did so on the ground that their own judiciaries had come of age.

Still, most of the Commonwealth Caribbean nations maintain the use of the Privy Council regardless of these facts. This premise leads us to question what are the underlying reasons to retain the Privy Council for the Commonwealth Caribbean? However in order to properly grasp the problem one must remember Isaac Hyatali's statement that,

“The challenge is multi-faceted, comprehending dimensions, which include juridical misconceived appeals to sovereignty, genuine concerns about autonomous judicial decision-making, the legal erudition of potential incumbents and the financial insecurity of the indigenous court of last resort.”<sup>x</sup>

### **Jurisdiction of the Privy Council**

First, however, the jurisdiction of the Privy Council must be discussed in order to understand its limitations. The Privy Council has limited jurisdictions and it only functions as a Court of Appeal in a very restricted sense.<sup>xi</sup> People who allege the importance of the Court, often give it more credit than what it deserves when determining the appropriate jurisdictions in Common Law cases.

Appeals to the Privy Council lie at the discretion of the local court in civil proceedings where the matter at hand is one of ‘great general public importance or otherwise ought to be submitted to her Majesty in Council for decision.’<sup>xii</sup> For criminal cases, the Council will not intervene unless it can be shown that some serious miscarriage of justice has occurred either by a violation of the due process of law or by a violation of the principles of natural justice or other serious injustice.<sup>xiii</sup> Therefore some appeals from

the Caribbean can be dismissed not because they are not substantive but because they fall outside the jurisdiction of the Privy Council.

The jurisdiction of the Privy Council bounds its ruling according to the precedents established by the House of Lords. The jurisdictions of the Privy Council can be evidence of the lack of understanding of Caribbean dynamics, like is the case with the death penalty, an issue that will be addressed later on in this essay. On the other hand, a Caribbean Court of Justice can include Caribbean ideals and jurisprudence in the development of a regional Court of Appeal.<sup>xiv</sup> It is imperative that the courts in the Caribbean are then fully prepared to deal with such cases if the opportunity arises; the Caribbean Court of Justice should replace the Privy Council.

### **Replacing the Privy Council**

On this matter several arguments are proposed, yet they fail to carry great weight in the debate of whether or not to end the jurisdictions of the Privy Council. For example, many in the Caribbean state that they do not want to assume responsibility over the independence of the judiciary. They claim:

“It would be an extravagance to cut ourselves off from the source of our law and from the contemporary evolution of a legal system. The Privy Council gives us the opportunity to benefit from, and contribute to, a common pool of case law and to keep in touch with a variety of similar legal systems.”<sup>xv</sup>

However, an argument can be made that by retaining the Privy Council we in fact grow to be isolated from the world. The regional judicial systems are not given priority and are not as widely studied. I agree with Professor Telford Georges, when he claims that “[by setting up our independent institution] the courts will have access to solutions reached by various jurisdictions to problems which in due course we will face.”<sup>xvi</sup> There would be a

vast amount of resources available that would aid the independent Caribbean nations in the formation of their regional jurisprudence.

Another reason pro-retention of the Privy Council is that it is far more likely to be continuously staffed by high quality judges. Some have taken this argument to claim 'that the judges of the Privy Council are men of judicial eminence, thus we secure ourselves from the same wisdom and learning as the British themselves'. Yet, the contending argument expresses a crucial point in understanding the lack of effectiveness of the Privy Council. How can judges sitting thousands of miles away that do not grasp the dynamics of Caribbean social, political and economic life make decisions about the Caribbean?<sup>xvii</sup> Although some argue the benefits in having their judges outside political and social pressures, in this case it is not efficient for the Caribbean to have judges whom they have no say over, making the final decisions over their jurisprudence. This false statement is at the heart of the hypothesis that the retention of the Privy Council is a demonstration of the dependency situation perpetuated in the minds of the Caribbean people since the colonial era. It demonstrates that in the Caribbean we are accustomed to believing that anything that is foreign is better than what we have. Moreover, this statement ignores the achievements of the successful regional efforts put forth in the establishment of the University of the West Indies and its School of Law, which are steps taken in the direction of creating a Caribbean legal culture. In addition, supporters of retaining the Privy Council forget that it has upheld the decisions of the Caribbean judges over 63% of the times; which is evidence of the judicial potential that exists in the Caribbean

Recently an argument has been made claiming that the money spent on a Caribbean Court of Justice would be better utilized to improve the local courts. For

example, there are cases in the local courts where the accused awaits trial for over five years, the conditions of the prisons are considered inhumane, and the lack of trained staff is an impediment towards achieving justice and order. Although it is true that the conditions of the local courts leave much to be desired, in the long run it would not help the Caribbean if the final decisions of their jurisprudence continue to be dictated by London.

As well, in the past the money 'saved' because of the Privy Council has never found its way into improving the local systems. "The fact is that retention of the Judicial Committee, because it is free, is just another manifestation of the low priority accorded to the administration of justice in the region."<sup>xviii</sup> Historically the nations of the Commonwealth Caribbean have not treated the issues surrounding its judiciary with importance. As a result a disproportionately small percentage of their national income has been allocated to the judicial establishment and the delivery of judicial services.<sup>xix</sup> Inevitably the judicial infrastructure has weakened significantly over the years, to the point where the region's democratic underpinnings run the risk of being affected.<sup>xx</sup> It is certainly legitimate to question whether the Privy Council has contributed meaningfully or hampered the development of the legal system in general.<sup>xxi</sup>

Nonetheless, some of the arguments expressed do not necessarily emanate support for the Privy Council as much as they express disdain for a Caribbean Court of Appeal. Some claim that it is not efficient to have a Caribbean Court of Appeals because of the limited amount of cases heard before the Privy Council. However, one must remember that it is costly to have Appeals heard in England and it will most likely be less costly to have them addressed regionally. Having a Caribbean Court will most likely expedite the



handling of cases than with the Privy Council, which is overburden by cases from other Commonwealth Countries.

Conversely, the arguments I found deserve the most consideration are those in regards to the possibility that the Caribbean Court of Justice may become polarized to serve the purposes of the different governments. Yet, mechanisms have been suggested that could avoid these results. For example, it is outlined in the CARICOM treaty that a Judicial and Legal services Commission will be in charge of nominating the members of the court with the exception of the Chief Justice. The heads of government under the suggestion of the Organization of Commonwealth Caribbean Bar Associations (OCCBA) will appoint the Chief Justice.<sup>xxii</sup>

Another way to avoid the possible corruption and polarization of the Court would be to raise the salaries of the judges. In the past the salaries of Caribbean judges have been abysmally low, this could be one of the reasons why in the past corruption has surfaced within the justice systems.

### **The Caribbean Court of Justice**

The institutionalization of the Caribbean Court of Justice assumes political, economic, nationalistic and even emotional overtones and is inextricably bound up with the issues of independence and sovereignty.<sup>xxiii</sup> The nations of the Caribbean are now becoming increasingly aware of the fact that it is offensive to the sovereignty of independent nations and therefore politically unacceptable to have a foreign tribunal permanently entrenched in their constitutions as their final court.<sup>xxiv</sup>

The retention of the Privy Council as the final Court of Appeal for West Indian jurisdictions is a question, which has occupied the attention of many Caribbean jurists,

judges, practitioners and the public at large.<sup>xxv</sup> Interestingly enough one of the main reasons there has been growing popularity to institutionalize a Caribbean Court was sparked by the difference of opinion between the Privy Council and the Caribbean courts on the issue of the death penalty. It can be said that the Caribbean is moving in the right direction by 'doing the right thing for the wrong reasons.'<sup>xxvi</sup>

Since 1949 the judges of the Privy Council held that execution of appellants after such a long period would amount to cruel and inhuman punishment. The judges declared that a State wishing to retain capital punishment must ensure that executions follow as swiftly as practicable after sentence, allowing a reasonable time for appeal and consideration of reprieve; and that in any case after sentence there will be strong grounds for believing that the delay will constitute inhuman or degrading punishment or other treatment.<sup>xxvii</sup> However, in the Caribbean countries have become increasingly supportive of enforcing the death penalty. Yet, because of the lack of an efficient judicial system, meeting the demands is almost impossible. In this case the creation of the Caribbean Court of Justice would be a possible solution to a much-debated issue. As well, it has been argued, that the predisposition of the present members of the Judicial Committee to do away with capital punishment is an example of the fact that they do not understand the society and attempt to change it by imposing their own beliefs.<sup>xxviii</sup>

Notwithstanding the nationalistic sentiments of having a Caribbean Court of Justice, there is a more pressing need for a Caribbean jurisdiction because of the global trend to integrate Regions of the world. In the case of England, where the Privy Council is located English Law and Institutions are progressively intermixed with European Common Market Law. This is another reminder of the extreme urgency the people of the

Caribbean Region are required to proceed to take complete control over their jurisprudential destiny.<sup>xxix</sup>

In the case of the Caribbean, regional alliances are becoming the norm instead of the exception. Because of this it is imperative that the Caribbean Court is instituted to handle the increasing amount of cases an Appellate Court would have to decide. For example, in the case of CARICOM it is stated that a single market, monetary union, the movement of capital and labor and goods, and functional cooperation in a multiplicity of fields, must have the underpinnings of Community Law.<sup>xxx</sup> Integration rests on rights and duties; it requires the support of the rule of law applied regionally and uniformly. It wouldn't make sense to have a foreign court interpreting the law for a community, established miles away. In particular, because Common Law is based on precedents and not in the interpretation of written agreements such as Constitutions. The Privy Council would be interpreting Caribbean laws based on the examples they have had with the Single European Community. On the other hand the Caribbean Court of Justice would have an active role in resolving trade disputes and trade integration. This fact leads us to discuss the possibility that the Organization of Eastern Caribbean States replaces the Privy Council with the CCJ.

### **The Organization of Eastern Caribbean States**

The Organization of Eastern Caribbean States was established on July 2, 1981; its members are Antigua and Barbuda, Dominica, Grenada, Montserrat, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. The objectives of the Organization as described by its Treaty are to promote, within and among its members, cooperation, unity and solidarity: territorial integrity, awareness of international obligations, harmonization

of foreign policy, and economic integration.<sup>xxxii</sup> Since, 1981 OECS has evolved as a loose union that successfully brought in an East Caribbean Single Market and various other trade liberalization measures.<sup>xxxiii</sup> However, as discussed above for integration to be fully implemented some changes must be made to the judicial process. The nations of the OECS share a Court of Appeal and a Supreme Court that have jurisdiction over all member countries; the OECS countries therefore represent an interesting case study for the possible difficulties of implementing the Caribbean Court of Justice for the Caribbean islands.

According to the Inter-American Development Bank the problems facing the OECS are inherently related to the amount of cases backlogged and delayed. For criminal cases in the OECS the wait is for approximately three years to complete preliminary inquiries and five years for murder trials. In civil cases the accused has to wait five years since the process begins to the day of his judgment. Moreover, because of the decision of the Privy Council in 1993 in the case of Pratt vs. Morgan, Courts of Appeal in most Caribbean countries have given priority to the hearing of murder cases with the result that a backlog has developed in civil cases coming from High Courts and from magistrate's decisions.<sup>xxxiii</sup>

Yet, these problems are caused by the technical difficulties the courts face. At current times the computerization in the Court of Appeals of these countries is limited to word processing applications, they lack the necessary hardware to computerize their systems, the courts have inadequate statistics on key matters such as cases pending and the facilities for storage of manual records are full and inadequate.<sup>xxxiv</sup> The inadequate case file management systems lead to files frequently being missing, usually because they

are accidentally misplaced; but there have also been problems with files purposely being mislaid or even forged or altered.<sup>xxxv</sup> In order to resolve these problems the Committee suggested that the OECS countries should put their efforts in training high quality staff members that could properly and promptly handle the cases. As well they suggested the establishment of law libraries throughout the OECS countries. Which in fact is something all Caribbean countries should do, in order to create a legal culture within each of the countries within the regional alliances.

Although instituting the CCJ is in the interest of all Caribbean islands its proper functioning is restrained by the current situation of the courts in the Caribbean. If the Court is implemented right now any difficulties faced by the judicial system are going to be blamed on the fact that the Privy Council was removed as our final court. The CCJ is the beginning of a new era for the Caribbean and it is important that they do so with the necessary tools available. Because of this the courts through the OECS must undergo a process of modernization and improvement before the CCJ is established. Once the Caribbean countries are able to achieve these goals they are ready to implement the Caribbean Court of Justice.

Unfortunately, the process to implement the Court in the Caribbean varies from country to country; the methods of doing so vary according to the constitutional norms. In the case of the OECS countries a referendum is required. Dr. Keith Mitchell, Grenada's Prime Minister, said that the OECS states would have to make preparations to conduct referendums and amend their constitutions to remove the Privy Council as the final court of appeal.<sup>xxxvi</sup> It is in the constitution of nearly all the Commonwealth Caribbean countries that the Privy Council is the final court of appeal, and if the

Caribbean Court of Justice is to replace the Privy Council an amendment of the constitution is necessary.<sup>xxxvii</sup> The constitutions of various Caribbean countries provide a clear right to abolish appeals to the Privy Council, as had been done in Grenada and the Republic of Guyana.<sup>xxxviii</sup> Because the Organizations of the Eastern Caribbean States must have a joint vote to cease the appeals to the Privy Council they are at an advantage over the CARICOM countries. In particular because in the Caribbean while most are willing to come together for tangible benefits, history has shown them just as quick to pull when uncertainties arose.<sup>xxxix</sup> Currently if a nation wants to withdraw its participation in the CCJ they must give a twelve months notice. However, in the OECS the CCJ would become part of their constitution and would require the vote of the citizens. Because of the distrust that exist from the part of the citizens to the government, the government fears the decisions the people might take if given the opportunity. Therefore it is almost guaranteed that once the commitment from a country is given, they will not be quick to change their minds.

### **Conclusion**

Recently, the Bar Association of the Organization of Eastern Caribbean States unanimously approved a resolution against the court during its meeting in the British Virgin Islands, saying it believes the court would be plagued by government interference. In my opinion this sentiment comes from the colonial mentality that judges in the Caribbean could not behave like those in England. In particular, because as previously discussed the institution of the CCJ provides methods to avoid corruption within the Court.

Currently the nations that are leading the debate on the Caribbean Court of Justice are Trinidad and Tobago, Barbados and Jamaica. Unfortunately, too much internal bickering has impeded that the process of institutionalizing the court Region-wide, occurs at a faster speed. Nonetheless, it is important to remember that in order to establish such a court the countries involved must alter their constitutional framework. If Caribbean governments do not achieve the requisite parliamentary majorities of public approval in their respective jurisdictions, there can be no such regional court.<sup>x1</sup> In this case it is easier in some countries than others to obtain the necessary support within their countries to approve the establishment of a regional court.

The Privy Council may have been a useful institution during the colonial era. However, due to the changes that both Europe and the Caribbean have undergone its presence in the jurisdiction of the Caribbean is part of the colonial legacy of the last century. It would be in the best interest of all Caribbean nations, including those in the Organization of Eastern Caribbean states to join in and create a Caribbean Court of Justice that will lead these nations to strengthen their democratic institution, develop economically, socially and politically in addition to achieving a higher level of justice.

## Endnotes

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<sup>i</sup> The Privy Council. The Judicial Committee of the Privy Council. London, England: June 2000.

<sup>ii</sup> Ibid. Page

<sup>iii</sup> Hyatali, Isaac. "Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal." Caribbean Affairs. July-September 1988. Pg. 43

<sup>iv</sup> "The Judicial Committee" The Privy Council. <http://www.privy-council.org.uk/judicial-committee/index.htm>

<sup>v</sup> The Privy Council. The Judicial Committee of the Privy Council. London, England: June 2000

<sup>vi</sup> Hyatali, Isaac. "Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal." Caribbean Affairs. July-September 1988. Pg. 44

<sup>vii</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 230

<sup>viii</sup> Hyatali, Isaac. "Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal." Caribbean Affairs. July-September 1988. Pg. 45

<sup>ix</sup> Caribbean Court of Justice: Critical Viewpoints from a Human Rights Symposium. Caribbean Rights. Caribbean Rights. June 1998. Page 13

<sup>x</sup> Ibid. Page 9

<sup>xi</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 230

<sup>xii</sup> Ibid. Page 231

<sup>xiii</sup> Ibid. Page 232

<sup>xiv</sup> Ibid. Page 246

<sup>xv</sup> Ibid. Page 238

<sup>xvi</sup> Caribbean Court of Justice: Critical Viewpoints from a Human Rights Symposium. Caribbean Rights. Caribbean Rights. June 1998. Page 17

<sup>xvii</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 244

<sup>xviii</sup> Caribbean Court of Justice: Critical Viewpoints from a Human Rights Symposium. Caribbean Rights. Caribbean Rights. June 1998. Page 15

<sup>xix</sup> Charles, William. Judicial Reform in the Caribbean. Washington, DC: Inter-American Development Bank, 1999. Page

<sup>xx</sup> Ibid. Page

<sup>xxi</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 230

<sup>xxii</sup> Caribbean Court of Justice: Critical Viewpoints from a Human Rights Symposium. Caribbean Rights. Caribbean Rights. June 1998. Page 18

<sup>xxiii</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 228



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<sup>xxxiv</sup> Hyatali, Isaac. "Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal." Caribbean Affairs. July-September 1988. Page 42

<sup>xxxv</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 230

<sup>xxxvi</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 245

<sup>xxxvii</sup> The Privy Council. The Judicial Committee of the Privy Council. London, England: June 2000

<sup>xxxviii</sup> Caribbean court of justice

<sup>xxxix</sup> Hyatali, Isaac. "Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal." Caribbean Affairs. July-September 1988. Page 42

<sup>xl</sup> The West Indian Commission. Time for Action. Maryland, USA, 1994. Pg.500

<sup>xli</sup> "Organization of Eastern Caribbean States." International Monetary Fund. <http://www.imf.org>. October 12, 2000.

<sup>xlii</sup> Wilkinson, Bert and Gollop Chris. "Legal Snags stall creation of regional Supreme Court." Georgetown: Inter Press Service. September 28, 1993.

<sup>xliiii</sup> Charles, William. Judicial Reform in the Caribbean. Washington, DC: Inter-American Development Bank, 1999. Page 6

<sup>xliv</sup> Ibid. Page 6

<sup>xlv</sup> Ibid. Page 10

<sup>xlvi</sup> "Court of Justice to replace Privy Council with Court of Justice." Bridgetown, Jamaica: Cana News Agency. July 18, 1999.

<sup>xlvii</sup> Ibid.

<sup>xlviii</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 229

<sup>xlix</sup> Govani, Shinan. "Eastern Caribbean nations discuss political union." The Financial Post. November 14, 1998.

<sup>l</sup> Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999. Page 227

## Bibliography

- “Agreement Establishing the Caribbean Court of Justice.” Nineteenth Meeting of the Conference of Heads of Government of the Caribbean Community. June 1998.
- Belle Antoine, Rose-Marie. Commonwealth Caribbean: Law and Legal Systems. London: Cavendish Publishing Limited, 1999.
- Brana Shute, Gary and Rosemary Eds. Crime and Punishment in the Caribbean. Florida: Center for Latin American Studies, 1980
- Caribbean Court of Justice: Critical Viewpoints from a Human Rights Symposium. Caribbean Rights. Caribbean Rights. June 1998.
- Charles, William. Judicial Reform in the Caribbean. Washington, DC: Inter-American Development Bank, 1999.
- “Court of Justice to replace Privy Council with Court of Justice.” Bridgetown, Jamaica: Cana News Agency. July 18, 1999.
- Duncan, Neville, ed. Caribbean Integration: The OECS Experience Revisited. Jamaica: Friedrich Ebert Stiftung, 1995.
- Govani, Shinan. “Eastern Caribbean nations discuss political union.” The Financial Post. November 14, 1998.
- Griffith, Ivelaw L. and Sedoc-Dahlberg, Betty N. Eds. Democracy and Human Rights in the Caribbean. Colorado, USA: Westview Press, 1997.
- Hyatali, Isaac. “Towards a West Indian Jurisprudence, or the Need for a Caribbean Court of Appeal.” Caribbean Affairs. July-September 1988. Pgs. 41-56.
- Pollard, Duke E. Some Implications of Investing the Caribbean Court of Justice with Original Jurisdiction. Georgetown, Guyana: Caribbean Community Secretariat, 1998
- Pollard, Duke E. “The Caribbean Court of Justice: Challenge and Response.” Caricom Perspective. June 1999: 24-34.
- The Privy Council. The Judicial Committee of the Privy Council. London, England: June 2000.
- Riviere, Bill. State Systems in the Eastern Caribbean. Mona, Jamaica: Institute of Social and Economic Research, 1990.
- Swinfen. David B. Imperial Appeal: The debate on the appeal to the Privy Council 1833-1986. London: Manchester University Press.
- The Caribbean Court of Justice What it is and What it Does. The Caribbean Community

Secretariat. April 8, 2000.

The West Indian Commission. Time for Action. Maryland, USA, 1994. Pgs. 473-506.

Watherson, J.A.C. Letter to the author. November 17, 2000

“Organization of Eastern Caribbean States.” International Monetary Fund.  
<http://www.imf.org>. October 12, 2000.

“Eastern Caribbean lawyers reject plans for regional supreme court.” CNN.  
<http://www.cnn.com>. November 12, 2000

Wilkinson, Bert and Gollop Chris. “Legal Snags stall creation of regional Supreme Court.” Georgetown: Inter Press Service. September 28, 1993.