

# Annual 2021 Report



**JUDICIARY**  
THE BAHAMAS





# JUDICIARY

THE BAHAMAS







## THE OFFICE OF THE JUDICIARY VISION

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To provide the framework to minimize the time between the initiation and disposition of criminal complaints and between the organization and resolution of civil claims and provide the public with ethical, courteous, efficient and professional service in the process.

## MISSION OF JUDICIAL OFFICERS

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Judicial Officers, who comprise The Judicature, an independent arm of Government, are, by their oath of office, sworn: **“...to do right to all manner of people, after the laws and usages of The Bahamas without fear or favour, affection or ill will.”**

## MISSION OF ADMINISTRATIVE OFFICERS

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In support of the Vision of the Office of the Judiciary and the Mission of Judicial Officers, the Administration will seek to create and maintain the means necessary to ensure that all matters placed before the courts are dealt with competently and efficiently, within a reasonable time and with the minimum of expense and inconvenience to all parties, in the realization that the trust and confidence of the public in the judicial system is dependent upon the integrity and reliability of each person involved in the administration thereof.





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# FOREWORD



The Honourable Chief Justice  
Sir Brian M. Moree, Kt.; Q.C.



The omnipresence of Covid 19 with its different variants continued to affect almost all aspects of human activity in 2021 including the interaction between persons in the workplace and the way in which business and commerce is conducted around the world. While it may be an overused term, 'the new normal' best describes the wholesale impact of the pandemic on our way of life as it has permanently changed many of our habits, practices and daily activities in accessing goods and services in the marketplace.

The Courts provide an essential service to the public which must be maintained even during a public emergency and therefore, in 2021 we in the Judiciary continued to adapt and innovate in order to respond to the challenges of living through a dogged pandemic which thrives on 'in person' contact. This led us to reinvent many of our delivery mechanisms and our work processes in the court system to reduce personal contact and ensure continued access to justice for all persons in The Bahamas.

Throughout 2021 we increased the institutional capacity of the Judiciary to expand the delivery of court services through our upgraded technology platform as a means of improving efficiencies and productivity while at the same time significantly reducing the need for physical interaction between lawyers, court users, judicial officers and staff members. We substantially increased the use of remote hearings using the Zoom platform in all Court Divisions in the Supreme Court and in the Court of Appeal. All hearings were conducted through Zoom without requiring the physical attendance in court of any of the parties or their counsel. The automation of the process to obtain court hearing dates from the Listing Office before a judge or a registrar of the Supreme Court was upgraded by improving the on line procedure which is accessed through the Judiciary's website. We saw increased utilization of the E Document Delivery Form on the website by members of the Bar for sending filed copies of court documents to judges and registrars thereby reducing the number of adjournments for reasons connected to the unavailability of paper files in the Registries. Bail applications in the Supreme Court have been automated through the recently launched Bail Management System and this new service will be introduced in the Magistrates Court in the first quarter of 2022.

Monies due under orders made in the Magistrates Family Courts can now be paid and received through an automated payment system which allows transactions to be carried out through a mobile device including a cell telephone. This means that persons no longer have to physically attend the Magistrates Court building when making and receiving payments under court orders made by the Family Court. The court calendar of hearings in the Supreme Court is now available through our website and the assignment of judges to the Court Divisions is also on the website. The Duty Judge Roster for urgent applications and the Urgent Bail Application Roster can be accessed through the website. The E Form on the website for making an appointment to inspect files at the Registries has continued to be used in order to manage the number of persons in the Registry at the same time. The E Filing portal for the Supreme Court will be rolled out incrementally by Court Division during the first quarter of 2022 which will substantially reduce the need for persons to physically attend the Registries.

The new Case Management System is now configured and will be implemented in line with the migration of the digitized court documents into the new software, JWorks, thereby moving away from our dependence on paper files. This will give on line access to the digitized court files without having to physically attend the Registries to inspect the paper files.

These are some of the initiatives which are part of the Court Reform and Modernization programme and are calibrated to reflect the appropriate balance between public health and safety measures on the one hand and the constitutional imperative to provide access to justice at all times on the other hand. In overhauling the court system and automating our delivery mechanisms I am acutely aware of the existence of the digital divide in our country which means that all court users do not have access, or in some cases the same level of access as others, to the technology needed to use the new ICT solutions underpinning the modernization of the courts. For this reason, the reform of our work processes in the courts will include the establishment of 'Service Centres' in Court buildings and the appointment of 'Court ICT Support Officers' to assist court users who do not have access to technology.

We have also made substantial progress in the area of staff development in the Judiciary through training and continuing professional education. The Bahamas Judicial Education Institute ("the BJEI") is now responsible for all training and continuing professional development in the Judiciary. The customized 'plug and play' Training Centre located in Charlotte House is now operational and it provides for the first time a modern and fully equipped facility for the ongoing training needs of the Judiciary. A curriculum for 2022 will be issued by the BJEI in January, 2022 providing training in a wide range of areas including:

- 1 *general up skilling in the use of computers and certain 'off the shelf' software applications;*
- 2 *the use and functionality of the JWorks case management system;*
- 3 *the use and operation of the E Filing portal;*
- 4 *upgrading the court's service platform;*
- 5 *the operation of the Digital Court Reporting system;*
- 6 *a number of bespoke software applications like the Bail Management System and the Court Automated Payment system in the Magistrates Family Courts.*

We have now institutionalized training in the Judiciary and going forward it will no longer be on an ad hoc basis but targeted, structured, planned and customized to provide the skill sets required for our operations.



2021 was a challenging year for the Courts but it was also one of opportunity for reform and modernization which allowed us to advance our programme to introduce transformative changes throughout the court system in The Bahamas in line with twenty first century standards based on best practices. Throughout the year all judicial officers remained focused on the objective of dispensing justice in our country through an independent Judiciary in a court system which is impartial, fair and accessible.

I take this opportunity to pay tribute to Senior Justice Estelle Gray Evans and Justice Ruth Bowe-Darville who both retired in 2021. Senior Justice Gray Evans had a career in the Judiciary spanning 26 years. During that time, while she was Deputy Registrar and later Registrar, she made an enormous contribution to the administrative work of the courts. Subsequently, as a Justice of the Supreme Court for 14 years, Senior Justice Gray Evans wrote many notable judgments leaving an indelible impact on the development of Bahamian jurisprudence.

Senior Justice Gray Evans was the senior judge in the Northern Region and served as acting Chief Justice on three occasions. Her instinctive sense of justice and fair minded approach to judicial decision making will be remembered as part of her legacy and her thoughtful and well-reasoned judgments will be relied on by lawyers, litigants and judicial officers long into the future. I thank her for her judicial service and wish her all the best in her future endeavours.

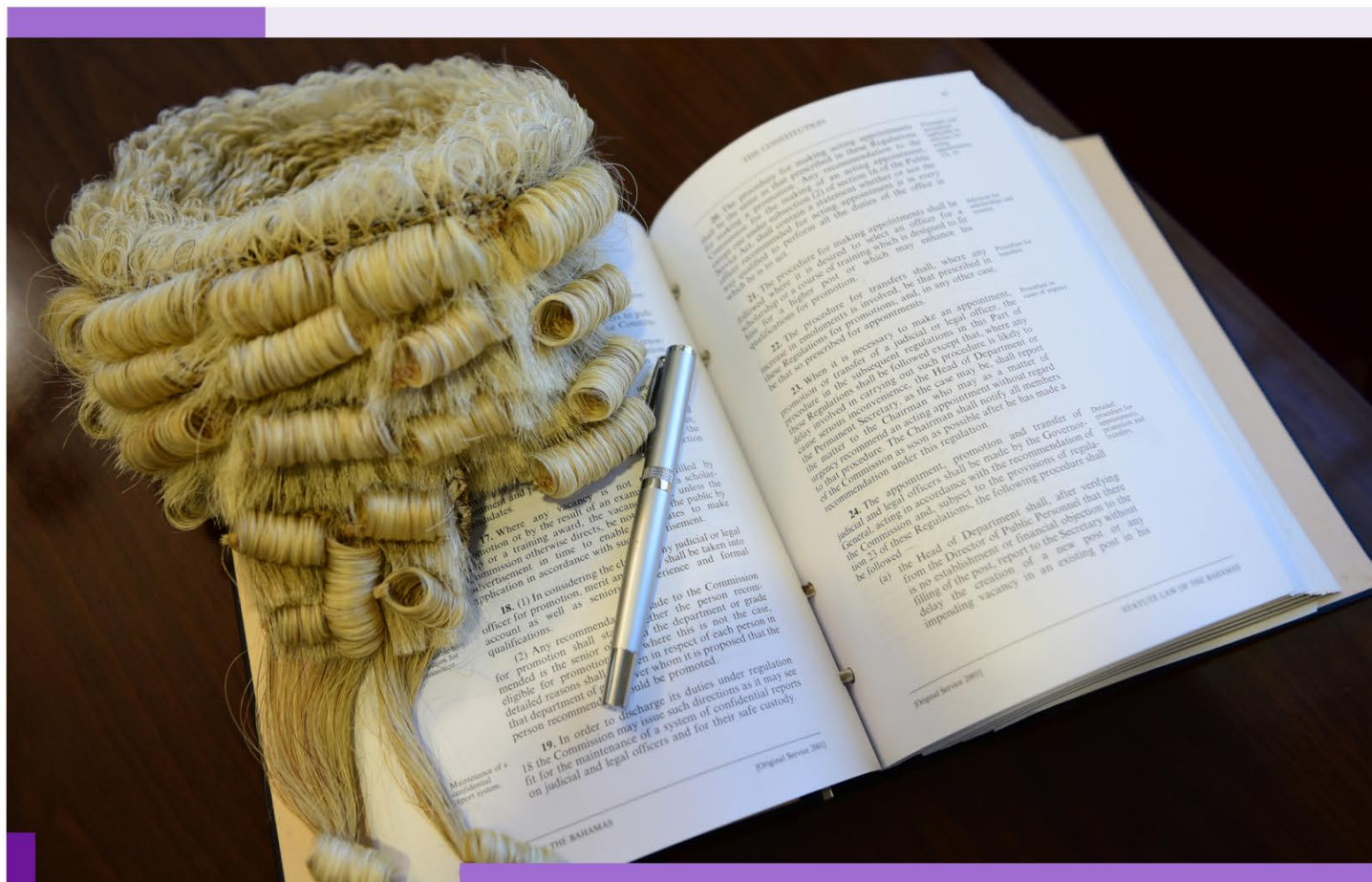
Justice Bowe-Darville gave sterling service to the Judiciary during her tenure as a Justice of the Supreme Court. Her focused and disciplined skill in the management of cases in her court contributed to increased judicial productivity and output thereby assisting in the reduction of the backlog in the court system. Justice Bowe-Darville brought expertise, sensitivity to the human realities behind cases and decades of private practice experience to the resolution of litigious disputes which enabled her to adeptly discharge her judicial duties. Her principled approach to judging was apparent in all of her judicial decisions and she leaves behind a legacy of accomplishment during her time on the bench. I wish her continued success as she moves into another phase of her life.

In December of 2021 Deputy Registrar Carol Misiewicz commenced her pre-retirement leave prior to demitting her substantive office in February, 2022. Her administrative responsibilities included oversight of the Family Registry and her judicial duties involved dealing with and determining interlocutory chamber applications in all Divisions of the Court except the Criminal Division, assessment of damages and taxations of costs. I recognize and thank Deputy Registrar Misiewicz for her able service to the Judiciary and her contribution to the administration of justice. As she pursues new opportunities within her areas of interest and expertise I wish her success in all her undertakings.

As the third branch of Government under our constitutional framework which is independent of the other two branches, the Judiciary has a duty of accountability to the public. This Annual Report is a part of discharging that duty and I trust that the reader will find the information set out herein helpful and instructive with regard to the work of the Courts in 2021.

I conclude by expressing my gratitude to all of my colleagues who are judicial officers and the management and staff of the Judiciary for their diligence, industry and tireless service to the Judiciary during 2021. The progress achieved this year is a tribute to their hard work, competence and commitment to the advancement of the administration of justice in our country.

**Sir Brian M. Moree Kt.; Q.C.**  
**Chief Justice**

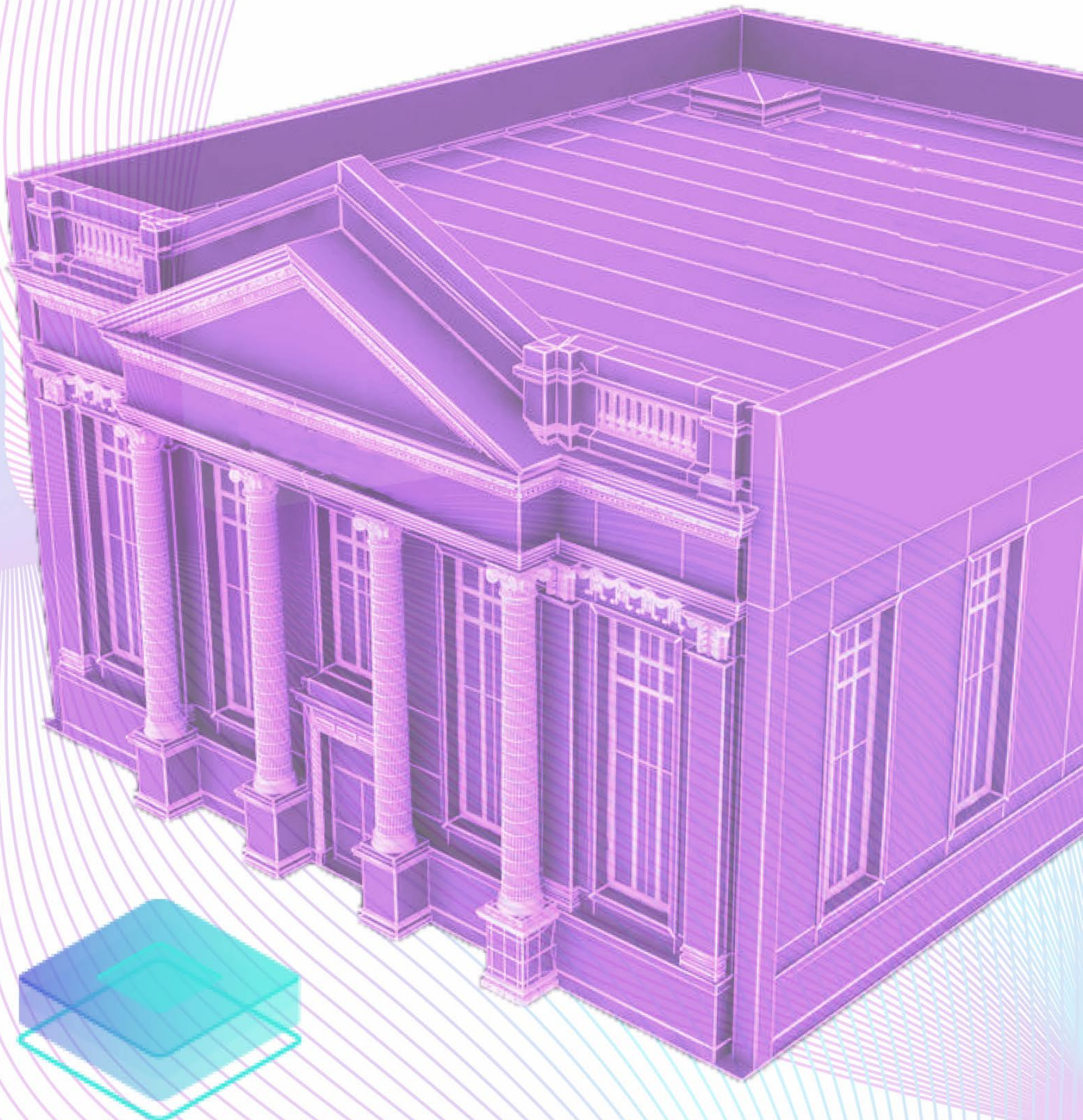






# JUDICIARY

THE BAHAMAS





**CHIEF JUSTICE**

**OF THE COMMONWEALTH  
OF THE BAHAMAS**



**Sir Brian M. Moree, Kt.; Q.C.**

Position  
**CHIEF JUSTICE**

Court #  
**1 - HANSARD BUILDING**

Date of appointment  
**12 June 2019**



# SENIOR JUSTICES OF THE SUPREME COURT



The Honourable Madam Senior Justice

**ESTELLE G. GRAY-EVANS**

Position

SENIOR JUSTICE - Retired

Court #

1 - GARNET LEVARTY JUSTICE CENTRE

Date of Appointment as Senior Justice

1 January, 2019



The Honourable Mr. Senior Justice

**BERNARD S. A. TURNER**

Position

SENIOR JUSTICE

Court #

7 - ANNEX 1, GROUND FLOOR

Date of Appointment as Senior Justice

7 September, 2020



The Hon. Madam Justice  
**Indra Charles**

Position  
**JUSTICE**  
Court #  
**10 - ANNEX 1, THIRD FLOOR**  
Date of appointment  
**6 January, 2012**



The Hon. Mr. Justice  
**Ian Winder**

Position  
**JUSTICE**  
Court #  
**11 - ANNEX 1, THIRD FLOOR**  
Date of appointment  
**1 July, 2014**



The Hon. Madam Justice  
**Deborah E. Fraser**

Position  
**JUSTICE**  
Court #  
**2 - SUPREME COURT BUILDING**  
Date of appointment  
**14 October, 2014**

JUSTICES OF THE  
SUPREME COURT







The Hon. Madam Justice  
**Cheryl Grant-Thompson**

Position  
**JUSTICE**

Court #  
**6 - ANNEX I, GROUND FLOOR**

Date of appointment  
**1 May, 2016**



The Hon. Mr. Justice  
**G. Gregory Hilton**

Position  
**JUSTICE**

Court #  
**4 - SUPREME COURT BUILDING**

Date of appointment  
**1 November, 2016**

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## JUSTICES OF THE SUPREME COURT



The Hon. Madam Justice  
**Petra Hanna-Adderley**

Position  
**JUSTICE**

Court #  
**2 - GARNET LEVARTY JUSTICE CENTRE**

Date of appointment  
**1 February, 2017**



The Hon. Madam Justice  
**Guillimina Archer-Minns**

Position  
**JUSTICE**

Court #  
**5 - SUPREME COURT BUILDING**

Date of appointment  
**1 August, 2017**



The Hon. Madam Justice  
**Donna D. Newton**

Position  
**JUSTICE**

Court #  
**12 - ANNEX I, THIRD FLOOR**

Date of appointment  
**1 February, 2018**



The Hon. Madam Justice  
**W. Renae McKay**

Position  
**JUSTICE**

Court #  
**17 - ANNEX II**

Date of appointment  
**1 February, 2018**

## JUSTICES OF THE SUPREME COURT







The Hon. Madam Justice  
**G. Diane Stewart**

Position  
**JUSTICE**

Court #  
**9 - ANNEX I, THIRD FLOOR**

Date of appointment  
**2 October, 2018**



The Hon. Madam Justice  
**Ruth Bowe-Darville**

Position  
**JUSTICE - Retired**

Court #  
**3 - SUPREME COURT BUILDING**

Date of appointment  
**30 May, 2019**

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## JUSTICES OF THE SUPREME COURT



The Hon. Mr. Justice  
**Loren Klein**

Position  
**JUSTICE**

Court #  
**18 - ANNEX II**

Date of appointment  
**6 January, 2020**



The Hon. Madam Justice  
**J. Denise Lewis-Johnson**

Position  
**JUSTICE**  
Court #  
**8 - ANNEX I, THIRD FLOOR**  
Date of appointment  
**31 May 2021**



The Hon. Mr. Justice  
**Andrew D. Forbes**

Position  
**JUSTICE**  
Court #  
**1 - GARNET LEVARTY JUSTICE CENTRE**  
Date of appointment  
**31 May 2021**




The Hon. Madam Justice  
**Jeanine Weech-Gomez**

Position  
**JUSTICE**  
Court #  
**14 - ANNEX II**  
Date of appointment  
**31 May 2021**

JUSTICES OF THE  
SUPREME COURT







The Hon. Mr. Justice  
**Neil Brathwaite**

Position  
**JUSTICE**

Court #  
**15 - ANNEX II**

Date of appointment  
**14 June 2021**



The Hon. Madam Justice  
**Camille Darville-Gomez**

Position  
**JUSTICE**

Court #  
**16 - ANNEX II**

Date of appointment  
**8 September 2021**

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## JUSTICES OF THE SUPREME COURT





## MRS. CONSTANCE DELANCY

Position

**REGISTRAR & SENIOR COURT ADMINISTRATOR**

Date of Appt. as Registrar


**9 September 2021**



Ms. Stephana J. Saunders

Position  
**DEPUTY REGISTRAR**  
(Northern Region)


Date of appointment  
**2 January 2003**



Ms. Carol D. Misiewicz

Position  
**DEPUTY REGISTRAR**

Date of appointment  
**1 November 2017**



Mr. Edmond Von Turner

Position  
**DEPUTY REGISTRAR**

Date of appointment  
**1 January 2018**



## REGISTRARS OF THE SUPREME COURT





Mr. Renaldo J. Toote

Position  
DEPUTY REGISTRAR

Date of appointment  
1 October 2021



Mrs. Jennifer Stuart-Bastian

Position  
ASSISTANT REGISTRAR

Date of appointment  
7 October 2019



## REGISTRARS OF THE SUPREME COURT





## MS. JOYANN L. FERGUSON-PRATT

Position

**CHIEF MAGISTRATE & DEPUTY CORONER**

Court#

**9 - Magistrate Court Complex**

Date of Appt. as Chief Magistrate

**15 October 2013**



Ms. Debbye Ferguson

Position  
**DEPUTY CHIEF MAGISTRATE &  
DEPUTY CORONER**

Court #  
**1 - GARNET LEVARTY JUSTICE  
CENTRE**

Date of appointment  
**1 February 2016**



Mrs. Subusola Lawanson-Swain

Position  
**ASSISTANT CHIEF MAGISTRATE**

Court #  
**11 - MAGISTRATE COURT  
COMPLEX**

Date of appointment  
**1 August 2017**



Mrs. Carolyn Vogt-Evans

Position  
**SENIOR MAGISTRATE  
& DEPUTY CORONER**

Court #  
**6 - MAGISTRATE COURT  
COMPLEX**

Date of appointment  
**1 May 2017**



## STIPENDIARY & CIRCUIT MAGISTRATES





Mr. Derence Rolle-Davis

Position  
SENIOR MAGISTRATE  
Court #  
5 - MAGISTRATE COURT  
COMPLEX  
Date of appointment  
1 May 2017



Ms. Ancella J. Evans

Position  
SENIOR MAGISTRATE  
& DEPUTY CORONER  
Court #  
1 - MARSH HARBOUR, ABACO  
Date of appointment  
1 September 2021



Mrs. Kara Turnquest-Deveaux

Position  
S & C MAGISTRATE  
& ACTING CORONER  
Court #  
2 - MAGISTRATE COURT  
COMPLEX  
Date of appointment  
1 September 2021



Mr. Charlton H. Smith

Position  
S & C MAGISTRATE  
& DEPUTY CORONER  
Court #  
2 - GARNET LEVARTY  
JUSTICE CENTRE  
Date of appointment  
1 September 2021



Mr. Samuel McKinney

Position  
S & C MAGISTRATE  
Court #  
8 - MAGISTRATE COURT  
COMPLEX  
Date of appointment  
3 February 2014



Mr. LaQuay V. Laing

Position  
S & C MAGISTRATE  
Court #  
3 - GARNET LEVARTY  
JUSTICE CENTRE  
Date of appointment  
4 May 2017

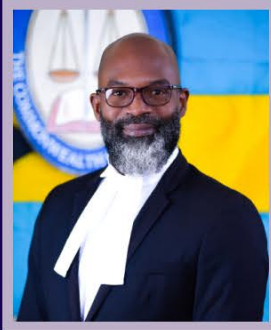
## STIPENDIARY & CIRCUIT MAGISTRATES





Ms. Sandradee Gardiner

Position  
**S & C MAGISTRATE**  
Court #  
**3 - MAGISTRATE COURT  
COMPLEX**  
Date of appointment  
**1 January 2020**



Mr. Shaka Servile

Position  
**S & C MAGISTRATE**  
Court #  
**4 - MAGISTRATE COURT  
COMPLEX**  
Date of appointment  
**14 June 2021**



Mr. Algernon Allen Jr

Position  
**S & C MAGISTRATE**  
Court #  
**1 - MAGISTRATE COURT  
COMPLEX**  
Date of appointment  
**14 June 2021**



Ms. Kendra Kelly

Position  
**S & C MAGISTRATE**  
Court #  
**10 - MAGISTRATE COURT  
COMPLEX**  
Date of appointment  
**14 June 2021**



Mrs. Ian-Marie Darville-Miller

Position  
**S & C MAGISTRATE**  
Court #  
**14 - MAGISTRATE COURT  
COMPLEX**  
Date of appointment  
**14 June 2021**



Ms. Simone Brown

Position  
**S & C MAGISTRATE**  
Court #  
**4 - (Eight-Mile Rock) GARNET  
LEVARITY JUSTICE CENTRE**  
Date of appointment  
**5 July 2021**



## STIPENDIARY & CIRCUIT MAGISTRATES





Mr. James L. Moxey

Position  
S & C MAGISTRATE (Acting)

Court #  
13 - (Night Court) MAGISTRATE  
COURT COMPLEX

Date of appointment  
14 April 2008



Mr. Darron D. Ellis

Position  
S & C MAGISTRATE (Acting)

Court #  
12 - MAGISTRATE COURT  
COMPLEX (Traffic)

Date of appointment  
1 July 2016



## STIPENDIARY & CIRCUIT MAGISTRATES





## MRS. CONSTANCE DELANCY

Position

**REGISTRAR & SENIOR COURT ADMINISTRATOR**

Date of Appt. as Senior Court Administrator

**23 November 2020**



**SENIOR COURT  
MANAGEMENT**





ALPHANETTE GRANT

Position  
COURT ADMINISTRATOR-MAGISTRATE COURTS

Date of Appointment  
1 August, 2020

Mrs. Alphanette Grant began as the Court Administrator for the Magistrate's Courts with effect from 1 August, 2020. She is responsible for all non-judicial functions and services in the Magistrate's Courts. Mrs. Grant has many years of experience in accounting/auditing, business administration and management including Change Management processes. Mrs. Grant is leading the new management team for the Magistrate's Courts comprised of Mr. Ralph Rolle, Mrs. Claudina Cooper and Mrs. Jennifer Sweeting who are all veteran public officers.



DARMEEKO ISAACS

Position  
DIRECTOR OF INFORMATION AND  
COMMUNICATIONS TECHNOLOGY

Date of Appointment  
1 August, 2020

Mr. Darmeeke Isaacs began as the Director of Information and Communications Technology with effect from 1 August, 2020. He leads the ICT Unit in the Judiciary and is working with Ms. Keva Smith, the System/Network Administrator at the Supreme Court, to expand and manage the Court's updated technology platform. Mr. Isaacs's career has given him wide experience in developing and implementing ICT solutions in both the public and private sectors involving hardware and software projects.



ANNAMAE NEELY

Position  
SENIOR MANAGER, HUMAN RESOURCES

Date of Appointment  
3 February, 2020

Mrs. Annamae Neely began as the Senior Manager of Human Resources in the Judiciary with effect from 3 February, 2020. She has oversight of all HR matters in the Courts with day to day responsibility for the Supreme Court. Mrs. Neely has had a long and successful career in Human Resources and her appointment has substantially strengthened the HR capacity within the Judiciary.

## SENIOR COURT MANAGEMENT





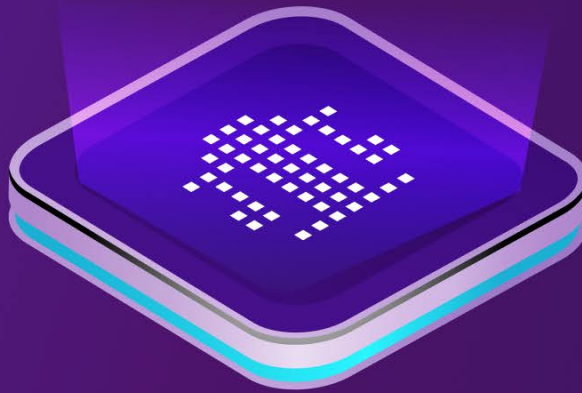
**JUDICIARY**  
THE BAHAMAS



# HIGHLIGHTS







1.1

TRIBUTE TO HON. MADAM SENIOR JUSTICE  
ESTELLE GRAY-EVANS



1.2

VIRTUAL HEARINGS: THE EXCEPTION OR THE  
RULE GOING FORWARD?



1.3

THE OFFICE OF THE JUDICIARY ON THE MOVE



1.4

DIGITAL RECORDING SYSTEM (DRS)



1.5

CHAMPIONS OF THE JUDICIARY



1.6

ORANGE THE WORLD



1.7

REMEMBRANCE DAY 2021



# TRIBUTE TO HON. MADAM SENIOR JUSTICE ESTELLE GRAY-EVANS

BY HON. MADAM JUSTICE DONNA NEWTON



Hon. Madam Senior Justice  
**Estelle Gray-Evans**

Senior Justice Estelle Gray-Evans has reached the twilight of a long and illustrious career as a jurist, spanning some 26 years.

She hails from Forbes Hill, Exuma, and she received her secondary education at Prince William Baptist High School in New Providence. She obtained her tertiary education at Shaw Business College in Toronto, Canada and the College (now University) of The Bahamas.

She was admitted to practice as a Counsel and Attorney-at-Law in The Commonwealth of The Bahamas on the 16th of December, 1988 after articling in the law firm of Callenders & Co., the firm with which she also served as Secretary, Bookkeeper, Office Manager and Associate Attorney.



She commenced her service in the Office of the Judiciary in March 1994 as an Assistant Registrar (Acting), then Deputy Registrar (Acting) of the newly opened Supreme Court in the Northern Region. She held those positions for six weeks each respectively before returning to private practice for the remainder of 1994.

In January 1995, she returned to the judiciary in the dual capacity of Acting Stipendiary and Circuit Magistrate and Deputy Registrar of the Supreme Court, Northern Region. She relocated to New Providence in April 1999 to take up the position of Project Coordinator for the Bahamas Integrated Justice Information Systems (BIJIS) Project (the computerization of the Courts), a post she held until February 2004.

Senior Justice Gray-Evans has been a pioneer in the Office of the Judiciary in many instances. In March 2004, when she was appointed Registrar of the Supreme Court, she was the first female to hold that position substantively.



An Oar Mace was presented to the Supreme Court on 30 August 2007 by Chief Justice Sir Burton Hall to mark the 30th anniversary of his call to the Bar. From left are Donna Newton, Deputy Registrar; Estelle Gray-Evans, Registrar and Sir Burton. Hall.

As Registrar, she was instrumental in organizing training for judicial officers and support staff both locally and internationally. She was also instrumental in bringing the Bahama Host Program to the staff. Pursuing her goal to foster camaraderie among the staff, Registrar Gray-Evans (as she then was) ensured that during the Judiciary's Christmas parties and numerous in-house training seminars, the staff from the offices in Grand Bahama and Abaco would travel to New Providence to participate in the events.

As Registrar, Senior Justice Gray-Evans was responsible for publishing, in 2004, the Office of the Judiciary's first Annual Report as well as organizing, under the leadership of then Chief Justice, Sir Burton Hall, the Employee of the Year Awards for the Judiciary.

She was also instrumental in publishing the First Volume of the Supreme Court Practice Directions in 2005. Additionally she was responsible for publishing an instructional booklet for jurors which outlines the laws and rules relative to jury service in The Bahamas.

In the Magistrates Courts, Senior Justice Gray-Evans standardized many of the court forms which are currently in use. In her position as Project Manager of BIJIS she assisted with the establishment of the first website for the Judiciary. She along with former Chief Justice, Sir Burton Hall instituted school visits and field trips for school students to inform students of the work of the courts.

She was elevated to the position of Justice of the Supreme Court in September 2007 and assigned to the Northern Region in November of that year, Her appointment as Senior Justice was in January 2019. Senior Justice Evans acted as Chief Justice of The Commonwealth of The Bahamas on three occasions during her tenure as Justice.



Mrs. Estelle Gray-Evans sworn in as Justice of the Supreme Court by His Excellency, Deputy to the Governor General Sir Arthur Foulkes on October 31, 2008.



The Hon. Madam Senior Justice Estelle Gary-Evans sworn in as Acting Chief Justice by Her Excellency the Most Hon. Dame Marguerite Pindling, Governor General on 27 December, 2018.





The Hon. Madam Senior Justice Estelle Gary-Evans sworn in as Acting Chief Justice by Her Excellency the Most Hon. Dame Marguerite Pindling, Governor General on April 17, 2019.



The Hon. Madam Senior Justice Estelle Gray Evans sworn in as Acting Chief Justice by His Excellency the Most Hon. Cornelius A. Smith, Governor General on February 25, 2020.

She is a very spiritual individual which is evident to anyone who has a conversation with her. She always has an appropriate scripture for the occasion and is known in the judiciary for her favorite greeting of “Blessings In Abundance”.

She has a giant heart which is apparent in her community involvement. In 1998 she established and operated in Freeport, Grand Bahama, Grace House, a half-way house for pregnant teens and their babies, which remained open until 2007 when she became a judge. She still maintains contact with some of the young women and their children whom she considers as her “grands”.

Snr Justice Evans is a founding member of The International Federation of Women Lawyers (FIDA) Grand Bahama Chapter.

She holds membership in several professional organizations including Bahamas Judicial Education Institute (BJEI) Board of Directors, International Federation of Women Lawyers (FIDA), Commonwealth Judicial Education Institute (CJEL), International Association of Women Judges (IAWJ), Caribbean Association of Judicial Officers (CAJO) and Caribbean Magistrates and Judges Association (CMJA).

She is married to former Assistant Commissioner of Police, Mr. Shannondor H. Evans and together they have five children, ten grandchildren, two great-grandchildren. She is an avid reader, loves to travel and enjoys her daily lengthy walks.

Senior Justice Gray-Evans’ distinguished judicial career will be remembered for her judicial temperament. She is always polite and exercises great patience.

She is lauded by her colleagues for her scholarly and reasoned judgments, her unselfish and sound advice and her personal welcome on their appointments to the bench. Throughout her career she has epitomized the dictates of the Prophet Micah in that she has meted out justice, loved kindheartedly and walked humbly with God.

As the curtain comes down on Senior Justice Gray-Evans' judicial career in the place where it went up, the Northern Region, her contribution to the jurisprudence of The Bahamas will be etched in the annals of our history.

## 1.2

## VIRTUAL HEARINGS: THE EXCEPTION OR THE RULE GOING FORWARD?

BY HON. MADAM JUSTICE PETRA HANNA-ADDERLEY

On March 11, 2020 the World Health Organization declared that a global pandemic COVID-19 existed. On March 15, 2020 the former Prime Minister the Most Hon. Dr. Hubert Minnis announced during a National Address the terms and scope of the Government's response to the Covid-19 virus. The Government of the Bahamas issued the Emergency Powers Covid 19 Regulations 2020 and the Emergency Powers (Covid) (No. 1) Order, 2020 which went into effect on the 20th day of March, 2020 and which outlined how the islands of The Bahamas would be governed, including a period of lockdown and restricted travel to and from The Bahamas and between the islands of The Bahamas.

On March 17, 2020 The Honourable Chief Justice Sir Brian M. Moree, having been informed of the measures announced in the said National Address, implemented the first phase of the Court Coronavirus Mitigation Protocols, Notice #1, which came into effect on March 18, 2020 and which stated its purpose:

*"The Judiciary has now developed its coronavirus mitigation protocols reflecting the twin priorities of:*

1

*protecting the safety and health of our judicial officers and staff, the law enforcement personnel assigned to the Courts, members of the Bar who work in and around the Courts and all public users of the Courts; and*

2

*keeping the Judiciary operating to provide continued access to justice as it discharges its mission-critical functions in a democratic society. "*

Practice Direction No.3 of 2020 New Court Procedures in the Supreme Court deals extensively with the conduct of Remote Hearings during the Emergency Period:



### ***“Remote Hearings***

3

*The Covid 19 pandemic necessitates the wider use of remote hearings whenever possible. Accordingly, the Court accelerated the implementation of its remote platforms and since 14 May, 2020 has increased its use of Remote Hearings for applications and, where appropriate, Videoconferencing for trials under the relevant statutory provisions. You are specifically directed to paragraph 11 of Notice # 8 with reference to these modes of proceedings. Attached hereto as Annex 1 is a copy of that paragraph. Additionally, counsel should ensure that his/her face is visible on camera at all times during a Videoconferencing hearing in front of a neutral background and that all incoming audible notifications to their computer are muted or turned off.*

4

*The method by which all hearings, including Remote Hearings, are conducted is always a matter for the presiding judicial officer, operating in accordance with applicable law, Rules, Protocols and Practice Directions. In determining whether there should be a Remote Hearing, the judicial officer must have regard to the interests of justice, public health issues and the ability to maintain appropriate physical distancing attendance in courtrooms. Further, when considering the suitability of a Remote Hearing, judicial officers must consider issues such as the nature of the matters at stake during the hearing, any issues which the use of video/audio technology may present for participants in the hearing, the individuals’/witnesses’ needs and any issues around public access to or participation in the hearing.”*

Further, as the Chief Justice noted in Practice Direction No. 3, Order 31A(1)(k) of the Rules of the Supreme Court provides for the court to actively manage cases by “making appropriate use of technology” and Order 31A r18(2)(n) provides that the Court may hold a hearing by “...electronic means or use any other method of direct communication provided that where evidence is received by telephone or other electronic means, all persons participating must be able to hear each other and to identify each other so far as practicable.” Section 78C (2) of the Evidence Act as amended by section 2 of the Evidence (Amendment) Act, 2013 provides that in criminal proceedings “....the court may, at any time during any proceedings relating to an offence other than at a time when the evidence of a witness is being taken, direct that the accused appear by live link or by any other means that will allow the court and the accused to engage in simultaneous visual and oral communications.” Section 78 A-E of the Evidence Act as amended by Section 4 of the Evidence (Amendment) Act, 2011 makes provisions for the use of live television link and recorded evidence in criminal proceedings. In particular, section 78B (1)(b) provides “A person, other than the accused person, may give evidence by way of a live television link in proceedings to which this Part applies, where the court is satisfied that – the witness is outside of The Bahamas”.

Clearly, the legislative framework exists for the Courts (on the Civil and the Criminal side) to conduct Virtual/Remote hearings/trials, part heard or otherwise.

The continuing spread of the virus throughout several islands of the Commonwealth of The Bahamas caused the Government of the Bahamas and the Honourable Chief Justice to revise and extend the Emergency Powers Orders, Regulations and Protocols, and the Rules Committee (empowered under Section 76 of the Supreme Court Act) to make new Rules as and when necessary. In response to the measures announced by the Government and to ensure the continued operation of the Courts and access to justice the Chief Justice issued 16 Notices and 5 Practice Directions and the Rules Committee created new Rules and amended the same twice. The Protocols put in place promote Virtual/Remote hearings, bearing in mind the purposes set out in the Chief Justice's Protocols of March 17, 2020.

The State of Emergency came to an end on November 13, 2021. The Bahamas Government has passed legislation to provide for the transition and consequences of the suspension of certain enactments and has made certain amendments to the Health Services Act to provide new Covid 19 protocols. Covid 19 is obviously still with us. Some health professionals argue that we are now living through an epidemic and others say we are experiencing a pandemic of the unvaccinated. What we do know is that Bahamians are still dying from Covid 19 and that access to the Courts and to justice must continue in a safe and efficient manner. Our Honourable Chief Justice will decide the way forward with Virtual/Remote Hearings. As with modern technology, there are "pros" and there are "cons". The following is a random poll of several Counsel regarding their experiences with the Virtual/Remote platforms and their opinions as to whether the use should continue:

Mr. Fred Smith QC, Managing Partner, Callenders & Co. could not stop singing the praises of the use of the Virtual/Remote platform in Court proceedings. He described the transition to the virtual platform to have been "transformative" in many ways. For years he and his juniors have travelled back and forth to the Capital to attend proceedings in the Supreme Court and the Court of Appeal so much that they basically lived in New Providence and visited Freeport on the weekends. This was disruptive of course to their personal lives. With the virtual platform they can be in Court every day and finally have a life at home in Freeport. The virtual platform has dramatically made the courts more efficient, reduced the cost to clients and litigation Counsel, has prevented the waste of time as occasionally matters were adjourned with short notice. It has given Counsel the ability to deal with so many more matters. The Judges are using it efficiently, in some cases allotting time for presenting arguments. Hearings start on time and Counsel for the most keep to their allotted time. The traditional luncheon break is adhered to which allows the Court and Counsel to fully utilize the break to attend to the necessities and return to Court for 2:30. Although not exactly a "con", the fact that Registrars and Assistant Registrars in the Supreme Court and the Court of Appeal are also using the Virtual/Remote Platform has resulted in many more hearings being set down, more deadlines being set that have to be adhered to and a more accelerated pace generally. The overall result however, is that much more is getting done in the Courts.



**Mr. Jacy Whittaker, Vice President of the Bahamas Bar Association and Partner of ParrisWhittaker states:** *"The ability of our Court system to have hearings and trials remotely has kept us in the race during the pandemic. Most jurisdictions around the world offer this feature and if we had refused to change with the times, we would have surely been left behind. We have to accept that we are now in a new world with new challenges. The evolution of the Judiciary during this pandemic has been well received by the majority of attorneys I have spoken to."*

Miss Constance McDonald, Partner, McDonald & Co., described some of the pros and cons. She stated that one such pro was not having to travel to Nassau for matters in the Supreme Court and the Court of Appeal. The process is not was cost-efficient to clients and time saving to Counsel and clients. Clients in the Family Islands and outside of The Bahamas can appear via Zoom saving the cost of airfare and being more convenient as a whole. She identified some of the "cons" as some clients not having Zoom capabilities and that initially, the process was tiring, but now she has grown accustomed to it.

Mr. Terry North, Partner, Alexiou, Knowles & Co. echoed some of the same sentiments of Miss McDonald such as the savings in time and litigation costs and is of the view that Virtual/Remote hearings for interlocutory applications should be the rule and not the exception. His preference is for trials to be in person save for overseas witnesses, where the Virtual/Remote platform has proved to be convenient.

Mrs. Cassietta McIntosh-Pelecanos, Partner, McIntosh & Co., described the Virtual/Remote Platform as useful and convenient. Attorneys can be more productive with their time, that is, a lot of time is lost waiting to be heard when ones matter is set on the same date and at the same time as other matters, for example, on the days that the Court deals with vacant possession applications, uncontested divorces and case management conferences. The Virtual/Remote Platform has resulted in a costs saving for Counsel and Clients who do not reside in Grand Bahama and for Counsel traveling to the Supreme Court and Court of Appeal., often time that you cannot bill the client for. She also addressed the "cons". She stated that there are some technical difficulties, such as equipment malfunction, slow internet, poor connectivity but that this is not the norm and can be easily redressed. This is the way that the world is going and so we should continue to it, and that as the technology gets better the process will get better.

I am of the view that Virtual/Remote Hearings should remain an integral part of the judicial system even after we have successfully navigated our way past Covid 19. From May 2020 to November 2021 I have conducted in excess of 750 Virtual/Remote Hearings, inclusive of interlocutory hearings and civil trials, using the Zoom platform, in addition to a number of in person hearings and trials where the Zoom platform was deemed to be too cumbersome or inconvenient.

The “pros” of the Virtual/Remote hearings are many. There has been an increase in the efficiency in the judicial system and a reduction in the cost of litigation. Hearings are scheduled by most Judges on the hour and in some cases on the half hour. Judges can conduct hearings and trials from the Court Room, their Chambers and from their home offices; Counsel can participate from their law firms and from their home offices; Pro Se litigants can participate from their offices and homes. Counsel and witnesses can appear from outside of the jurisdiction or the family islands. Clients do not have to pay the airfare, ground transportation or hotel costs associated with their Counsel or themselves attending Court on another island within the Commonwealth of The Bahamas to litigate their matters. Counsel save valuable time by not having to commute between the islands to attend Court. While the Zoom recording is not the official record of the Court, they have assisted Judges while they wait for the official transcripts to be produced, together with the aid of their handwritten notes, to begin to write the Judgments/Rulings.

The Virtual/Remote Platform also has “cons”. The increased hours of sitting at the computer have taken a physical toll on members of the Judiciary and Counsel alike. Regular users have I fear suffered diminished eyesight and increased back, neck and arm pain to name a few. Some clients/litigants do not have access to the internet or do not own a computer or are not computer literate. Sometimes the technology fails, for example internet instability in the middle of a hearing or poor connectivity to begin with. Some Judicial Officers and Counsel are just more “tech savvy” than others. However, despite its “cons”, I am of the view that Interlocutory applications should be heard remotely and as well as trials where to do so is not cumbersome or inconvenient. I believe that the final decision as to how the hearing or trial will be conducted should remain in the discretion of the Judge after having heard from the parties. Guidelines as to the recommended hours for sitting per day should be set and followed by Judges and Registrars and it is more important than ever before that they are provided with ergonomic chairs and ergonomic stand up desks if desired, which permit standing while conducting hearings or writing Judgments and Rulings. Judges and Registrars should build into the day small periods of time for walking and stretching between hearings to reduce the adverse physical effects of prolonged sitting before the computer. Stenographers too require breaks in between hearings. They too have done an extraordinary job during the pandemic in adapting to the accelerated pace of the Judicial Officers. We often forget to thank them for their service.

The National Centre for State Courts (“the NCSC”) is a non-profit organization charged with improving judicial administration in the United States and around the world. In an update issue on November 10, 2021 the NCSC advised that a recent survey conducted by it demonstrates that the public supports remote hearings as a “new normal”. The NCSC’s survey conducted in October 2021 found that a majority of Respondents believe that courts should continue to



hold hearings by video because it allows them to hear more cases and resolve cases more quickly, and it makes it easier for people to participate without traveling to a court house, taking time off work and finding childcare.

“The survey shows increased enthusiasm for remote services, and that enthusiasm was there before the pandemic. It has just been accelerated,” said Jesse Rutledge, NCSC’s Vice President for External Affairs and project head. He also noted that, across the questions, age emerges as one of the clear differentiators. Support for technology solutions is largely driven by younger Americans, while older Americans are hesitant to have remote hearings replace in-person ones.

I am fairly certain that the sentiments of our neighbors from the North are being echoed by those who frequent the courts in The Bahamas. I have every confidence that our Chief Justice will make an informed decision concerning the way forward and I will of course support that decision and do my part, using the technology available, to continue to increase the efficiency of the courts wherever and however possible.

## 1.3

## THE OFFICE OF THE JUDICIARY ON THE MOVE

BY HON. MADAM JUSTICE CAMILLE DARVILLE-GOMEZ

The Court Modernization and Reform program dubbed, COMRIN for short, has been steadily moving forward with the Honourable Chief Justice Sir Brian M. Moree, Q.C. at its helm, despite the challenges brought about by the Covid-19 pandemic.

Over the past few years the Judiciary has embarked on initiatives aimed at improved customer service, greater access to justice and increased efficiencies. Since the onset of the pandemic and the restricted access to the court and other services during the lockdowns, the importance of ensuring greater access to justice is even more relevant than ever before. The importance of the delivery and access to justice can never be overestimated. Below is an update on some of the initiatives that have been embarked upon at the Court:

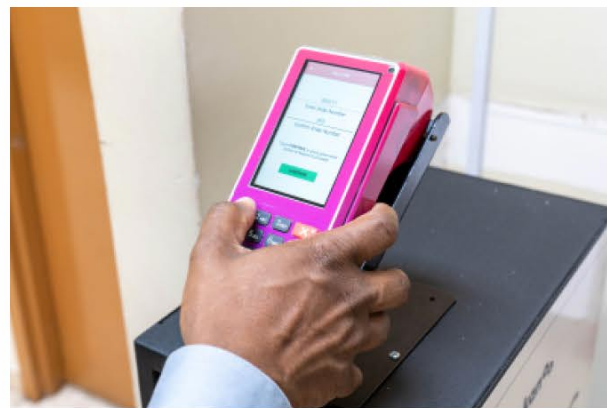
## THE BAIL MANAGEMENT SYSTEM

The Bahamas Bail Management System (“the BBMS”) is a customized software application specially designed for The Bahamas to fully automate the court process for matters relating to bail. In our annual report of 2020, we explained the bail process and foreshadowed that as of 1st February, 2021 all bail applications would be filed electronically and submitted to the Criminal Registry of the Supreme Court.

This date has now been pushed back to January 17, 2022 to permit further training for the Judiciary and members of the Bahamas Bar Association. It is expected that by this date all bail applications will be performed using this system. There is a kiosk located at the Department of Correctional Services so that accused persons can make applications from there.

## COURT AUTOMATED PAYMENT SYSTEM (CAPS)

The contract for the CAPS system was signed in December 2020 however, the rollout of the system was completed in August of this year. The CAPS system reduces the delay in processing court ordered payments and provides users of the Magistrates Family Court with the ability to have their payments made and received using the Kanoo app. The importance of CAPS is the fact that users now have another option to receive their family court maintenance payments. Currently, the only means of receiving payments is via direct deposit to a bank account. Therefore, CAPS is particularly helpful for individuals without a bank account. Further, this makes tracking of payments and arrears much easier. Users of the Family Court have been signing up to use the system however, it has been slower than anticipated. In the New Year, more public education about the system will be conducted so that there would be greater wide spread use of the system.



## INTEGRATED CASE MANAGEMENT SYSTEM (ICMS)

The introduction of an Integrated Case Management System will provide the gateway for the widespread automation of court procedures and processes. It will permit the Courts to deliver a wide range of E services including e-filing, e-scheduling e-calendaring, e-payments, e-notices and others. The first rollout of the ICMS will be the Commercial division of the Supreme Court which is expected to be completed by the end of December, 2021.



This would permit access to the scanned court files for this division. As the remaining files from the Supreme Court and Magistrates Court are scanned, they will be migrated into the ICMS and become accessible online to court users without the necessity of attending physically at the respective Registries to view them. This system is expected to be fully online by August, 2022.

## DIGITIZATION

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Last year's report omitted the details of the digitization contract which was signed with ZCOM Solutions on December 22, 2020. This contract to modernize the court through the digitization and migration of court documents will catapult the court towards the ultimate goal of becoming a paperless court.

Currently, the work of the Judiciary is predominantly paper-based and court users are acutely aware of the challenges this brings. The current challenges experienced by the court in the maintenance of paper files includes:

- 1 *the ease of loss of paper files;*
- 2 *the vulnerabilities associated with paper files, such as tearing, ripping etc.;*
- 3 *the requirement for filing cabinets to accommodate the files with the concomitant requirement for the physical space to keep them;*
- 4 *the need to transport files between the Registries which are often times in different buildings to the judicial officer hearing the case;*

The obvious benefits of digitizing/scanning includes:

- 1 *the improvement in productivity due to the ability to easily access court files and documents;*
- 2 *reduction in the time and effort required to search for documents;*
- 3 *easier data sharing among the courts and the various users (including the attorneys, the litigants and the public).*

The staff in each of the Supreme Court Registries and in the respective Magistrates Courts have been working diligently in preparing the files for scanning and thus far, files in the Supreme Court from the Commercial division and, Public and International Law division have been scanned. Additionally, the remaining files to be scanned include those in the following registries: Appeals, Family, Probate and Common Law and Equity files in the Civil Registry. In the Magistrates Court, the files from the Traffic Court, Coroner's Court and Juvenile Court have all been scanned. The remaining files in the Civil and Criminal Courts are still in the process of being scanned. It is expected that the scanning project will be completed by August, 2022.

Once these files have been scanned they will be uploaded into the ICMS where they will be accessible by the Court and court users.

#### 1.4

### DIGITAL RECORDING SYSTEM (DRS)

BY DEPUTY REGISTRAR RENALDO TOOTE



The Office of the Judiciary is pioneering the way forward with standardized digital infrastructure in order to overcome the backlog of court cases arising from delays associated with having to obtain manual transcripts.

The re-introduction of a digital recording system using the For The Record ("FTR") technology is expected to propel the judiciary forward in keeping with our regional colleagues.

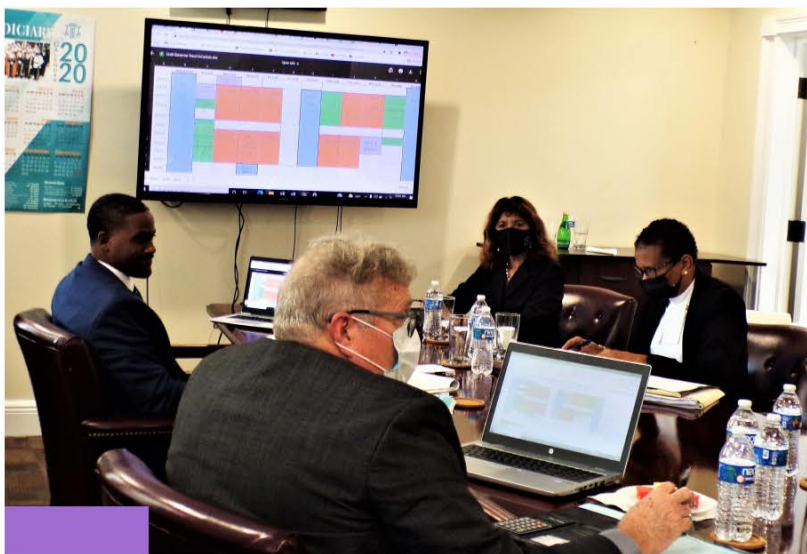
It is expected that the digital court recording system will tremendously reduce trial delays by the automatic recording of court hearings in real time. This will not only improve the accuracy of the record, but will eliminate the wait period for a copy of the proceedings by providing litigants with 'quick-time' access to a digital copy.

Presently, there are no stenographers assigned to the Magistrate's Court which represents a significant percentage of court hearings, therefore, the use of the digital recording system will augur well to truly establish the notion 'access to justice'.





Ken Cook, NCSC Digital Recording Expert; Chief Justice Sir Brian M. Moree; Bridget M. Premont, INL Director US Embassy Nassau and Gillian Lawrence, NCSC Digital Recording Expert.



Ken Cook, NCSC Digital Recording Expert; Deputy Registrar Renaldo Toote; Hon. Madam Justice Indra Charles and Hon. Madam Justice Diane Stewart.

For the Court Administrator, FTR improves productivity without affecting court procedure; it takes advantage of reliable, accurate and secure digital recording and storage. For the Court Clerk and Court Reporter, it provides ease of access, including linking notes to specific points within relevant recordings. For the Judge or Judicial Officer, it allows for the making of personal and private notes during trials and hearings.

Under the leadership of His Lordship Sir Brian Moree K.t., Q.C. the judiciary launched the pilot phase of the digital recording system which tested the efficacy of the recordings. The digital testing occurred in two (2) Supreme Courts both in Nassau and Grand Bahama and 3 Magistrate Courts in Nassau.

The pilot phase sought to retrain both Judicial Officers and judicial support staff. These sessions sought to re-familiarize those with experience in using the software, expose participants to new features and to train those without experience in its use. During the relaunch of the digital recording system, we focused on several key components, particularly:

1

*understanding the role of the Judicial Support Officer and the FTR digital recording system;*

2

*how the FTR Digital Recording System works in your courtroom;*

3

*how to make your own log notes to ensure efficiency.*

It is expected that by January, 2022 the digital recording system will be operable in all courtrooms and ably operated by trained judicial support staff.

## 1.5

## CHAMPIONS OF THE JUDICIARY

BY MRS. ANNAMAE NEELY

One year has passed since the onset of the COVID-19 pandemic and while The Bahamas records having fully vaccinated over 100,000 of its citizens and residents, the deadly threat of the pandemic is ever present.

Notwithstanding this, the essential services provided by the Office of the Judiciary has continued. The hundreds of persons accessing the various services of the Office of the Judiciary each day via the Magistrates Court complex, the various Registries and attendance at trials in the Supreme Courts, have resumed.



To safely balance this reality, the responsibilities, roles and functions of Court Marshalls and Custodial workers were expanded overnight. Being charged with ensuring sanitization and monitoring of body temperature of both staff and clients accessing the Judiciary, our officers have learnt and perfected the new protocols, given the new normal. As a result of the Office of the Judiciary's aggressive, and strict adherence to the health and safety protocols, thankfully no staff member has been lost to the pandemic.

One of the highlights of this new normal has been the expanded role our Custodial officers who have, reluctantly in the beginning, but since displayed skills not required of their counterparts in other areas. They have perfected the task of rapid sanitization of environments in a professional manner that creates a sense of health and safety for court attendees. Their diligence and attention to detail set a high standard and they have been celebrated for it.

The following officers are highlighted from among these groups of professionals, and are lauded for being dependable, flexible and agreeable when asked to facilitate the varying necessities of the new normal of the operations of the Judiciary. They continue to distinguish themselves among their ranks and for this, the Office of the Judiciary is grateful.



Mr. Peter James Rolle

Position  
COURT MARSHAL

Date of Appointment  
28 August, 2014

**Mr. Peter James Rolle** started as Court Marshal on 28th August, 2014. A proud descendant of Black Point, South Andros and one who has faithfully served the Royal Bahamas Police Force for over thirty years, prior to his employment with the Judiciary. Mr. Rolle is happily married to retired educator Mrs. Angela Cartwright- Rolle. He is the proud father of one son, Peter Jovean Rolle, who is also a Police Officer. He bases his zeal for life on his Christian upbringing and his deep love for God. In his spare time, he serves as a Police Reservist, reads the newspaper and watches the news on TV.



Mr. Wenzel Hanna

Position  
COURT MARSHAL

Date of Appointment  
22 February, 2016

**Mr. Wenzel Hanna** started as a Court Marshal on 22nd February 2016. After serving 35 years on the Royal Bahamas Police Force, he retired as a distinguished officer who had combined his vocation of community service both on New Providence and the Family Islands where he served. Mr. Hanna has been married to Mrs. Bridgette Hanna for 38 years and is the father of three children.



Mr. Sidney Algernon Campbell

Position  
COURT MARSHAL

Date of Appointment  
03 April, 2017

**Mr. Sidney Algernon Campbell** started as a Court Marshals on 3rd April, 2017. He is described by his family as a stern disciplinarian and a family man. He has been married to the devoted and supportive, Reverend Sherelee Campbell for thirty eight years. This Union is blessed with three sons: Sean, Shakeno and Shaquinn Campbell and one Grandson, Sean Campbell Jr. Mr. Campbell's career included employment as a Beach Warden for 11 years, a Royal Bahamas Police officer for 32 Years and currently Court Marshall for the Supreme Court for the past five years.



Mr. Andrew Christopher Armbrister

Position  
COURT MARSHAL

Date of Appointment  
03 April, 2017

**Mr. Andrew Christopher Armbrister** started as a Court Marshal on 3rd April, 2017. Mr. Armbrister is a proud Fox Hillian and member of the historic, Mt. Carey Union Baptist Church. He is the 8th of 13 children born to the late, Rev. Dr. Randolph and Dorothy Rolle Armbrister and father to 2 sons, one of whom is a Police Officer. Mr. Armbrister spent more than 20 years as a Police Officer in charge of a cell block and is proud that he has never lost a prisoner. Finally Mr. Armbrister celebrates having found a perfect balance in life with work and play / travel.





Mr. Nelson Wendall Laramore

**Position**  
**COURT MARSHAL**

**Date of Appointment**  
**30 September, 2019**

**Mr. Nelson Wendall Laramore** started as a Court Marshal on 30th September, 2019. Mr. Laramore is the second of seven children born to King Nathaniel and Delcena Laramore. He is a Deacon in the New Birth Deliverance Kingdom Ministries. He is a father of three and husband to W/PC 3668 Bernadette Laramore. Mr. Laramore is currently enrolled in Atlantic College in pursuit of degrees in Theology and Business Management. His philosophy is, "Don't sweat the small stuff". His life is ordered with God first, family second and the extras thereafter. Mr. Laramore values the support and camaraderie of family. "After all, when the job is done, the affiliates no longer relevant and one's health has failed, all that is left is family."



Ms. Shantiesh Patrice Mitchell

**Position**  
**JANITRESS**

**Date of Appointment**  
**20 August, 2018**

**Ms. Shantiesh Patrice Mitchell** started as Janitress via the National Job Creation and Skills Enhancement Program on 20th August, 2018. Ms. Mitchell is described as a person of good character possessing sterling qualities with integrity above reproach. She is reliable, honest and enthusiastic and is unafraid of challenges. She has an optimistic view on life and the future. Ms. Mitchell's philosophy is, "Have faith and trust in God, and good things come to those who wait".



Ms. Mischica Talia Miller

**Position**  
**JANITRESS**

**Date of Appointment**  
**16 March, 2009**

**Ms. Mischica Talia Miller** joined the staff of the Judiciary as a Janitress on 16th March, 2009. Ms. Miller is described as a humble and pleasant person who is hard working and reliable. Her maturity, diligence and adaptability are to be emulated by her peers and can serve as a standard for others. Ms. Miller's goal was and continues to become a business owner, which is kept alive thanks to her motto, "Don't let yesterday take up too much of today".



Ms. Nickeisha Latia Thompson

Position  
JANITRESS

Date of Appointment  
20 August, 2018

**Ms. Nickeisha Latia Thompson** joined the staff of the Judiciary as a Janitress on 20th August, 2018. Ms. Thompson is described as diligent, reliable, dependable and flexible with an agreeable disposition and willing attitude. She expresses gratitude for every opportunity for service and exposure within the Judiciary. Ms. Thompson is the mother of two and her hobbies include reading and listening to motivational speakers.

Finally, the Office of the Judiciary extends a special thank you, specifically to the small group of court personnel who were drafted to report for duty in-person every day while others were allowed to remain at home. These officers willingly worked during the initial stage of the pandemic, notwithstanding the personal sacrifice they all rose to the occasion.

These officers are:

Position  
MARSHALS / COURT SECURITY

Edden Zonicle, Christopher Thompson, Peter Rolle, Nelson Larrimore, Andrew Armbrister, Sidney Campbell, Roy Burrows,

Position  
SELECT CUSTODIANS

Cecilia Davis, Natasha Parker, Patrick Williams, Shanitesh Mitchell, Brenisha Moxey, Mischica Miller, Birdena Roberts, Monalisa Ferguson, Brittany Ferguson, Leneah Woodside

Position  
ACCOUNTS / CASHIERS

Shirley Moncur, Claudia Hall, Alleandro Sherman, Terrecka Thompson, Esther Pinder, Makia Dean, Brienna Nabbie, Nathalia Lewis, Asia Burrows and Shanishka Dean

Position  
CRIMINAL REGISTRY STAFF

Deputy Registrar Edmund Turner, Debra Gittens, Majorie Evans, Candi Stubbs, Starshema Smith and Shonaray Mackey



## 1.6

## ORANGE THE WORLD

BY DEPUTY REGISTRAR CAROL MISIEWICZ

The Office of the Judiciary partnered with the Bahamas Crisis Centre to mark the United Nations Campaign to end gender-based violence against women and girls. The Judiciary made a presentation to the Bahamas Crisis Centre, December 9, 2021, at the Office of the Chief Justice -- galvanized around the slogan, 'ORANGE the World'. End violence against women now.

Small actions can make a big impact to end violence against women. Everyone has a role to play. The Office of the Judiciary took part in the 16 Days of Activism campaign, aimed at highlighting Gender Based Violence in the community and home, directed against women and children.

Beginning with the International Day for the Elimination of Violence against Women, on 25th November 2021 and running until the 10th December, Human Rights Day, the UN has observed 16 Days of Activism against gender-based violence. With the support of the Chief Justice, the Office of the Judiciary sought to play its role through encouraging staff and judges to support this initiative by purchasing an orange ribbon to wear daily throughout the campaign: ribbons were made by a staff member then sold at nominal cost; and all proceeds from the sale of ribbons were donated to the Crisis Centre.

Staff and judges in the Judiciary participated in two ways: the first was to 'Wear a White Ribbon' on Monday 29 November 2021. The White Ribbon Campaign was started by a group of men in Ontario, Canada, in November 1991 to mark the Montreal University massacre of 14 women, 13 students and 1 staff member, by a man in 1989; and secondly by wearing an Orange Ribbon each day of the UN's 16 days of activism.



Chief Justice Sir Brian Moree makes a presentation to Bahamas Crisis Centre on behalf of the Office of the Judiciary.



Staff of the Chief Justice's office with their orange pins representing UN's Orange the World Campaign.



Chief Magistrate Joyann Ferguson, Court Administrator Alphanette Grant, and staff of the Magistrates Court.





Chief Magistrate Joyann Ferguson and Deputy Registrar of the Supreme Court Carol Misiewicz support the UN campaign to end gender-based violence against women.

Laws and their effective implementation are a critical foundation in the prevention of violence against women and girls, and responding to this grave human rights violation.

Information from the UN-WOMEN website reveals that globally, 243 million women and girls were abused by an intimate partner in the past year. Fewer than 40 per cent of women who experience violence report it or seek help. The situation increased with the implementation of lockdowns as a means to fight the pandemic.

## 1.7

## REMEMBRANCE DAY 2021



Hon. Chief Justice Sir Brian M. Moree places wreath at the Centoph on Remembrance Day

Remembrance Day is a memorial day observed by the Commonwealth to honour members of the armed forces who died in World War I & II. In 2021, to mark the end of World War I in 1918, it was observed at the 11th hour of the 11th day on the 11th month (Thursday 11 November 2021). 2021 marked the 100th birthday of the “poppy” which is worn as a symbol representing the blood shed by thousands of soldiers (including Bahamian soldiers), who died during World War I.



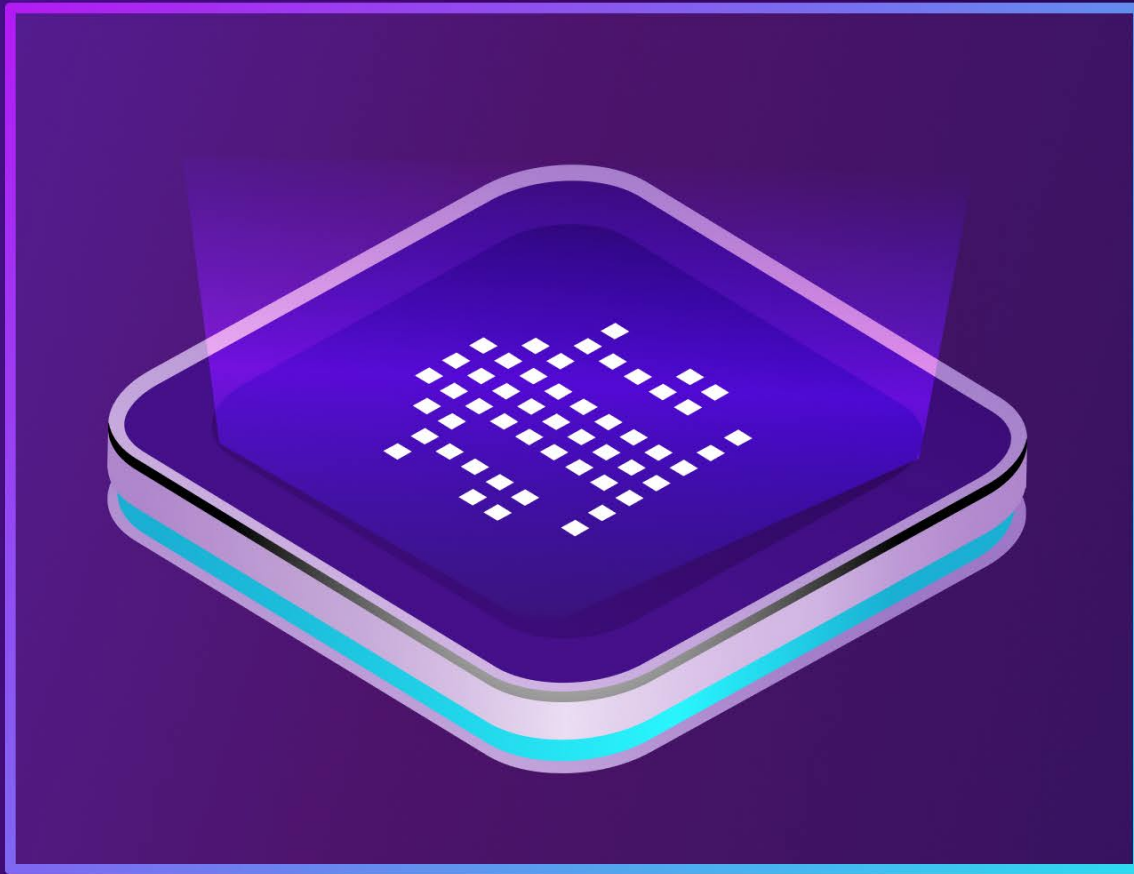
**JUDICIARY**  
THE BAHAMAS



# THE JUDICATURE







2.1

CONSTITUTION, COMPOSITION AND  
JURISDICTION



The Judicature is one of the three (3) branches of Government (Chapter VII of the Constitution of the Commonwealth of The Bahamas). The Judicature is independent of the Executive and the Legislature and is headed by the Chief Justice who is responsible for the administration of justice in The Bahamas.

## THE PRIVY COUNCIL

(Her Majesty's Judicial Committee)

Highest Court to which appeals may be made from the decisions of the Court of Appeal

## COURT OF APPEAL

(Justices of Appeal)

Hears appeals made from decisions of the Supreme Court, some appeals from Magistrate Courts and various Tribunals

## SUPREME COURT

(Justices)

Hears Civil and Indictable Criminal matters, appeals from Magistrate Courts and various Tribunals

## MAGISTRATE COURT

(S & C Magistrates)

Hears Civil and Criminal matters

## FAMILY ISLAND ADMINISTRATORS

(Lay Magistrates)

Hear Minor matters





## THE PRIVY COUNCIL

The Judicial Committee of Her Majesty's Privy Council is the highest Court of Appeal of The Bahamas. These appeals are heard in England.



The Rt. Hon. Lord Reed; The Rt. Hon. Lord Kerr; The Rt. Hon. Lord Mance; The Rt. Hon. Lord Sumption; The Rt. Hon. Lord Hughes;



## COURT OF APPEAL

The highest resident court in the country is the Court of Appeal, which sits on a full time basis throughout the year. The Court of Appeal is composed of a President, and not more than six (6) Justices of the Court of Appeal. The Chief Justice, by virtue of his office as head of the Judiciary is also a member of the Court of Appeal but he shall not sit on the Court of Appeal unless he has been invited to do so by the President of the Court of Appeal.

The Court of Appeal has jurisdiction in Criminal, Constitutional and Civil matters under the Constitution, the Court of Appeal Act and other statutes. The Court of Appeal also hears appeals from the Industrial Tribunal. Appeals from the Supreme Court and from the Magistrate's Court (in some cases) lie to the Court of Appeal; and appeals from the Court of Appeal lie to the Privy Council.

- 1 - Hon. Sir Michael L. Barnett,  
Kt. - President of Court of  
Appeal  
2 - Hon. Mr. Justice Jon. Isaacs  
3 - Hon. Madam Justice  
S. Maureen Crane-Scott



- 4 - Hon. Mr. Justice Roy Jones  
5 - Hon. Mr. Justice Milton Evans  
6 - Hon. Madam Justice Carolita  
Bethell



## THE SUPREME COURT

### ESTABLISHMENT

The Supreme Court of The Bahamas is established by Article 93 of the Constitution of the Commonwealth of The Bahamas which states:

"93 (1) There shall be a Supreme Court for The Bahamas which shall have such jurisdiction and powers as may be conferred upon it by this Constitution or any other law.

(4) The Supreme Court shall be a superior court of record and, save as otherwise provided by Parliament, shall have all the powers of such a court."



## JUSTICES

Justices of the Supreme Court include the Chief Justice and such number of other Justices as may be prescribed by Parliament. No office of Justice of the Supreme Court shall be abolished while there is a substantive holder thereof - Article 93(2) and (3).

The Chief Justice is appointed by the Governor-General on the recommendation of the Prime Minister, after consultation with the Leader of the Opposition. Other Justices of the Supreme Court are appointed by the Governor-General, acting on the advice of the Judicial and Legal Service Commission.

Section 3 of the Supreme Court Act, provides that there shall be, in addition to the Chief Justice, not more than twenty and not less than six Justices of the Court and that the title of Senior Justice may be conferred upon not more than two Justices by the Governor-General acting on the advice of the Judicial and Legal Service Commission.

To qualify for appointment as a Justice of the Supreme Court, a person must be a member of The Bahamas Bar or the Bar of a Commonwealth country, membership of which is a qualification for admission to practice as a counsel and attorney in The Bahamas, and must have practiced as a counsel and attorney for not less than ten years.

Once appointed, the salaries and other terms of appointment of the Chief Justice, and Justices of the Supreme Court cannot be altered to their disadvantage. Justices of the Supreme Court can serve until the age of sixty-five (65) years and, where agreed, may serve until the age of sixty-seven (67) years.

## JURISDICTION

Subject to the provisions of the Supreme Court Act or any other law, the Supreme Court has unlimited original jurisdiction in civil and criminal causes and matters; and such appellate jurisdiction as may be conferred upon it by the Supreme Court Act or any other law.

### Civil

The civil jurisdiction of the Supreme Court includes causes and matters in the Admiralty, Probate, Matrimonial, Common Law and Equity and Commercial Divisions of the Court.

### Criminal

The criminal jurisdiction includes applications for bail and trials with a jury of indictable offences and those hybrid offences which the accused elects to be tried in the Supreme Court.

### Appellate

In Criminal cases, appeals from a conviction by a Stipendiary & Circuit Magistrate lie to the Supreme Court, except where the term of imprisonment is not less than one (1) year or the offence falls within the category of offences set out in the Third Schedule of the Criminal Procedure Code Act, Chapter 91, Statute Laws of The Bahamas. In civil cases, appeals from decisions of the Chief Magistrate or an S & C Magistrate lie to the Supreme Court.

### Constitutional

Article 28 of the Constitution provides that the Supreme Court shall have original jurisdiction –

(a) to hear and determine any application made by any person in pursuance of paragraph (1) (i.e. if any person alleges that any of his fundamental rights and freedoms has been, is being or is likely to be contravened in relation to him), then, without prejudice to any other action with respect to the same matter which is lawfully available, that person may apply to the Supreme Court for redress; and

(b) To determine any question arising in the case of any person which is referred to it in pursuance of paragraph 3 which states:

“(3) If, in any proceedings in any court established for The Bahamas other than the Supreme Court or the Court of Appeal, any question arises as to the contravention of any of the provisions of Articles 16 to 27 (inclusive) the court in which the question has arisen shall refer the question to the Supreme Court”

In the exercise of the civil jurisdiction, matters are heard by a single judge. In criminal matters before the Supreme Court, proceedings are instituted in the name of the Queen and are heard by a Judge and Jury.



## DIVISIONS OF THE SUPREME COURT

By the Supreme Court (Divisions of Court) Order 2002, the Chief Justice, in exercise of the powers conferred by Section 7(2) of the Supreme Court Act, Ch. 53, established the Divisions of the Court as follows:



## DIVISIONS OF THE SUPREME COURT

### Criminal Division (CRI)

Coroner (cor)  
 Financial Crimes (fin)  
 Bail Applications (baa)  
 Habeas Corpus (hca)  
 Information and Voluntary Bill of Indictment (vbi)  
 Extradition (ext)  
 Constitutional filed in the Criminal Division (ccd)  
 Criminal appeals from Magistrates Court (cam)  
 Restraint, Production, Monitoring and forfeiture applications (rpm)  
 Criminal matters not allocated to any other Division (crg)

### Civil / Common Law Division (CCL)

Employment and Labour (eal)  
 Regulatory (reg)  
 All non-criminal matters which do not fall within one of the other Divisions (gen)

### Commercial Division (COM)

Insurance and re-insurance (iri)  
 Banking and Finance (baf)  
 Arbitration (arb)  
 Trusts and Corporate (tac)  
 Investment Funds & Capital Markets (icm)  
 Insolvency, Liquidations, Bankruptcy & Receivers (iib)  
 Admiralty and Maritime (adm)  
 Enforcement of Judgments (eoj)  
 Financial and Transactional disputes (ftd)

### Family Division (FAM)

Divorce/Matrimonial (div)  
 Adoption (adn)  
 Guardianship and custody (gua)  
 Hague Convention applications (hca)  
 Applications under the Mental Health Act (mha)  
 Child Protection applications (cpa)  
 Domestic Violence applications (dva)  
 Non-contentious probate matters (npr)  
 Contentious probate matters (cpr)

### Public Law / International Division (PUI)

Administrative law (adm)  
 Constitutional law (con)  
 Judicial Review (jra)  
 International Treaty applications (ita)  
 Habeas Corpus applications – other than those filed in the Criminal Division (hcp)

### Appeals / Revenue Law (ARL)

Magistrates (mag)  
 Statutory Tribunals (str)



## THE MAGISTRACY

THE MAGISTRACY IN THE BAHAMAS CONSISTS OF:

STIPENDIARY AND CIRCUIT MAGISTRATES AS WELL AS LAY MAGISTRATES APPOINTED UNDER THE MAGISTRATES ACT, CHAPTER 54, STATUTE LAWS OF THE BAHAMAS.

### STIPENDIARY AND CIRCUIT MAGISTRATES

Stipendiary and Circuit (S & C) Magistrates hold permanent appointments and travel on circuit to try cases in different districts in The Bahamas. In order to be appointed an S & C Magistrate, a person must be an attorney-at-law and a member of the English, Irish, Scottish or Bahamas Bar, or of the bar of any other country of the Commonwealth to which a member of The Bahamas Bar is admitted without examination, for at least five (5) years.

S & C Magistrates are appointed by the Governor-General acting in accordance with the advice of the Judicial and Legal Service Commission - Section 13 of The Magistrates Act.

### LAY MAGISTRATES

Lay Magistrates, who require no legal training, are appointed by the Governor General acting on the advice of the Judicial and Legal Service Commission. Family Island Administrators, who also serve as Magistrates in their respective districts, form the largest group of such magistrates. Lay Magistrates are also appointed from the Roll of Justices of The Peace.

### JUSTICES OF THE PEACE

Justices of The Peace are appointed by the Governor General by Warrant under his hand and the Public Seal, and, within the limits of an area or district in respect of which they are appointed, have the same powers as a magistrate to sign warrants of arrest and committals, to issue search warrants and to take affidavits and administrator oaths.



## JURISDICTION OF MAGISTRATES

### Criminal

In the Magistrates Court, criminal proceedings are instituted in the name of the Commissioner of Police. S & C Magistrates sit alone without a jury and are the judges of both the law and the facts in cases before them. S & C Magistrates hear summary matters or indictable matters which may be heard summarily.

S & C Magistrates have jurisdiction to impose a sentence of imprisonment of not more than five (5) years or a fine as stipulated in the relevant statute. They also conduct preliminary inquiries to determine whether a prima facie case has been made against an accused person. If a prima facie case is made, the accused is committed to the Supreme Court to stand trial.

Lay magistrates have jurisdiction to hear minor summary matters only.

### Civil

S & C Magistrates also have jurisdiction to hear and determine any civil cause or matter where the amount sought to be recovered or the value of the property does not exceed \$5,000.00 and they have jurisdiction and authority to try summarily any case in which the title of land is involved where the value of the land does not exceed \$200.00 – Section 15, Magistrates Act. Lay Magistrates try civil cases in claims up to \$400.00 for contract and tort and \$600.00 for debts.

### Appeals in the Magistrates Court

Appeals from a conviction (criminal cases) or decision (non-criminal cases) by Lay Magistrates lie to the Chief Magistrate, an S & C Magistrate or Circuit Justice while on circuit.

### Quasi-Judicial Role of Magistrates

Magistrates also issue warrants of arrest and summonses to accused persons to attend Court to answer allegation e.g. Road Traffic Offences. They perform marriages and sit as Chairperson of the Rent Control Board and the Licensing Board or Authority for the grant of licences for the sale of alcoholic beverages as well as shop licences.

## SPECIALIZED MAGISTRATES COURTS

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### Juvenile Court

The Juvenile Court tries criminal offences committed by children and young persons, except where an offence is triable only in the Supreme Court, or a child or young person is charged jointly with an adult. The Juvenile Court also hears matters with respect to children who are deemed beyond parental control and those in need of care and protection. The Magistrate is assisted by a Juvenile Panel, one of whom must be a female. The proceedings in Juvenile Court are governed primarily by the provisions of the Child Protection Act, Chapter 132 of Statute Laws of The Bahamas.

### Family Courts

The Domestic Court deals with applications for relief under the Child Protection Act, the Matrimonial Causes (Summary Jurisdiction) Act and the Sexual Offences and Domestic Violence Act. Matters adjudicated include applications for legal separation, maintenance orders, arrears of maintenance payments, protection orders, custody, paternity and access to minor children.

### Coroner's Court

The Coroner's Court holds inquiries in cases where a person dies in a sudden, violent or unnatural manner, or where the cause of death is unknown and in other situations where the law requires, for example, where a person dies while housed in a public facility or confined to a place of lawful detention.

### Night Courts

The Night Courts were established for the convenience of persons who work during the day and are unable to take time off to attend court. Traffic and civil matters are dealt with by Magistrates sitting in two courts in the Magistrates Court Complex, New Providence. Night court sessions commence at 6:00 p.m., Mondays through Fridays.





MAGISTRATE COURT, MARSH HARBOUR DISTRICT,  
Bahamas Government Complex, Marsh Harbour, Abaco



MAGISTRATE COURT, ELEUTHERA DISTRICT  
Bahamas Government Complex, Governor's Harbour, Eleuthera



MAGISTRATES COURT COMPLEX

South Street, New Providence



GARNET LEVARITY JUSTICE CENTRE,

City of Freeport, Grand Bahama





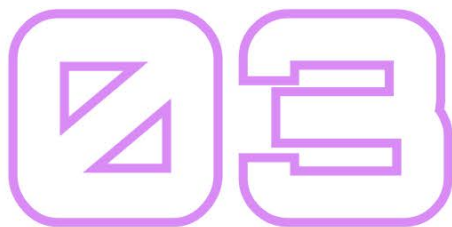
SUPREME COURT BUILDING

Bank Lane, City of Nassau, New Providence



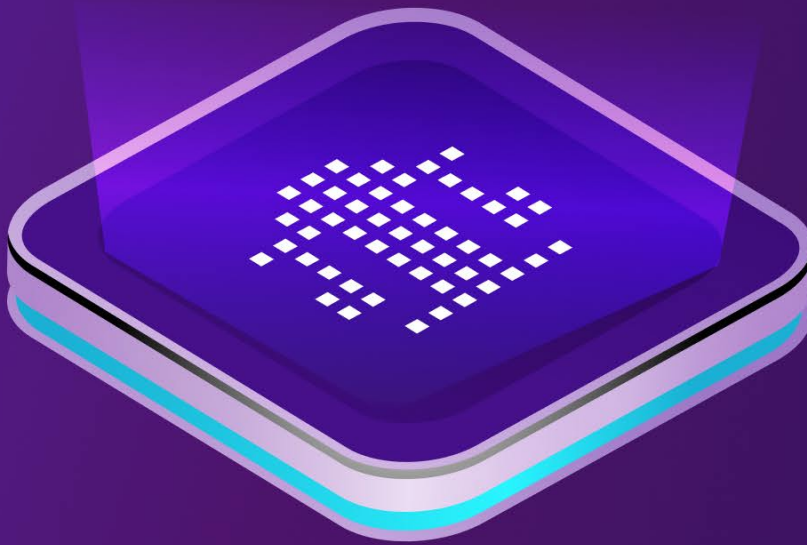


**JUDICIARY**  
THE BAHAMAS



# **OFFICE OF THE CHIEF JUSTICE**





3.1 JUDICIAL & LEGAL SERVICE COMMISSION →

3.2 CHIEF JUSTICE'S INVESTITURE →

3.3 JUDICIAL APPOINTMENTS →

3.4 APPOINTMENT OF QUEEN'S COUNSEL →

3.5 ADMISSIONS TO THE BAHAMAS BAR IN 2021 →

3.6 HUMAN RESOURCE UNIT  
– ANNUAL STATISTICAL DATA REPORT 2021 →



The Judicial & Legal Service Commission was established under Articles 116 and 117 of The Constitution of the Commonwealth of The Bahamas 1973 and the Judicial & Legal Service Regulations (Article 125) of the Statute Law of The Bahamas.

The Members of the Commission shall be:

- 1 The Chief Justice as Chairman;
- 2 Such other Justice of the Supreme Court or Justice of Appeal as may be designated by the Governor General, acting on the recommendation of the Chief Justice, by instrument under the Public Seal;
- 3 The Chairman of the Public Service Commission; and
- 4 Two persons appointed by the Governor General by instrument under the Public Seal, acting on the recommendation of the Prime Minister after consultation with the Leader of the Opposition.

Members are appointed for a maximum of three (3) years and the post shall become vacant at the expiration of the period from the date of his/her appointment or such earlier time as may be specified in the instrument by which he/she was appointed, or he/she becomes a member of either the House of Assembly or Senate. Pursuant to the Judicial & Legal Service (Prescribed Public Offices) Act, Chapter 42 of the Statute Law of The Bahamas, Officers that fall under the jurisdiction of the Commission are as follows:

- 1 Justices of the Supreme Court;
- 2 Registrars of the Supreme Court & the Court of Appeal;
- 3 Stipendiary & Circuit Magistrates;
- 4 Legal officers within - the Department of Legal Affairs, Office of the Director of Public Prosecutions, Industrial Tribunal and the Registrar General's Department – and other legal officers within the Public Service.

Power to make appointments to public/judicial offices and to remove and exercise disciplinary control over persons holding or acting in such offices is vested in the Governor General acting in accordance with the advice of the Commission. Other responsibilities of the Commission include:

1	Reclassifications	▼
2	Promotions	▼
3	Transfers	▼
4	Resignations	▼
5	Retirements	▼
6	Vacancy Notices/Advertisements	▼
7	Disciplinary Action	▼

The Secretary to the Commission is the Registrar of the Supreme Court. The Secretary is responsible to the Commission for the daily operations of the Commission's office through the Secretariat, which is staffed by Ms. Bathsheba Algreen, Mrs. Marinda Pritchard and Miss Kennice Burrows. The duties of the Secretariat are:

1	Maintaining a registry of all Commission files – general and confidential, including the receipt and registration of incoming correspondence;	▼
2	Accounting Officer for the Commission's budget;	▼
3	Responding to inquiries;	▼
4	Meeting preparation, including: issuing notices to Members; preparing meeting Agenda and Minutes of Meeting;	▼
5	Taking action on Commission Decisions;	▼
6	Preparing and forwarding all Orders by the Commission to the Governor General for approval/signature;	▼
7	Forwarding all signed Orders to the Ministry of the Public Service for the letters appropriate to be prepared and forwarded to the relevant persons/agencies;	▼
8	Arranging interviews with applicants.	▼

The Commission held seventeen (17) meetings and made seventy-two (72) decisions during the current reporting period of 1 November 2020 to 31 October 2021.





The Honourable Chief Justice Sir Brian M. Moree, Kt.; Q.C. Chief Justice of the Commonwealth of The Bahamas received his knighthood in an Investiture Ceremony at Windsor Castle, 25 November, 2021



Hon. Mr. Justice Bernard Turner was sworn in as Acting Chief Justice by His Excellency the Most Hon. Sir Cornelius A. Smith, Governor General November 19, 2021



His Excellency the Most Hon. Sir Cornelius A. Smith, O.N.,GCMG, Governor-General, sworn in the Hon. Madam Justice Juanita Denise Lewis-Johnson, May 31, 2021.





His Excellency the Most Hon. Sir Cornelius A. Smith, O.N., GCMG, Governor-General, sworn in the Hon. Mr. Justice Andrew Forbes, May 31, 2021.



His Excellency the Most Hon. Sir Cornelius A. Smith, O.N., GCMG, Governor-General, sworn in the Hon. Madam Justice Jeanine Weech-Gomez, May 31, 2021.



His Excellency the Most Hon. Sir Cornelius A. Smith, O.N., GCMG, Governor-General, sworn in the Hon. Mr. Justice Neil Brathwaite, June 14, 2021.



His Excellency the Most Hon. Sir Cornelius A. Smith, O.N., GCMG, Governor-General, sworn in the Hon. Madam Justice Camille Darville-Gomez, September 8, 2021.



The following attorneys were appointed as Queen's Counsel at the Bahamas Bar of the Commonwealth of The Bahamas on Thursday, 16 December 2021:

A

## APPOINTMENT OF QUEEN'S COUNSEL:

**Thursday, 16 December**

Leo Ryan Pinder, Q.C.  
Constance Elrone McDonald, Q.C.  
Sharon Roena Wilson, Q.C.  
Murrio David Ducille, Q.C.  
Oscar Nathaniel Johnson Jr., Q.C.  
Meta McMillan-Hughes, Q.C.  
Meta Gail Lockhart-Charles, Q.C.  
Franklyn Kennedy M. Williams, Q.C.  
Philip McKenzie, Q.C.  
Robert Keith Adams, Q.C.  
Raynard Sherman Rigby, Q.C.  
Obie Obadiah Ferguson, Q.C.  
Leif Gunnar Farquharson, Q.C.  
Timothy Alexander Eneas, Q.C.  
Carlson Henry Shurland, Q.C.  
Khalil David Parker, Q.C.

**Monday, 8 February**

Carla Dianne Card-Stubbs

**Friday, 11 June**

Karine MacVean

Nia Myrtis Isake Bethel-Sears

Conor Charles Gottlieb

Max Garry Julien

Ian William A Cargill, Jr.

Scharlee Jemma Latre Thompson

Nicholette Crystal Alexas Burrows

**Thursday, 28 October**

Sophia Danielle Lockhart

Lilnique Patricia Murphy

Tamika Vanessa Pinder

Danielle Elizabeth Miller

Skyler Brenda G Deveaux

Erin Christyn Adderley

Levan D'Shanno Johnson

Lethea Gabrielle Carey

Tamika Gibson

Vashti Alia Bridgewater

Ezranda Tashonya Bodie

Cashena Sara S Thompson

Sherrexcia Alexis Rolle

Asha Tina Lewis

Edwina Lydia L Waldron



**Friday, 29 October**

RaSean Vashti Longley  
 Tashae Tomeka Grant  
 Lavette Angel Kemp  
 Ilisha Jasmine McPhee-Johnson  
 Shaneka Camille Carey  
 Xandrell Lekeddra R Bain  
 Victoria Brenda Morris  
 Thaddeus O Saunders  
 Jonel Inez A Johnson  
 Rhodreka Tyeshia L Strachan

**Friday, 10 December**

Tatyanna Danielle C Maynard  
 Syann Jade Thompson  
 Mary Christina A Maynard  
 Shannon Cordisha M Fernander

**B****SPECIAL ADMISSIONS TO THE BAR****7 February 2021**

James Thomas Lewis, Q.C.

**11 March 2021**

Richard Frazer Todd, Q.C.

**26 April 2021**

Adrian Joseph Beltrami, Q.C.

**6 May 2021**

James Thomas Lewis, Q.C.

**27 May 2021**

Francis Benedict William Tregear, Q.C.

**19 July 2021**

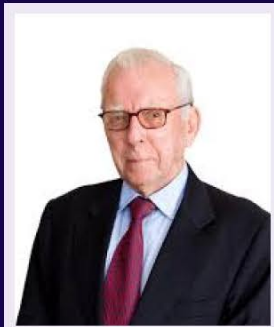
Roger Cephas Forde, Q.C.

**26 July 2021**

David Quest, Q.C.

## COMMEMORATIVE SITTING

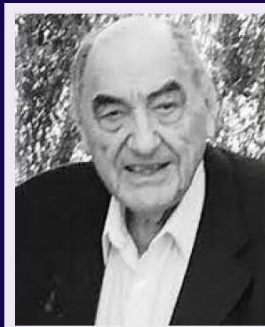
In accordance with Practice Direction No.3 of 2006, the Chief Justice, on Friday, 5 March 2021, presided over the Annual Commemorative Sitting of the Supreme Court to mark the death of the following Counsel and Attorneys-at-Law (By Order of Call):



PETER D. GRAHAM

Date of Call:  
5 APRIL 1950

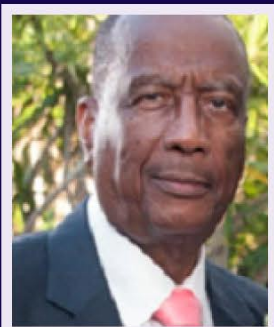
Date of Death:  
24 JUNE 2020



LIONEL LEVINE

Date of Call:  
21 JANUARY 1967

Date of Death:  
25 AUGUST 2020



HON. NEVILLE L. SMITH, Q.C.

Date of Call:  
15 FEBRUARY 1967

Date of Death:  
21 AUGUST 2020



DARRELL E. ROLLE

Date of Call:  
1 SEPTEMBER 1970

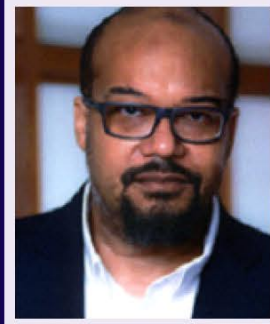
Date of Death:  
13 OCTOBER 2020



MICHAEL C. E. TURNER

Date of Call:  
31 AUGUST 1984

Date of Death:  
19 JUNE 2020



WILLIAM F. P. FOUNTAIN

Date of Call:  
11 NOVEMBER 1994

Date of Death:  
8 JANUARY 2021



JANET E. HALL

Date of Call:  
21 DECEMBER 2001

Date of Death:  
17 FEBRUARY 2021



ROMEO L. RAMSEY

Date of Call:  
25 OCTOBER 2002

Date of Death:  
6 FEBRUARY 2021



On 31st October, 2021, the Office of the Judiciary had a staff compliment of 311.

As at 31 October 2021, there was 1 Chief Justice, 19 Judges, 18 Magistrates and 6 Registrars serving in the Judiciary.

The Office of the Judiciary is divided into the Supreme Court, and Magistrates Courts. This division is duplicated on Grand Bahama. There is a Magistrates Court with a resident Magistrate stationed at Marsh Harbour, Abaco.

As of 31st October, 2021, the Office of the Judiciary was staffed as follows:-

1	7	Office of the Hon. Chief Justice, Sir Brian Moree, QC	Nolan Scavella, Cheryl Brown, Patrice Maynard, Roy Burrows, P/Cpl. 1978 Owen Palmer & Sgt. 2345 Elkeno Brown
2	5	Office of the Hon. Mr. Senior Justice, Bernard Turner	Shannon Bethel, Sherilyn Bodie Forbes, Lynette Rolle, P/Cpl. 1835 Ted Porter,
3	4	Office of the Hon. Madam Justice Indra Charles	Sharmaine Lopez, Thalia Winder, P/Cpl. 688 Thaddeus Woodside
4	4	Office of the Hon. Mr. Justice Ian Winder	Curtis Adderley, Monique Rolle, P/Sgt. 1486 Keith Sweeting
5	4	Office of The Hon. Madam Justice Deborah Fraser	Wilkeishna McKenzie, Beverley Cooper, P/ Sgt. 1314 Dwight Thurston
6	4	Office of the Hon. Madam Justice Cheryl Grant-Thompson	Andymore Saunders, Sasha Martin, P/Sgt. 2496 Ulysses Rolle
7	4	Office of the Hon. Mr. Justice G. Gregory Hilton	Javon Rahming, Melissa Algreen, P/Cpl. 618 Ivan Deveaux
8	4	Office of the Hon. Madam Justice Petra Hanna-Adderley	Brenda Johnson, Arlington Farquharson, P/ C 1810 Roosevelt Rolle
9	4	Office of the Hon. Madam Justice Guillimina Archer-Minns	Randy Forbes, Patricia Farrington, P/Sgt. 2358 Willard Gibson
10	4	Office of the Hon. Madam Justice Donna Newton	Tamiko Ginton, Kimberly Butterfield, P/Cpl. 961 Pedro Skippings
11	4	Office of the Hon. Madam Justice W. Renae McKay	Elizabeth Johnson, Freda Farrington, P/ Sgt. 2319 Ricardo Neely
12	4	Office of the Hon. Madam Justice G. Diane Stewart	Christopher Pennerman, Geofricka Hepburn, P/Sgt. 1473 Ricoh Mitchell
13	2	Office of the Hon. Madam Justice Ruth Bowe-Darville	Earnestine Miller Rahming, P/Sgt. 1624 Alexander LaRoda
14	4	Office of the Hon. Mr. Justice Loren Klein	Justin Cash, Rayja Smith, P/Sgt. 2494 Freeman Rolle
15	4	Office of the Hon. Madam Justice J. Denise Lewis-Johnson	Janet Smith, De'von Adderley, P/Sgt. 2525 Lenardo Simmons
16	3	Office of the Hon. Mr. Justice Andrew Forbes	Lavern Dean, Dale Bethel, P/Sgt. 2085 Elio Mackey

17	4	Office of the Hon. Madam Justice Jeanine Weech-Gomez	Thomas Grant, Verlea Farrington, P/Sgt. 2550 Jonathan Adderley
18	4	Office of The Hon. Mr. Justice Neil Brathwaite	Donna Burrows, Antoinette Barr, P/Sgt. Cassius Evans
19	4	Office of the Hon. Madam Justice Camille Darville-Gomez	Byron Musgrove, Edwin Johnson, P/Sgt. Dugay
20	1	Office of the Registrar Constance Delancy (Head of Department, Court Administration, Civil Registry, Appeals Registry & JLSC Secretariat)	Royann Williamson
21	2	Office of the Deputy Registrar Stephana J. Saunders (Northern Region)	Ricardo Russell, Sophia Clarke
22	1	Office of the Deputy Registrar Carol Misiewicz – Family Registry & Listing Office	Raquel Sands Jones
23	1	Office of the Deputy Registrar Edmund Von Turner – Criminal Registry	Marva Curtis
24	1	Office of the Assistant Registrar Renaldo Toote	Jacqueline Lewis
25	1	Office of the Assistant Registrar Jennifer Stuart Bastian - Probate Registry	Candi Stubbs
26	3	Office of the Chief Magistrate Joyann Ferguson-Pratt	Nancy Saunders, Tamarra Lightbourne, P/ Sgt. 2528 Sherlin Hanna
27	1	Office of the Deputy Chief Magistrate Debbie Ferguson (GB)	Shavonne Greene
28	1	Office of the Assistant Chief Magistrate Subusola Lawanson-Swain	Katelean Lockhart
29	2	Office of the Senior Magistrate Carolyn Vogt- Evans	Lavette Turnquest, Alyssa Forbes
30	1	Office of Senior Magistrate Derence Rolle-Davis	Katrea Saunders
31	3	Office of Magistrate Ancella J. Evans(Abaco)	Shandera Forbes, Carla Nixon
32	2	Office of Magistrate Kara Turnquest-Deveaux (Juvenile Ct.)	Shezelle Rolle, Cruzell Nottage
33	1	Office of Magistrate Charlton H. Smith (GB)	Roganne Smith
34	2	Office of Magistrate Samuel S. McKinney	Deshae Robinson, Marvanique Sargent
35	1	Office of Magistrate LaQuay Laing (GB)	Quincy Major
36	3	Office of Magistrate Sandradee Gardiner (Family)	Thecola Cochiamogulos, Hyacinth Sands, Dalette Walkes
37	1	Office of Magistrate Shaka Serville	Charmaine Musgrove
38	2	Office of Magistrate Algernon Allen, Jr.	Maxverna McBride, Julie Buchanan
39	1	Office of Magistrate Kendra Kelly	Tamika Pennerman

40	2	Office of Magistrate Ian-Marie Darville-Miller	Rickesh Taylor, Kendi Storr,
41	1	Office of Magistrate Simone Brown (GB)	Cadesha Lightbourne
42	2	Office of Magistrate James L. Moxey (Acting)	Jacotta Sands, Christina Richards
43	2	Office of Magistrate Darron D. Ellis (Acting)	Desiree Gibson, Brittany Cooper
44	3	Office of the Court Administrator	Edward Gayle, Shonoray Mackey, Israel Bodie
45	2	Office of the Court Administrator, Magistrates Court	Alphanette Grant, Claudina Cooper
46	6	Office of the Finance Officer	Shirley Moncur, Claudia Hall, Terrecka Thompson, Vincola Henfield, Brinne Nabbie, Ray Sands
47	2	Office of the Accountant – (MC)	Allendra Sherman, Claudia Clarke, Arabella Rolle, Arnette Mackey, Shanishka Dean, Nathalia Lewis, Antonya Moss, Asia Burrows
48	7	Office of Human Resources	Annamae Neely, Elizabeth Taylor, Deidre Dumont, Nicoya Neilly, Deborah Gibson, Sharece Davis & Kirk Moss
49	1	Office of Human Resources, (MC)	Jennifer Sweeting
50	2	Office of Director of Information Communication and Technology	Darmeeko Isaacs, Keva Smith
51	3	Office of the Judicial Legal Services Commission	Bathsheba Algreen, Kennise Burrows, Miranda Pritchard
52	2	Office of the Listing Officer	Sharmaine Bain Archer, D'Avante Curtis
53	1	Office of the Jury Assistant	Patrick Williams
54	2	Law Library	Joycelyn Johnson, Samantha Butterfield
55	34	Office of Court Reporting	Judith Clare, Enith Darling, Royanne Morrison, Tabitha Morley, Hubert Cash, Dulse Darling (GB), Paula Henry - Reid, Sarah Saunders, Katrina Sears, Carla Nicolls, Karen Scavella Chinyere Stubbs, Gwen Deveau, Patrice Johnson, Andrea Johnson, Lavonne Adderley, Katisha Bannister, Swakara Cash, Shanika Kemp, Shakara Knowles, Tonia Colebrooke, Tahesha Ingraham, Tanya Adderley, Derricka Burrows, Calvern Johnson, Diandra Robinson, Krista Stubbs, Denna Williams (GB), Samantha Bain, Melissa Brown, Nathalee Edgecombe (GB), Derrinique Smith, Janet Marc, Augusta Johnson
56	3	Criminal Registry	Majorie Evans, Debra Gittens, Starshema Smith



57	9	Office of the Bailiffs	George Fernander, Brian Harvey, Peter Clarke, Walter Wilkinson, Godfrey Willie, Elvis Rolle, Darcy Cox, Gary Brennen & Randolph Munroe
58	7	Civil Registry	Bianca Walkes, Sherman Campbell, Lorenzo Nixon, Sarah Meeres, Lizandria Taylor, Chaquelle Cooper, Inacio Ward
59	2	Cashiers	Esther Pinder, Makia Dean
60	7	Civil Registry (MC)	Kergsina Cochinamogulos, Alliah Richards, Betty Bostwick, Bridgette Ferguson, Brittany Knowles, Keri Ramsey, Elaine Colebrooke
61	3	Family Registry	Katie Mackey, Jacara Smith, Mariah Tata
62	2	Appeals Registry	Ingrid Hunt, Shamar Major
63	6	Probate Registry	Loretta Maycock, Desiree Robinson, Keisha Ferguson, Sharon Fernander, Nicole Ferguson, Britney Higgs
64	9	Office of the Judicial Research Counsels	Howard Thompson Jr., Rosanne Sweeting, Indy Hunter, Matthew Walker, Kevin Armbrister, Lesley Brown, Akeira Martin, Alexandria Newton, Adrienne Bellot
65	2	Office of the Digitization Unit	Grace Bostwick, Denzel Collie, Dencil Lightbourne
66	8	Office of Court Security (Marshals – Supreme Court)	Eden Zonicle, Leroy Saunders, Jeffrey Pratt, Kervin Godfrey, Sidney Campbell, Andrew Armbrister, Peter Rolle, Nelson Larrimore
67	10	Office of Court Security (Marshals – Magistrate's Court)	Wakney Moss, Christopher Thompson, Francis Campbell, Patrick Knowles, David Stubbs, Michael Ferguson, Maxine Richardson, Wenzel Hanna, Colin Butler, Nathaniel Mackey
68	11	Custodial (Supreme Court)	Cecilia Davis, Natasha Parker, Sandra Lightbourne, Glenda Brown, Donica Murphy, Shantiesh Mitchell, Mischica Miller, Birdenia Roberts, Keith Linden, Brittany Ferguson, Brenisha Moxey
69	6	Custodial (MC)	Tanaka Coakley, Carolyn Lopez, Monalisa Ferguson, Coderro Russell, Leneah Woodside, Nickesha Thompson
70	34	Grand Bahama	Patrick Adderley, Alicia Andrews, Deborah Clarke, Erin Cooper, Ulysses Curry, Lonia Dean, Zenobia Duncombe, Charlene Garvey, Clara Johnson, Eugenia Johnson, Rachel Johnson, Hope Laing, Richard Leadon, Khadijah Lightbourne, Elihu Mackey, Quincy Major, Loylean McCartney, David McPhee, Valencia McPhee, Pearlina Munroe, Tamesha Pyfrom, Hesley Rolle, Fretelia Rolle, Ricardo Roosevelt Rolle, Caljanae Russell, Deon Smith, Tezel Smith, Juanita Smith-Stubbs, Mildred Thompson, Nicole Thompson, Lashad Roberts, Gloria Pratt, Aaliyah Edgcombe, Kadesha Armbrister

The statistical account of HR activities for the year 2021 is as follows:

JUDICIAL ADMINISTRATIVE	JUDICIAL	ADMINISTRATIVE
New Appointments	5	33
Deployments/Transfers	4	3
Confirmation in Appointments	1	7
Reclassifications	1	1
Promotions	5	0
Retirees	3	2
Deaths		1



## RETIREES



The Hon. Mr. Justice Keith Thompson

NASSAU, NEW PROVIDENCE

Position:  
**JUSTICE**

Date of Appointment to Public/Judicial Service:  
**1 DECEMBER 2009**

Date of Retirement: **10 DECEMBER 2020**      Extended under Article 96 (2) of The Constitution  
**30 APRIL 2021**



The Hon. Madam Senior Justice Estelle Gray-Evans

FREEPORT, GRAND BAHAMA

Position:  
**SENIOR JUSTICE**

Date of Appointment to Public/Judicial Service:  
**9 JANUARY 1994**

Date of Retirement:  
**18 NOVEMBER 2021**



The Hon. Madam Justice Ruth Bowe-Darville

NASSAU, NEW PROVIDENCE

Position:  
**JUSTICE**

Date of Appointment:  
**30 MAY 2019**

Date of Retirement: **3 JUNE 2020**      Extended under Article 96 (2) of The Constitution  
**3 DECEMBER 2021**





**Mr. Jack Davis**

**NASSAU, NEW PROVIDENCE**

Position:  
**HEAD BAILIFF**

Date of Appointment:  
**20 JANUARY 1986**

Date of Retirement:  
**28 JULY 2021**



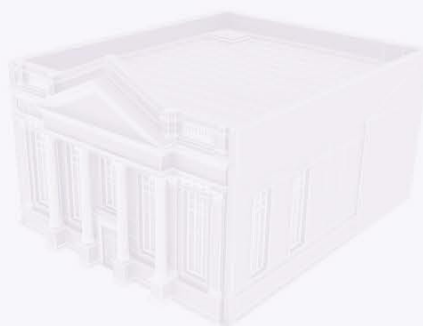
**Mr. Leo Mackey**

**NASSAU, NEW PROVIDENCE**

Position:  
**MARSHAL**

Date of Appointment:  
**22 FEBRUARY 1993**

Date of Retirement:  
**22 DECEMBER 2021**



## DEATHS



Mr. Nathan Russell

Position  
**Balliff**  
(Freeport, Grand Bahama)  
Date of appointment  
**3 JANUARY 1995**  
Date of death  
**15 JUNE 2021**



Miss Dulce Darling

Position  
**Court Reporter**  
(Freeport, Grand Bahama)  
Date of appointment  
**1 OCTOBER 2012**  
Date of death  
**10 NOVEMBER 2021**



Ms. Maudice Newton

Position  
**Senior Clerk**  
(Nassau, New Providence)  
Date of appointment  
**7 AUGUST 1968**  
Date of death  
**11 OCTOBER 2021**



Mrs. Glenda Nairn

Position  
**Janitress**  
(Nassau, New Providence)  
Date of appointment  
**1 MARCH 2010**  
Date of death  
**8 NOVEMBER 2021**



**JUDICIARY**  
THE BAHAMAS



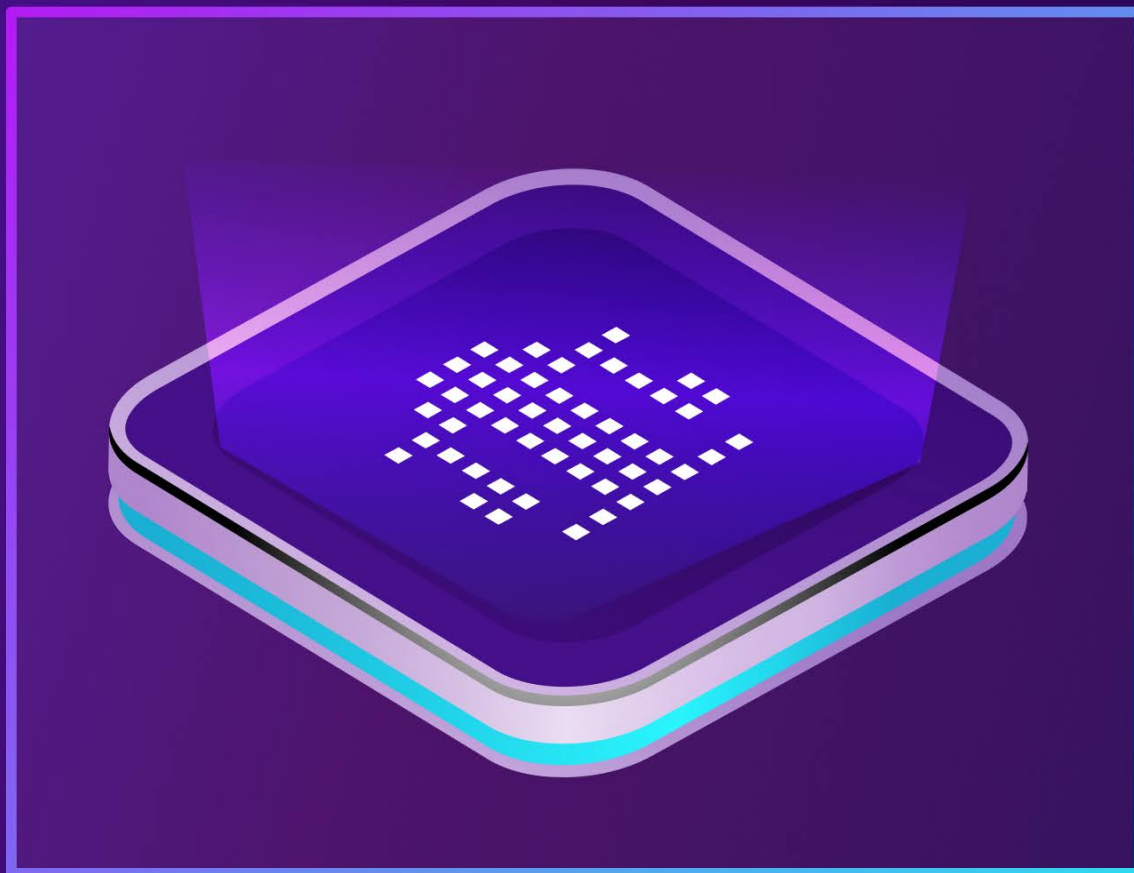


**JUDICIARY**  
THE BAHAMAS



# OFFICE OF THE REGISTRAR





4.1 OFFICE OF THE REGISTRAR



4.2 INFORMATION AND COMMUNICATION  
TECHNOLOGY UNIT



4.3 REPORT OF THE DEPUTY REGISTRAR  
(NORTHERN REGION)



BY REGISTRAR CONSTANCE A. DELANCY

Professor Richard Susskind, in his book *Online Courts and the Future of Justice*, posed the question “Is Court a service or a place?” In 2021, as we slowly emerged from the long shadow cast by the COVID-19, this has been the subject of countless discussions in Courts around the world. In The Bahamas, the Judiciary continued its implementation of the Honourable Chief Justice’s Court Modernization and Reform Initiatives (COMRIN) with the goal of improving its service platforms.

The Registrars of the Supreme Court are on the frontline of providing administrative support and carrying out essential judicial functions. The Judiciary currently has a cadre of six registrars:

1	Registrar Constance Delancy	Head of Department, Secretary to the Judicial & Service Commission, Civil & Magistrates’ Appeals Registries and Listing Office
2	Deputy Registrar Stephana J. Saunders	Responsible for operations and all registries in Northern Region
3	Deputy Registrar Carol Misiewicz	Family Registry
4	Deputy Registrar Edmund V. Turner	Criminal Registry inclusive of Bail Management System
5	Deputy Registrar Renaldo Toote	Special Projects
6	Assistant Registrar Jennifer Stuart- Bastian	Probate Registry

The Registrars heard applications via virtual online platforms such as Zoom, Webex and Microsoft Teams. In person hearings, with the necessary health and safety protocols, were held for litigants who were unable to access technology required to participate in virtual hearings.

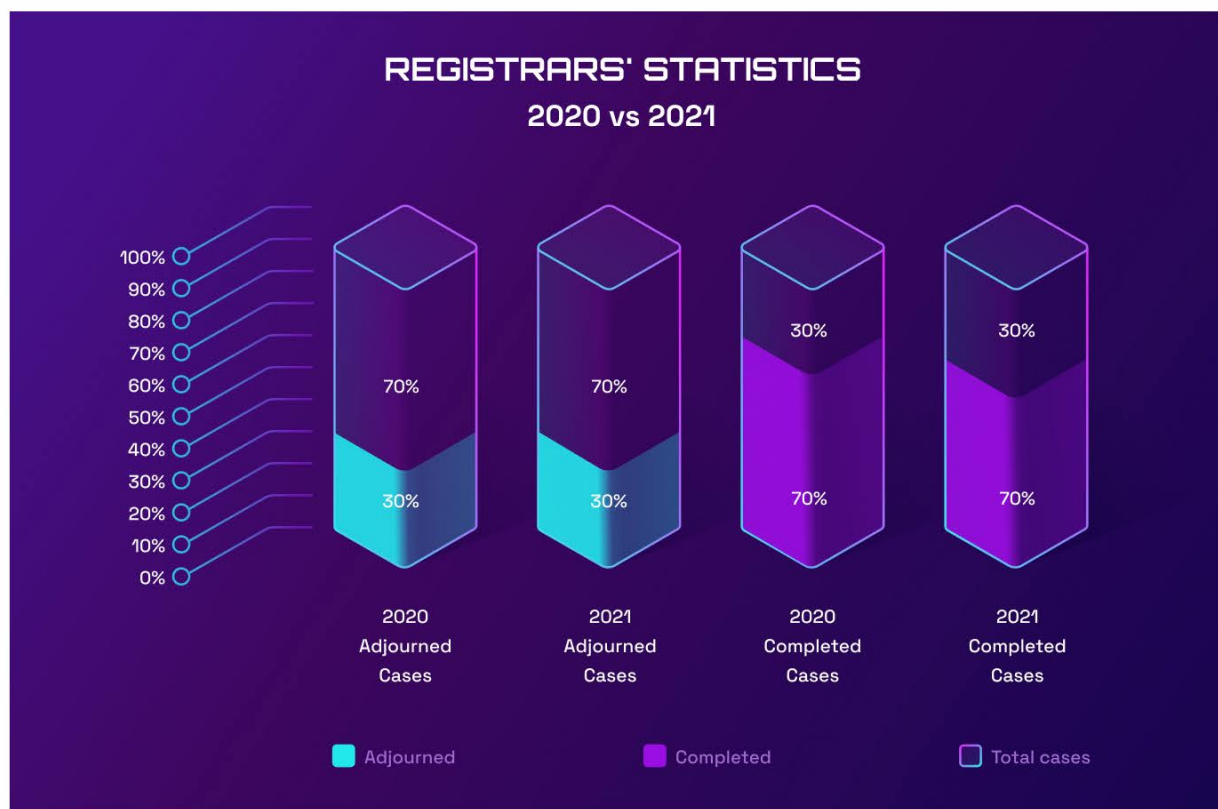
#### THE SUPREME COURT

##### Matters before the Office of the Registrars (New Providence)

The period of 1st November, 2020 - 31st October, 2021

REGISTRARS	TOTAL MATTERS INITIATED	MATTERS ADJOURNED	MATTERS HEARD AND COMPLETED	COMPLETION RATE
5	1283	391	801	62%





The new normal created by the ongoing pandemic had a positive impact on the communication between Registrars throughout the Caribbean region. An online channel for dialogue was facilitated by Caribbean Association of Judicial Officers (CAJO) in the form of a virtual Registrars' Roundtable. The Registrars' Roundtable's primary aim is the development of camaraderie amongst Registrars. Registrars shared their unique experiences in finding innovative ways of tackling the issues of balancing the public needs of access to court services while minimizing staff exposure to COVID-19.

2021 also marked a changing of the guard at the helm of the Office of the Registrar. On 8 September, 2021, Registrar Camille Darville-Gomez was appointed as a Justice of the Supreme Court thereby creating a vacancy. The Judicial Legal and Service Commission had previously advertised the vacancy for the post of Registrar and on 9 September, 2021 Constance Delancy was appointed as Registrar and retained the duties of Senior Court Administrator.



Registrar  
Constance Delancy



Hon. Madam Justice Camille Darville-Gomez  
(former Registrar) and Registrar Constance Delancy

The Judiciary employs a hybrid approach to its delivery of services to ensure uninterrupted access to the courts' various registries through the use of the Bahamas Judiciary website. The Judiciary's website provides an invaluable link between the Court users, the legal community and the public. Appointments for access to records in the registries and securing court dates may be requested online. Court users are then able to access these services at pre-assigned time slots. The Listing Office rose to the challenge of triaging requests for hearing dates, online or by letters, to ensure that requests were processed in a timely manner and files delivered to the respective judicial officers.

On 25 March, 2021, the Ministry of Finance partnered with the Judiciary to improve the ease of doing business by the introduction of cashless payment of filing fees, payments into court, fines and traffic tickets via credit or debit cards through government's DigiPay platform.



**From left to right:** Mr. Marlon Johnson, Acting Financial Secretary, Sir Brian M. Moree Kt., QC, Chief Justice The Commonwealth of The Bahamas, Nicole Reilly, DigiPay Project Coordinator, Camille Darville- Gomez, Registrar Supreme Court of The Bahamas. Patrice Ingraham (Mrs.)

In accordance with Practice Direction No.3 of 2006, the Chief Justice, on Friday, 5 March 2021, presided over the Annual Commemorative Sitting of the Supreme Court to mark the death of the following Counsel and Attorneys-at-Law (By Order of Call):

The Integrated Case Management System, the linchpin of COMRIN, is scheduled to come on stream later this year. The ICMS will bring together many of the Judiciary's existing processes to transform our Courts to a service not merely a place.





## CIVIL REGISTRY

The Civil Registry is the Judiciary's central registry and the repository for matters filed in the Common Law and Equity Division, Commercial Law Division and the Public Law Division. There were approximately 1,813 new applications filed in 2021 as compared to 1,176 filed in 2020. This increase may be attributed to the relaxation of COVID-19 restrictions and the improved accessibility to filing services.

■ CIVIL REGISTRY New Applications Period 1 November 2020 - 31 October 2021 2020

■ CIVIL REGISTRY New Applications Period 1 November 2020 - 31 October 2021 2021



## FAMILY REGISTRY

BY DEPUTY REGISTRAR CAROL MISIEWICZ

The Family Registry is responsible for cases filed in the subdivisions for Divorce (matrimonial), Adoption, Guardianship, Mental Health and applications under the Status of Children Act.

The Registry adopted an appointment system via the Bahamas Judiciary website to allow court users to continue to access its services while adhering to the Covid-19 health and safety protocols.

FAMILY REGISTRY New Applications Period 1 November - 31 October 2020

FAMILY REGISTRY New Applications Period 1 November - 31 October 2021



FAMILY REGISTRY Decrees & Absolute Issued Period 1 November - 31 October 2020

FAMILY REGISTRY Decrees & Absolute Issued Period 1 November - 31 October 2021

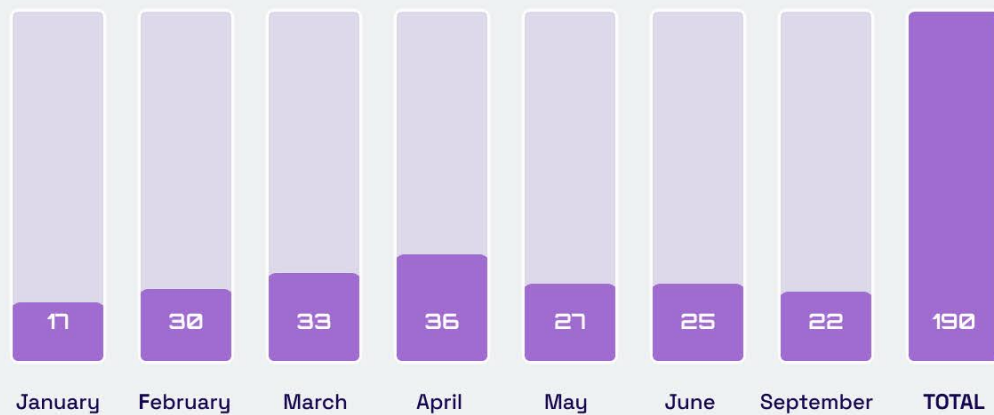


## CRIMINAL REGISTRY

BY DEPUTY REGISTRAR EDMUND TURNER

The following is a brief report on the activities of the Criminal Registry, focusing on bail applications, FH statistics, and the new Bail Management System recently implemented. The report will show that the hard-working staff and myself, in the midst of a COVID-19 environment, persevered and did our best to take the Criminal Registry to a new level of achievement.

There is a marked reduction in the number of bail applications made to the Supreme Court since the power to grant bail for most criminal offences was restored to the Magistrates. There appears however to be a move to revert to the Supreme Court for hearing of bail applications which ought to be heard in the Magistrate Courts. This is perhaps an indication of the efficiency of the staff of the Supreme Court Criminal Registry. As at 25 October 2021, there were 221 bail applications made to the Supreme Court.

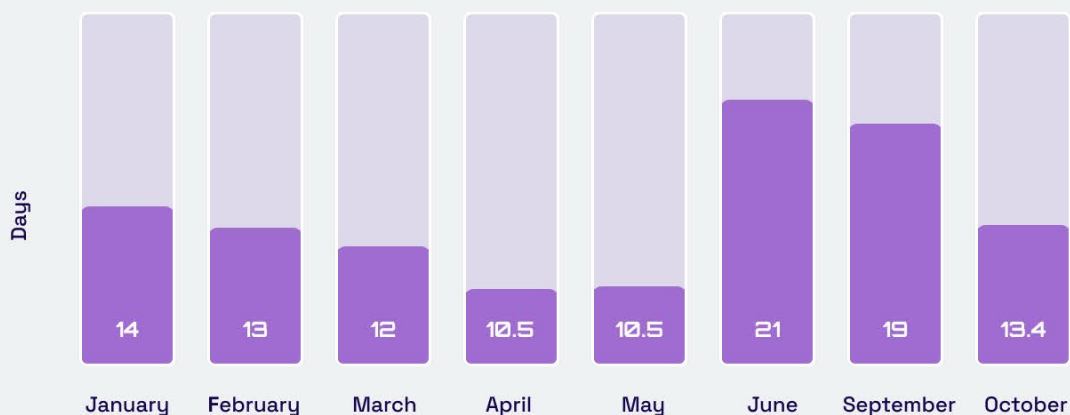


CRIMINAL REGISTRY Completed Bail Applications 2021

Please note that the above statistics reflect accused persons with suretors to stand their bail.



## FH (Filing to Hearing) Statistics



CRIMINAL REGISTRY Days from Filing to Hearing of Bail Applications 2021

This chart represents the length of time from an accused person's filing of documents for a bail hearing to the actual hearing of the bail application. These timelines which were extended were more than likely as a result of adjournments by either party, which can impact the timeline regarding the same, and also affect the average number significantly. As a result, it can be seen that on average, it would take an accused person about two weeks from filing documents, to the point of their bail application being heard in The Supreme Court. There is room for improvement of the timeline, and ideally the same ought to be about a week and two days at most.

## BAIL MANAGEMENT SYSTEM

The Bail Management System was officially launched on 13th September 2021 with a Press Conference at Justice Winder's Court, Supreme Court Annex<sup>1</sup>. In attendance were the press, Bahamas Information Services, The Honourable Chief Justice, Senior Justice Turner, Registrar Delancy, Mr. Darmeeke Isaacs, Ms. Chantique Walker, and myself. There needs however to be greater participation from members of the Private Bar in registering on the Bail Management System. Counsel are still commencing the bail application process via the traditional hard copy. A clear cut-off date must to be established to encourage Counsel to make use of and develop their skills in utilizing the new Bail Management System.

Meetings are held on every Friday to discuss and review the implementation of the system. When it was discovered that none of the kiosks were operational due to being off-line for a period, the Honourable Chief Justice established a protocol with named contacts at each station where a kiosk is located and established a line of communication between the station and the Deputy Registrar in the event of system challenges, with the ultimate reporting to Mr. Darmeeko Isaacs, who would contact the developer Multi-media Technologies regarding rectifying any issues.

It has been recently expressed that a more 'hands on' approach is required for training of the Registry Staff in the use of the system. As result, Multi-media Technologies on 1st November 2021, along with Justice Technologies, assisted by giving the staff a 'dry run' in the operation of the new Bail Management System to 'iron out' any 'kinks' in the operational protocol for the same. For the first time staff enrolled successfully an inmate detained within the cell block who had been brought down to sign his bail bond. Hopefully this will be the beginning of many who will be enrolled into the new Bail Management System by the Criminal Registry.



## PROBATE REGISTRY

BY ASSISTANT REGISTRAR JENNIFER STUART-BASTIAN

The primary functions of the Probate Registry consist of the filing, processing and record keeping of matters involving the administration of a deceased person's estate. The largest segment of work which flows through the registry involves the processing of common form grants of representation. The most common forms of grants of representation processed by the Registry which include Probate, Letters of Administration, Letters of Administration with the will annexed and Resealing.

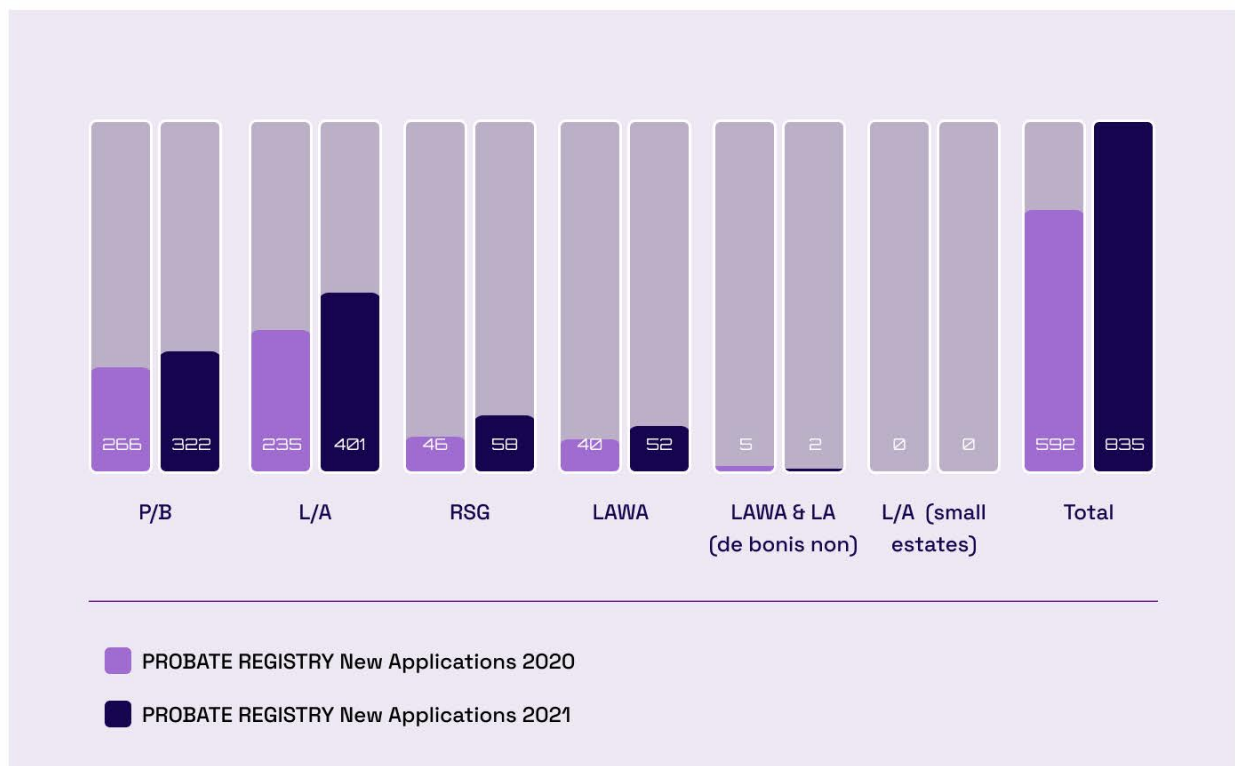
Matters under the purview of the Registry ancillary to the issuing of grants in common form, include maintaining a register of grants issued, caveats lodged, standing searches and generally responding to a large volume of inquiries by the public. It also serves as the registry of record for contentious probate applications and wills lodged.

The year 2021 saw a noticeable increase in the volume of applications and matters actually processed by the registry. This increase is likely attributable to the continued effects of the COVID 19 Pandemic. In 2021, 835 new applications were filed and 107 wills deposited with the registry. A more detailed breakdown of this information is attached to this report.

The Registry also participated and assisted in preparing files and records for the digitization of records as a part of the Court Modernization and Reform Initiative. It is envisaged that the full implementation of an automated probate registry will greatly enhance the ability of our staff in the quick delivery of service to our customer

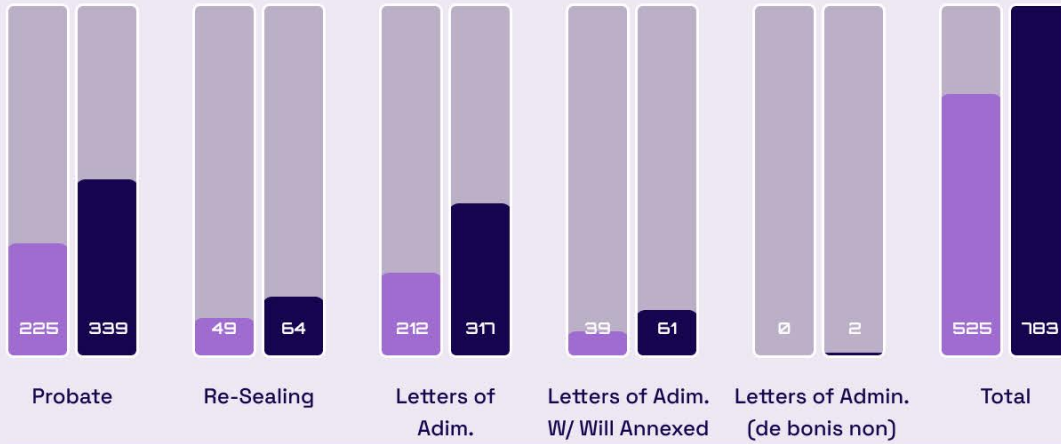
The present complement of staff in the Registry consist of the supervisor, (Mrs. Loretta Maycock) and 5 support team members, (Ms. Desiree Robinson, Ms. Kesha Ferguson, Ms. Nicole Ferguson, Ms. Sharon Fernander and Ms. Brittney Higgs).

Please find below some statistical information:



\* Totals are for a 12 month period, however the years 2020 and 2021 include figures from November and December of the previous year.





PROBATE REGISTRY Grants Issued 2020

PROBATE REGISTRY Grants Issued 2021



PROBATE REGISTRY Wills Deposited 2020

PROBATE REGISTRY Wills Deposited 2021

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BY MR. DARMEEKO ISAACS, DIRECTOR, ICT

Information and Communications Technology (ICT) is concerned with the development, management, implementation, maintenance and use of computer-based information systems. Our top priority and most important accomplishment is the continued success, availability, reliability, service and support to our staff, Magistrates and Judges. In these technologically dependent times, ICT is even more so an integral part of the Judiciary's function.

As a part of the Digitization and Transformative goals set by the Chief Justice, the ICT Department undertook several high stakes projects, allowing for the in-house capacity building and technological advancement of the Judiciary. These projects included the Integrated Case Management System (ICMS), Bahamas Bail Management System (BBMS), Court Appointed Payment System (CAPS), the Digital Recording System (DRS), Electronic Records Management (Scanning), upgrading of outdated laptops, desktops and peripherals for staff, Magistrates and Judges and the creation of a Judicial Computer Training Center. Coupled with the introduction and implementation of the aforementioned projects, was the daily maintenance of existing computer systems and communications infrastructure.

The ICMS project allows for the centralization and retrieval of Court records by both internal and authorized external users, modernizing the business model as well as modernizing that formerly cumbersome and outdated processes. It has been a feverish pace to implement this software, but we have passed the half way mark in and are certain that we will have a phased launch beginning in early 2022.

The BBMS is to be used by attorneys practicing in the Criminal courts to initiate, process and have granted, bail applications by their perspective clients. This has been launched successfully in our Supreme Court, and we will begin the launch in the Magistrate court system by December 2021. We have instituted a website for with this system, making it accessible anytime, anywhere. By accessing [www.bbmsweb.com](http://www.bbmsweb.com), attorneys are able to register themselves on the Judiciary's system, and once their account is approved, they can process the applications for bail. This process has been in operative since September of this year, and has approximately 170 users, with an impressive number of bail applications already in process. This enhances the services offered by the Judiciary, while improving and expediting the application process.

The CAPS project which soft launched in the second quarter of 2021, computerizes the payment process of payments ordered by Magistrates in the Family division of the Magistrate Courts. This new process enhances the ease of doing business, and substantially reduces the time necessary to pay payments ordered by the Court.

Payers can avoid the long lines when they visit the Nassau Street location by proceeding to a kiosk, completing the information and payments are sent to the respective recipient.

Our Digital Recording System, used in both the Magistrate and Supreme Courts is responsible for the digital recording of all matters heard on a daily basis. Along with ensuring a digital record is created, it acts a part of a record keeping team with our Court Reporting Unit, which keeps an analog transcript of the proceedings. When the ICMS project is fully launched, attorneys and their agents will be able to request copies of these transcripts via the ICMS and have them made available to them virtually. The DRS has already been launched and functional since 2020, and we are now in the infancy stages of an upgrade to this system, which will allow for more functions, benefiting both the courts and our external partners.

A scanning exercise was initiated in late 2020 and continues currently. The aim is to scan into an electronic record, case files and documents related to those cases, which can be accessed electronically, by authorized users. To date there have been more than 2.4 million records scanned and saved. With any scanning project will come the necessary task of indexing these records. This is like a project within a project, where the record is scanned, and then indexed with keywords to enable efficient searching. Currently, there have been 2.7 million records indexed since the start of the project in 2020. We are scheduled to complete this process by the end of the year, with more 4.5 million records having been fully and properly scanned.

The Chief Justice, as a part of his modernization plan for the Judiciary, ensured that all of the outdated, failing and nonfunctional computers, peripherals and equipment were replaced with new devices or updated. This effort led to every staff having a new or newer desktop or laptop for use. There are many benefits to the customers we serve with this technology upgrade, and coupled with the other modernization efforts has lead to greater customer satisfaction throughout the courts. Judges and Magistrates specifically were outfitted with industry leading equipment to aid in their daily case files and access to information at the tip of their fingers. With this singular improvement, Judges, Registrars and Magistrates were able to produce improved results, due to the improvement and availability of updated devices and equipment.

The Bahamas Judicial Education Institute (BJEI), located in Charlotte House, was outfitted with the latest in multimedia and computer equipment, to aid enhance learning environment. The purpose of this center is twofold: firstly housing of the Scanning Unit, and secondly, to aid in the upskilling of the Judiciary. Building in house capacity is a priority for the Chief Justice. As we are growing and completing several technology intensive projects we will require a team of staff with the requisite skills and training to utilize the software. We should have this center fully functional by the end of 2021, with several training exercises completed related to the ICMS project initially.



Finally as this year saw the upgrading of the communications/networking infrastructure in the judicial buildings from CAT5 to CAT6 cabling. This upgrade affects four (4) of the Supreme Court buildings, the Magistrates Courts complex and both the Supreme and Magistrate Courts on Grand Bahama. This upgrade increases the throughput of information travelling along those cables between the sender and receiver, and vice versa, every day at our court locations. This was especially important due to the increased demand on the internal infrastructure from users external to the Judiciary, who will be sending electronic requests from their location through the Judiciary for results/resolve. This upgrade in cabling will have a beneficial and marked effect for internal and external users. As we work together each day, there are any number of user reported issues that require the ICT team to mitigate. These issues can be software related, hardware related or process related. The ICT team addresses those issues, and returns the user(s) to full functionality in the shortest time possible.

As the technological demands of the Office of The Judiciary change and grow, the ICT team is here to assist where we can and ensure the least encumbered workday due to technology.



BY DEPUTY REGISTRAR STEPHANA J. SAUNDERS

The Office of the Judiciary (Northern Region) administers all judicial matters in the islands of Grand Bahama, The Abacos and Bimini.

In Grand Bahama, judicial offices are presently located in the Garnet Levarity Justice Centre, Downtown Freeport. There are two Supreme Courts and four Magistrate Courts in Freeport. The Eight Mile Rock Magistrate Court has been temporarily relocated to Freeport pending the completion of the new Government Complex in Pine Dale, Eight Mile Rock. The Supreme Courts are presided over by two resident Judges. The Magistrate Courts are presided over by a Deputy Chief Magistrate and three Stipendiary and Circuit Magistrates.

The Deputy Registrar is responsible for the overall administration of the Office of the Judiciary in the Northern Region and oversees the daily operations of the Courts, assisted in the performance of her administrative duties by a team of supervisors. These officers are Mr. Ricardo A. Russell, Administrative Officer, Ms. Zenobia Duncombe, Assistant Accountant, Ms. Clara Johnson, and Ms. Tamesha Munroe, Executive Officers respectively.

2021 can be described as a year of steady amelioration and restoration in a new normal. The months of November and December of 2020 saw the Office of the Judiciary (Northern Region) continuing to adhere to the Covid 19 protocols mandated by the Honourable Chief Justice Sir Brian Moree in order to keep ourselves and the general public safe. Protocols such as the mandatory wearing of masks for both staff and the public, and the requirement that all persons entering the Garnet Levarity Justice Centre sanitized their hands and the taking of temperatures were enforced. These protocols still remain in effect.

In January 2021, the traditional Opening of the Legal Year Ceremony in New Providence had to be adapted to remain compliant with the Covid-19 Emergency Protocols established by the Government of the Commonwealth of the Bahamas. Similarly the Church Service to mark the opening of the Legal Year held in Grand Bahama after the ceremony in Nassau could not be held due to the Emergency Protocols. Supreme Court Judicial Officers, The Honourable Madam Senior Justice Estelle Gray-Evans, The Honourable Madam Justice Petra Hanna-Adderley, Miss Stephana J. Saunders, Deputy Registrar of the Supreme Court, Mr. Dawson Malone, Acting Assistant Registrar of the Supreme Court and Ms. Rosanne Sweeting, Judicial Research Counsel participated virtually in the inaugural “open air” Opening of the Legal Year in Rawson Square, New Providence on the 13th January, 2021 by collectively sitting in Supreme Court at the Garnet Levarity Justice Centre. While Stipendiary and Circuit Magistrates Messrs. Charlton Smith and Laquay Laing chose to attend the ceremony in-person.

At the end of January, 2021, the appointment of Acting Assistant Registrar Dawson Malone came to an end. We thank him for his hard work, dedication and service during his four month stint.

At a general staff meeting held during the month of January, the staff of the Office of the Judiciary were reminded of the importance of following the mandated Covid-19 health protocols; encouraged to participate in a charitable initiative and to cultivate a flowering plant to beautify the surroundings of the Garnet Levarity Justice Centre. Mrs. Lonia Dean, Senior Clerk took up the challenge to collect the charitable donation every month from staff members. At the end of 2021, the Staff will make a donation to a deserving charity.

An additional Staff contest was held to determine the theme of the year 2021. Four participants submitted the following:

1	Upward and onward, we strive together. – Anonymous
2	Cultivating humanity through justice – Mildred Thompson
3	Keeping the dedication, commitment and focus while striving for excellence – Loylean McCartney
4	Mission Statement – In support of the vision of the Office of the Judiciary, the mission of judicial officers competently, efficiently, timeously, reliably, fairly and with integrity so as to deliver the highest quality of customer service to meet the demands and expectations of the public, to whom we hold ourselves accountable. We will aspire as we execute our professional services to make our contribution towards the transformation of the Judicial Department, so that the Department commands the trust, respect and confidence of all who seek justice. – Brenda Johnson.

On the 25th and 26th March, 2021, Mrs. Constance Delancy, Senior Court Administrator (as she then was) and Mrs. Annamae Neely, Human Resource Director of the Office of the Judiciary, Nassau visited the Northern Region to meet with the Judicial Officers and Staff to ascertain their needs and concerns.



## BUILDING AND INFRASTRUCTURE

The renovations and improvements to the Garnet Levarity Justice Centre continued through 2021 as the pandemic had delayed proposed enhancements during 2020. The following listed improvements were completed:-



A	The 1000 Gallon Diesel Generator was installed and commissioned by the contractor Noula Investments and the Ministry of Works to enable the continued operation of the Office of Judiciary during power outages but especially during the aftermath of a hurricane.	
B	The air conditioning units on both the Supreme Court and Magistrate Court buildings were repaired and/or replaced.	
C	The Supreme Court Judges parking area was expanded to accommodate 3 – 5 cars comfortably and the parking arm was repaired.	
D	The Magistrate Court parking area was resurfaced and striped and the parking arm installed.	
E	“No parking” signs were installed.	
F	Wi-Fi and telephone lines were installed in the Magistrate Courts.	
G	Exterior signage displaying the name of the Garnet Levarity Justice Centre was installed on the building.	
H	The attic storage area has been reorganized and shelving installed.	
I	Most importantly, in an effort to protect the Judicial Officers and those who appear before the Courts, Plexiglas was installed in all of the Court rooms at the Garnet Levarity Justice Centre.	

In May and July of this year, we welcomed two Judicial Officers to add to the complement of Officers. Firstly, The Honourable Mr. Justice Andrew Forbes who will sit in Supreme Court Number One and would be responsible for the criminal calendar. Secondly, Stipendiary and Circuit Magistrate Simone Brown who was sworn in by The Honourable Madam Justice Petra Hanna-Adderley and will be the Magistrate for Eight Mile Rock, Grand Bahama. Presently, she occupies the Court Room designated as Supreme Court Number 3 in the Garnet Levarity Justice Centre until the Eight Mile Rock Court building has been completed. Her court is designated Magistrate Court #4. We congratulate them on their stellar achievements and wish them all the best in their new appointments.

During the month of October, the Office of the Judiciary (Northern Region) directed its charitable donations to the Pink Initiative. Staff members were invited and encouraged to wear pink on Fridays during the month of October. Those who participated, were required to make a \$5 donation. We thank our resident collector, Mrs. Lonia Dean for her tenacious collection efforts and Three Hundred and Sixty-one Dollars was collected for this worthy cause.

Also during the month of October, we welcomed the new Minister of Works, the Honourable Alfred Sears with his entourage to tour the Garnet Levarity Justice Centre and to inspect the renovations and improvements made. He was joined by Minister of Grand Bahama the Honourable Ms. Ginger Moxey

Senator the Honourable Kirkland Russell, Permanent Secretaries, Directors, Officers of the Ministry of Works and the press.

The tour included a visit to the new Government Complex in Eight Mile Rock which will house the new Magistrate Court.









This year we have again experienced loss and were deeply saddened by the passing of two staff members, Mr. Nathaniel “Jody” Russell, Bailiff and Miss Dulce Darling, Senior Court Reporter. Their passing has left us heartbroken and has cast a shadow over the staff of the Northern Region. We are thankful for their work for the Office of the Judiciary and the friendships fostered. We pray for their families and that their souls rest in peace and rise in glory.

We welcome those who have joined the staff by deployment from other Government departments. Ms. Fretelia Rolle, Project Office, Ms. Pearline Munroe and Miss Tiffany McGregor (redeployed) transferred from the Passport Office and the Ministry of Health respectively. Their invaluable contribution to the work of the Office of the Judiciary (Northern Region) is much appreciated

We further congratulate The National Work Relief program (52 week program) participants who received their letters of appointment to the Public Service recently. As they take up their roles as permanent and pensionable civil servants, we strongly encourage them to maintain a strong work ethic and perform excellent customer service to the general public.

We strived to serve the citizens of the Northern Region to the best of our abilities in 2021 and look forward to the implementation of the reforms which will modernize the Court system in the Northern Region in order to better discharge our constitutional role as the third branch of Government

The Deputy Registrar in addition to being administrator also exercises a judicial function by hearing and determining matters.

Listed below are statistics for matters heard by the Deputy Registrar (Northern Region) during the period of November 2020 – October, 2021.





## THE SUPREME COURT REGISTRY

The statistics for applications and matters filed under the various divisions from November 2020 – October, 2021 are set out below. Unlike New Providence, where the Registries of the Supreme Court (Northern Region) are separated and supervised by different Deputy Registrars, all Registries of the Supreme Court are located at the Garnet Levarity Justice Centre and overseen by the Deputy Registrar (Northern Region) and assisted by Mr. Ricardo Russell, Administrative Officer. Staff members include Mrs. Jane Williams-Rolle, Registry Officer, Miss Sophia Clarke, Assistant to the Deputy Registrar and Probate Clerk, Mrs. Loylean McCartney, Registry Clerk responsible for Civil matters, Mrs. Deon Smith, Probate Clerk, Alicia Andrews, Family Clerk and Rachel Johnson, NWRP Participant. These Officers also carry out the responsibilities of the Criminal Registry as well as process and file bail applications.

The statistics for applications and matters filed under the various divisions from November 2020 – October, 2021 are set out below.



## NEW APPLICATIONS



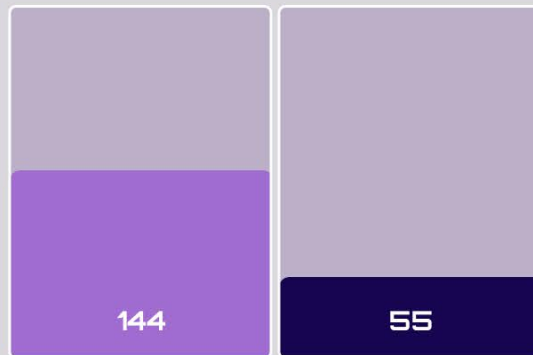
■ CIVIL REGISTRY New Applications 2020 ■ CIVIL REGISTRY New Applications 2021

## DECREE NISI &amp; ABSOLUTE ISSUED



■ FAMILY REGISTRY Decrees & Absolute Issued 2020  
■ FAMILY REGISTRY Decrees & Absolute Issued 2021





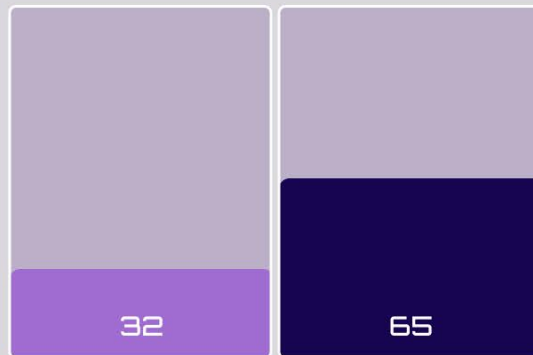
Bail

- CRIMINAL REGISTRY BAIL APPLICATIONS 2020
- CRIMINAL REGISTRY BAIL APPLICATIONS 2021

## NEW APPLICATIONS



- PROBATE REGISTRY New Applications 2020
- PROBATE REGISTRY New Applications 2021



Grant

- PROBATE REGISTRY Grants Issued 2020
- PROBATE REGISTRY Grants Issued 2021





JUDICIARY  
THE BAHAMAS

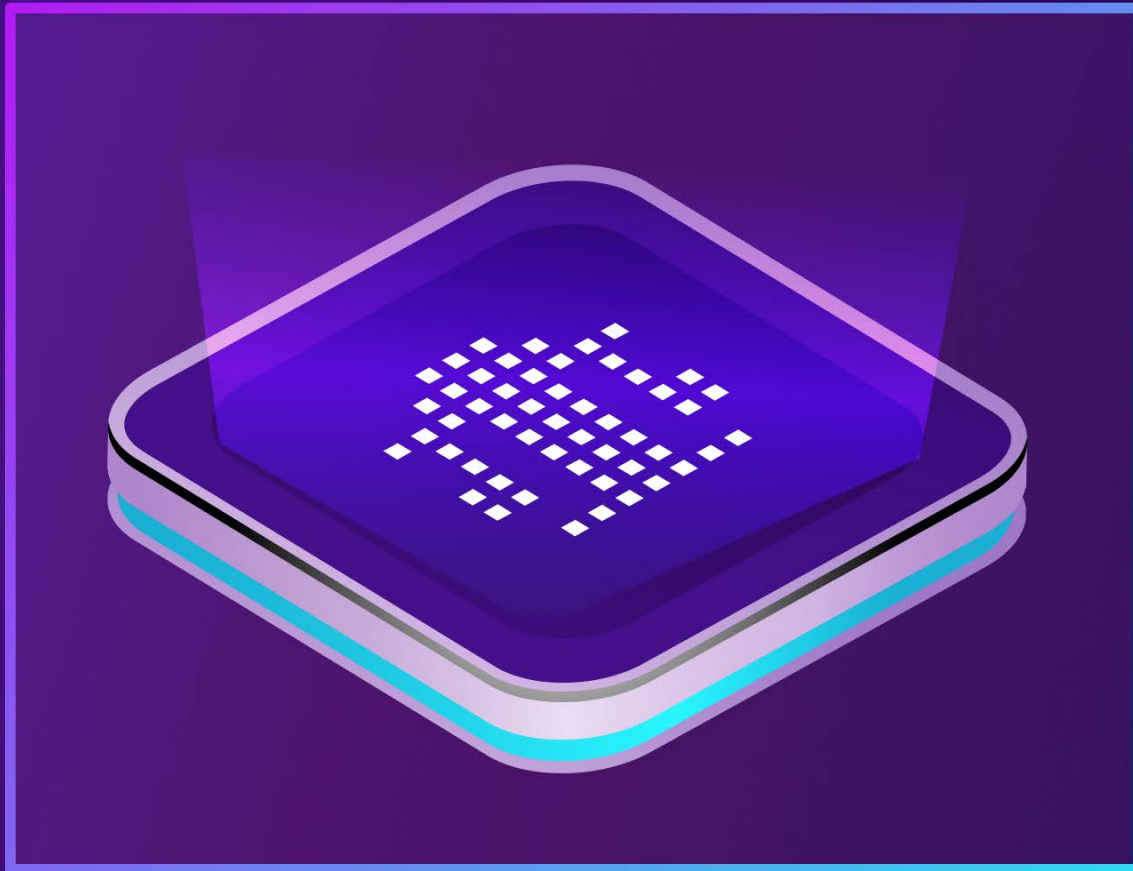
05



# REPORT OF THE CHIEF MAGISTRATE AND THE MAGISTRACY







5.1

ANNUAL REPORT FROM THE OFFICE OF THE  
CHIEF MAGISTRATE



5.2

ANNUAL REPORT FROM THE OFFICE OF THE  
DEPUTY CHIEF MAGISTRATE, NORTHERN REGION



5.3

REPORT ON THE ABACO MAGISTRATE'S COURT



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BY CHIEF MAGISTRATE JOYANN FERGUSON-PRATT

"The secret of change is to focus all your energy, not on fighting the old but on building the new"

- Socrates

It has been my distinct honour to lead the Magistracy of The Commonwealth of The Bahamas as Chief Magistrate for the past eight (8) years. At present our complement of Magistrates includes one (1) Deputy Chief Magistrate in Grand Bahama, one (1) Assistant Chief Magistrate in New Providence and three (3) Senior Magistrates, two (2) of whom are in New Providence and one (1) in Abaco, and twelve (12) Stipendiary & Circuit Magistrates.

## COVID-19 IMPACT AND ADAPTION

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Most particularly this year, the magisterial team has had to serve at a time of great challenge and personal sacrifice. The 'lock downs', and curfews led to the suspension and or reduction of certain court hearings but the Magistrate Courts never closed. They continued to function throughout the pandemic. At the peak of the pandemic, measures were taken to reduce the number of persons who would ordinarily attend court. We reduced the number of criminal courts in New Providence from an average of six (6) to seven (7) criminal courts sitting daily to two (2) criminal courts sitting daily. We reduced from an average of six (6) civil courts sitting weekly, to one (1) civil court sitting weekly and only hearing emergency applications. Notwithstanding the adjustment in the fixture of matters, the empirical data attached to my report confirms that we have remained constant in our delivery of justice. The pandemic has highlighted the need for a thorough legislative overhaul to empower magistrates to transition from in person hearings to remote hearings. At present the law does not allow this. Despite the challenging circumstances, the courts prioritized the matters it dealt with to ensure that access to justice was maintained. Bail applications were given priority, as were matters involving juveniles, protection orders, and other emergencies. This approach meant that the most vulnerable and those whose liberty was affected were assured access to the courts.

## MAGISTRATES APPOINTMENTS

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On June 2021 four (4) new Magistrates were added to our complement of magistrates in New Providence and in July an additional magistrate was added in Grand Bahama.



This was very much needed following the retirement of two (2) magistrates in Grand Bahama and one (1) in New Providence, along with the ascension of two (2) magistrates to the Supreme Court. I thank our former colleagues for their several contributions to the magistracy and wish them well in the future. Each of the new Magistrates bring to the magistracy varied experiences in Criminal, Civil, and Family Law divisions. They have joined the team at a time of great challenge and change. Despite their infancy to the bench of less than six (6) months, their judicial work and worth has improved our response to the steady flow of matters before the court.



Chief Justice Sir Brian Moree (center) Chief Magistrate Joyann Ferguson-Pratt (second from right). The four magistrates taking the judicial oath were Shaka Serville, Algernon Allen Jr., Kendra Kelly and Ian- Marie Darville-Miller.

## COURT AUTOMATED PAYMENT SYSTEMS (CAPS)

This year we fully engaged this technological platform in the Family Court for the making and collecting of payments for maintenance support of children. Although the system has not been devoid of growing pains it has certainly improved the delay which was a gripping complaint of affected persons.









## IMMIGRATION MATTERS

At the time of the writing of this report, the magistracy has been called upon to adjudicate on an unusually large amount of illegal landing cases. In October 2021, the courts were called upon to arraign unprecedented amounts of migrants. We travelled on two (2) separate trips to Inagua when over seven- hundred (700) Haitian nationals were arraigned before the courts and recommendations were made to the Department of Immigration for repatriation.

## DIGITIZATION OF MAGISTRATE COURTS

Currently, the work of the magistrate's courts is almost completely paper based. Physical documents are the order of today, and filing cabinets are full of paper files. I lament at the number of futile searches for documents conducted by judicial staff as of a number of requests made by members of the public and various government agencies. In early 2021, under the leadership of Mrs. Grace Bostwick we commenced a robust drive to modernize our courts by converting paper into a digital format. Strategies are being developed to ensure that the use of paper is being discouraged and managed. This process is based on clear and well considered protocols.

The benefits which flow from a move to digitization include:

	Reduction of the time and effort required to search for documents.	
	Decrease in the number of filing errors and the volume of duplicate content	
	Improve information management and document handling within all registries, thus enabling easy access.	

To date, the scanning of court dockets have started for most of the magistrates courts in New Providence, and we anticipate full implementation within the next six (6) months in New Providence. It is not disputed that the Magistrate Courts hear the greatest number of matters, and an increased level of digitalization will improve the public's access to justice. This is acutely relevant in an archipelagic nation where Circuit Magistrates are required to service the family islands.

## REFORM

In Chief Justice Sir Brian Moree's Annual Address for 2020 he stated, "The Magistrates Court Act is outdated and needs to be replaced with a modern statute which reflects the current

status and functions of the Stipendiary and Circuit Magistrates as judicial officers.” Respectfully, the need for debate on this topic on behalf of my colleagues and myself is impatient. I again advocate that magistracy are given the same respect and regard as other judicial officers, as well as comparable remuneration packages commensurate with the depth of vital work we are charged to perform.

## MAGISTRATES PROFESSIONAL DEVELOPMENT TRAINING

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I am encouraged by the implementation of the Bahamas Judicial Education Institute (BJEI) which was chartered in October 2019. I am a firm believer in exposing Judicial Officers (Magistrates) to educational and training sessions in order to improve their craft and thus enhance the delivery of justice. Quite understandably, the pandemic brought about unique challenges which impeded a fully functional platform. However, Magistrates were given the opportunity to embrace numerous training sessions/conferences via virtual platforms on a wide range of topics throughout the past year.

## CONCLUSION

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The Magistrates Court is a high pressure, high volume work environment and Covid-19 has increased the day to day challenges. We have shown however our ingenuity and resilience in the difficult times facing not just our nation but the world at large. I am grateful to all Magistrates for their tireless efforts and I am proud of what we were able to accomplish within the past year. I acknowledge with thanks the pivotal administrative role of Mrs. Alphanette Grant, Court Administrator for the Magistrates Courts in the daily operations of the courts. I personally salute her and her team inclusive of Mr. Ralph Rolle, Mrs. Jennifer Sweeting, and Mrs. Claudina Cooper together with their hardworking and dedicated support staff. In focusing on the exceptional work in the Magistrates Courts, I do not want to minimize the hardships and suffering caused by the pandemic. Our staff has had to contend with illness and loss of staff, and their families. As I look to a future beyond Coronavirus, the year ahead will be focused on developing new models of delivery to serve the Bahamian people. I am optimistic as I see a Magistrates Courts driven by excellence, and one which inspires further confidence in the justice system.

Finally, an annual statistical report is attached providing empirical evidence of the work of the Magistrate Courts in the criminal, civil, family, juvenile, traffic, and environmental divisions. These statistics speak to the large volume and wide diversity of the carried on by the Magistrates and to the public service offered by the Magistrates Courts.

## MAGISTRATES COURT

Cases filed in the New Providence Magistrate District during 2020-2021 (as of 1st November, 2020 to 31st October, 2021)

CATEGORY	CASES AT 1ST NOVEMBER 2019	NEW CASES	TRANSFER IN	COMPLETED CASES	TRANSFERS OUT	CASES AT 31 ST OCTOBER 2020
Bound Over to Keep the Peace	1,073	280	0	187	0	467
Civil	9,562	5,078	0	2,629	3	7,501
Criminal	3,899	3,346	80	2,992	148	4,034
Family	478	747	0	532	2	691
Immigration	105	160	0	158	1	53
Juvenile	1,348	391	2	73	6	1,738
National Insurance Board	96	57	0	22	0	125
Traffic	18,335	7,222	0	2,932	0	9,875
<b>Total</b>	<b>34,896</b>	<b>17,281</b>	<b>82</b>	<b>9,525</b>	<b>160</b>	<b>24,484</b>





BY DEPUTY CHIEF MAGISTRATE DEBBYE FERGUSON

At the beginning of the year 2021, we all gave thanks to God for sparing our lives, after we in the Northern Region would have survived the devastation of the Covid 19 virus and the unforgettable hurricane Dorian, of September 2019.

We, the Magistrates of the Northern Region namely Senior Magistrate Ancella Evans, (for Abaco Island & Deputy Coroner); Deputy Chief Magistrate Debbie L. Ferguson, (Freeport Court #1 & Deputy Coroner); Magistrate Charlton Smith (Freeport Court #2 & Circuit Magistrate for Bimini); Magistrate Laquay Laing (Freeport Court #3 & Circuit Magistrate for the Exumas); Magistrate Simone Brown (Freeport Court #4 & the Eight Mile Rock Court), waited anxiously to begin officially hearing all of our court cases, after a lengthy but understandable delay, in 2020.

On Grand Bahama there was a noticeable increase in civil and domestic (binding over) applications. Around the months of February/March, 2021 court hearings increased as the urgent need for service by our customers became more readily apparent and our main concern and focus. Trials began.

As our Chief Justice Sir Brian Moree considered the needs of the island of Grand Bahama, he wisely appointed a new Magistrate, Ms. Simone Brown, in July 2021. She was assigned to sit as Magistrate for the Eight Mile Rock District Court and to assist with the newly established Freeport Court #4.

In September 2021, the Chief Justice appointed Magistrate Charlton Smith as Deputy Coroner for the Freeport District. This was indeed welcomed as the number of missing persons and suspicious death notices and files have increased, especially after the Covid-19 and Hurricane Dorian experiences.

Abaco and the four (4) courts on Grand Bahama Island were fitted with modern technological devices, which included lap tops and more powerful printers. The lap tops and jump drives have improved the administrative work and have greatly assisted with the administration of justice while on circuit in the family islands. We thank you Chief Justice for it all!

In August 2021 concern for Senior Magistrate Evans and her staff arose when the Covid-19 virus became a threat to that court environment. The court was temporarily closed and resumed its duties after about one week of closure. We appreciate the committed work of the Magistrate and staff to the people of Abaco in the midst of all of their challenges.

From the statistical information from the family islands in the Northern region it is apparent that despite the past and some continuing challenges we face, we have accomplished what we have always desired- that is to serve the people of our Bahamas. We have addressed the (perceived) backlog of cases which arose as a result of the unavoidable delays in 2020.

As we look forward to the 2022 court calendar year and as the Deputy Chief Magistrate for the Bahamas and the Northern Region, it is my hope that more of our individual Court concerns as Magistrates would be addressed. I pray for the good health and protection of all Magistrates and staff, and look forward to another productive legal year, by all judicial officers for the Commonwealth of the Bahamas.

## MAGISTRATES COURT

Cases filed in Magistrate's Courts for the Northern Region combined from 1st November 2020 to 31st October 2021

CATEGORY	CASES AT 1ST NOVEMBER 2019	NEW CASES	TRANSFER IN	COMPLETED CASES	TRANSFERS OUT	CASES AT 31 ST OCTOBER 2020
Bound Over to Keep the Peace	1	45	0	33	0	31
Civil	323	115	0	80	3	288
Criminal	1,665	994	0	454	5	2,046
Family	186	74	0	29	0	174
Immigration	38	82	0	76	3	6
Juvenile	104	19	2	15	0	4
National Insurance Board	60	7	0	0	0	71
Traffic	1,237	798	0	819	0	98
<b>Total</b>	<b>3,614</b>	<b>2,402</b>	<b>82</b>	<b>1,790</b>	<b>8</b>	<b>2,724</b>

BY SENIOR MAGISTRATE ANCELLA EVANS

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair."

— Charles Dickens, *A Tale of Two Cities*

Reflecting on the year 2021, I am reminded of the famous quote by Charles Dickens in his classic work, *A TALE OF TWO CITIES*. He described that period paradoxically as the worst of times and the best of times. This aptly describes the year 2021 for the Abaco Magistrate's Court, inclusive of Marsh Harbour and Coopers Town Magistrates Courts

## WORKING IN A COVID-19 ENVIRONMENT

We have all had to adjust to working within a Covid-19 environment and the Marsh Harbour Magistrate's Court is no exception. Constant sanitizing and the wearing of masks are common place. Sanitization stations have been set up at the entrance of the court and the court's office. Members of the public are required to sanitize their hands before entering the building. In addition, the court orderly ensures that everyone's temperature is taken before entering the courtroom.

Members of the public were given specific times for trials and arraignments in an effort to minimize massive overcrowding at the entrance of the courtroom. We have also had to limit the number of persons who are permitted inside the courtroom.

The staff of the Marsh Harbour Magistrate's Court, Miss Shandira Forbes and Mrs. Carla Nixon, have demonstrated tremendous perseverance and agility. Despite the pandemic, all civil, criminal, traffic, domestic, and immigration trials have proceeded. It is hoped that the Marsh Harbour Magistrate's Court and office will soon be outfitted with plexiglass to ensure a safe system of work.

We are grateful to the members of the Juvenile Panel and the Department of Social Services for ensuring that all Juvenile matters were brought forward and disposed of in a timely manner. The Department of Social Services must also be commended for ensuring that all Social History Reports and Probation Reports were completed in a timely manner.



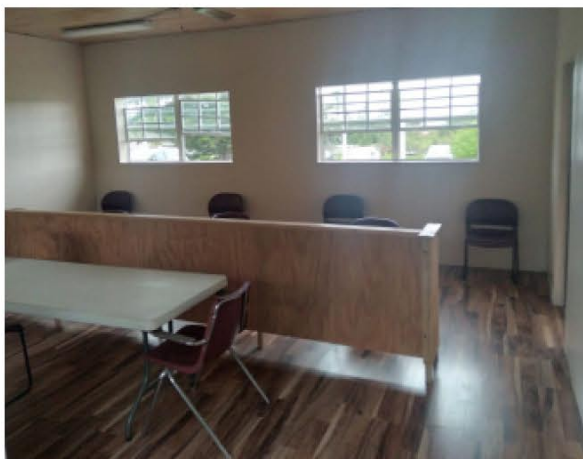
Despite the constraints of working in a Covid-19 environment, the Department of Social Services ensured that the defendants completed their drug counselling with counsellors via zoom supervised by the Department of Social Services. In this regard, I wish to commend Mrs. Toneill Cornish, Officer-in-charge of the Department of Social Services (Abaco) and Mrs. Kimrice Miller, Welfare Officer.

## COOPERS TOWN MAGISTRATE'S COURT

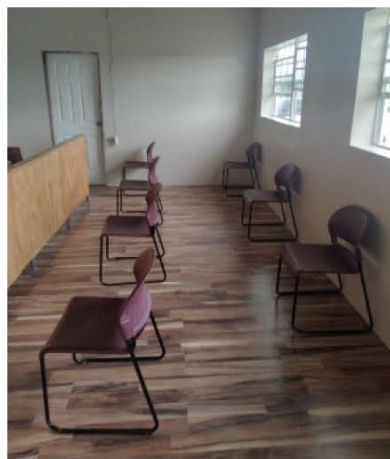
Due to the refurbishment of the Coopers Town Magistrate's Court, court matters were heard almost exclusively in Marsh Harbour in 2021. I am pleased that we have now reconvened court hearings in Coopers Town. The Coopers Town Magistrate's Court was extensively renovated by the North Abaco Local Government District Council.



Renovated Magistrate's bench, Cooper's Town, Abaco Magistrate Courtroom



Coroner's jury area in renovated Cooper's Town, Abaco Magistrate Courtroom



Counsel area in renovated Cooper's Town, Abaco Magistrate Courtroom

Led by Chief Councillor, Mr. Garnet Edgecombe, the North Abaco Local Government District Council undertook the task of refurbishing the Cooper's Town Magistrate's Court. This included the installation of new flooring and ceiling fans; replacement of tiles, lighting fixtures and chairs. The Council is presently undertaking to also install plexiglass in the Coopers Town Magistrate's Court. Their initiative is a tremendous display of national pride and community spirit. We are grateful for the impressive work done. I therefore would like to thank all of the members of the members of the North Abaco District Council, namely:

Mr. Garnet Edgecombe – Chief Councillor

Mr. Deavalo Russell – Deputy Chief Councillor

Ms. Euleen Sands – Councillor

Mrs. Michelle McIntosh – Councillor

Mrs. Denise Saunders-Rolle Councillor

Ms. Antoinette Cooper – Councillor


Mr. Neil Bootle – Councillor

## CONCLUSION


While we have undoubtedly faced unprecedented challenges, it has been the best of times because we have learned to become more resilient and innovative. By God's grace, we now look forward to entering the year 2022 with a renewed focus.



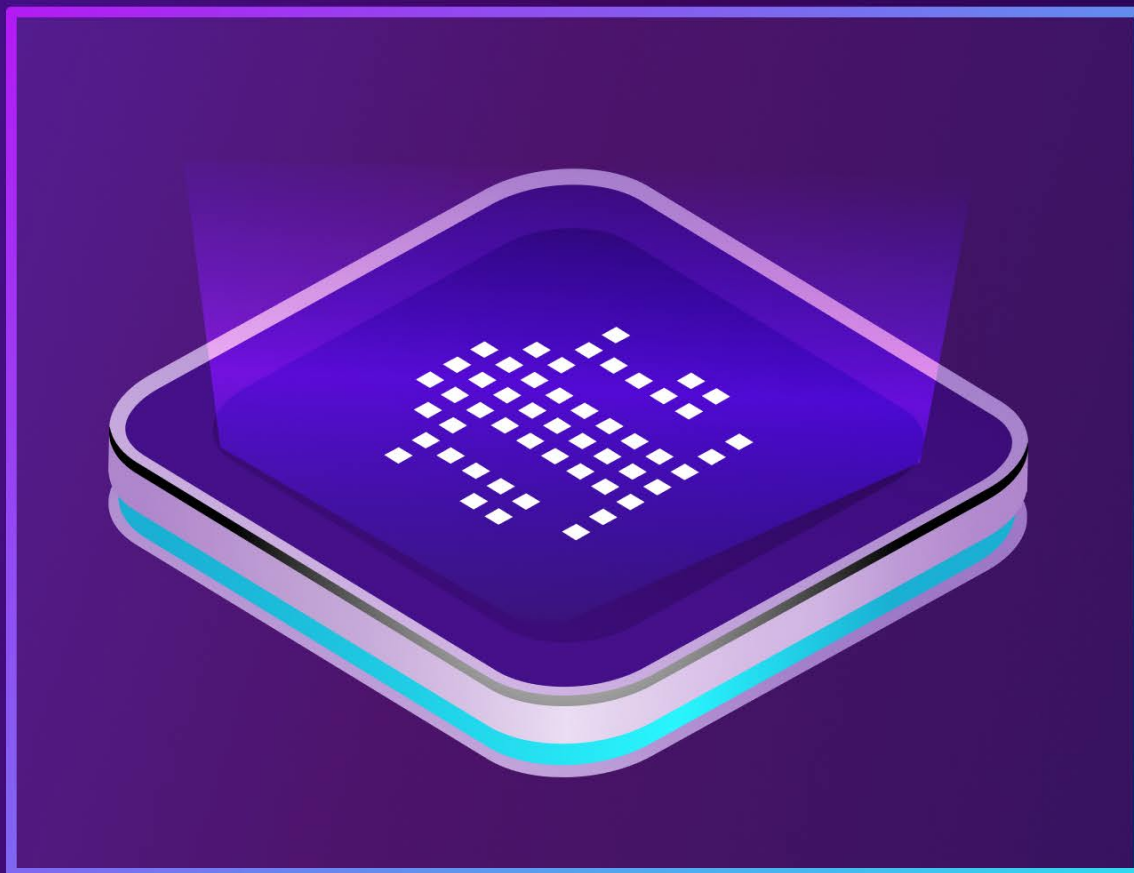
JUDICIARY  
THE BAHAMAS



# **BAHAMAS JUDICIAL EDUCATION INSTITUTE 2021 REPORT**







6.1

BAHAMAS JUDICIAL EDUCATION INSTITUTE  
2021 REPORT



6.2

NATIONAL ASSOCIATION OF WOMEN JUDGES  
("NAWJ") 2021



6.3

FINANCIAL INFORMATION



BY JUSTICE IAN R. WINDER, CHAIRMAN OF THE BJEI

The primary mandate of Bahamas Judicial Education Institute (the BJEI) is to “*establish, develop, maintain and provide judicial education and professional training for judicial officers and the staff of the judiciary*”. The Chief Justice and the Board of Directors are responsible for the governance of the BJEI. By the charter of the BJEI, the Board of Directors are comprised of:

A	The Chairperson (who shall be a judge of the Supreme Court);
B	Two judges of the Supreme Court;
C	The Registrar of the Supreme Court;
D	A Stipendiary and Circuit Magistrate;
E	An Administrator; and
F	Any other person(s) as the Chief Justice shall appoint.

The composition of the Board in 2021 included Justice Ian R. Winder (Chairman), Sr. Justice Estelle Evans, Justice Deborah Fraser, Justice Cheryl Grant-Thompson, Justice Camille Darville-Gomez, Registrar Constance Delancy, Sr. Magistrate Ancella Evans and Nicoya Neilly (Administrator). As 2021 ended we bid farewell to Sr. Justice Estelle Evans who was replaced by Justice Camille Darville-Gomez on her elevation to the Supreme Court bench. Registrar Delancy joined the Board in her ex officio capacity as Registrar. The loss of Sr. Justice Evans as a Board Member is heartfelt. A Fellow of the Commonwealth Judicial Education Institute, Sr. Justice Evans was a valuable member of our team. She was passionate about judicial education and training and had a wealth of institutional knowledge of the judicial system. We will miss her insightful interventions and wish her well in her retirement.

Chartered in 2019, on the eve of the Covid-19 global pandemic, the BJEI continued to grow and develop and adapt despite the enormous challenges. In 2021 the Covid-19 pandemic continued to be raging, rendering it unsafe and unlawful to properly gather using the traditional face-to-face methodologies. One of the byproducts arising out of the Covid-19 pandemic is the explosion of the virtual space. In as much as it has facilitated remote trials, to allow for the continuous access to justice during these emergency conditions, it has also provided for expanded training opportunities both within and outside of our borders. Face to face training is always best but judicial training in any form is welcomed. In 2021, the BJEI strengthened its natural and existing relationships and forged new ones to deliver upon its mandate of providing judicial

education and professional training for judicial officers and the staff of the judiciary. Whilst we may have had limited offerings in-country, judicial officers were able to feast on a number of training offerings put on by our regional partners and tertiary institutions such as: The Caribbean Association of Judicial Officers (CAJO); The National Center for State Courts (NCSC); The Commonwealth Judicial Education Institute (CJEI); The University of the West Indies (UWI) and the Eugene Dupuch Law School (EDLS). Among the notable programs which judicial officers were able to partake included:

#### CAJO:

Judgment Writing Refresher Course: By Justice C. Dennis Morrison OJ (27 May 2021)

Jude Alone Trial: Views from the Bench (30 September 2021)

Evolving Judicial Practice for the Digital Age (Judicial and Technology Series): Virtual Forum for Judicial Officers (20 October 2021)

The Future of Caribbean Courts: By Professor Richard Susskind OBE (29 October 2021)

#### CJEI:

Virtual Session - Human Trafficking (30 July 2021)

#### NCSC:

NCSC/INL Judicial KIT monthly series

NCSC/INL Virtual Justice Conference (30 September & 1 October 2021)

Remote hearings: Judges discuss the good and the bad (21 October 2021)

We wish to formally thank all of our partners in judicial education for extending their programs to our judicial officers.

The 2021 training year began with the annual Judicial Training Conference on 12 January 2021. The keynote presentation for the conference was delivered by Justice Marva McDonald-Bishop JA, Court of Appeal of Jamaica and Justice Vinette Graham Allen, Supreme Court of Jamaica.



Their presentation was entitled, “JUDICIAL ETHICS AND THE BANGALORE PRINCIPLES IN TODAY’S ENVIRONMENT”. Other presentations were delivered by: Justice Vashiest Kokaram JA, Court of Appeal of Trinidad & Tobago who presented on “EFFECTIVE ACTIVE CASE MANAGEMENT IN CIVIL CASES”; Justice of Appeal Milton Evans JA who presented on “SENTENCING CONSIDERATIONS AND THE PROPER USE OF THE APPELLATE COURT’S GUIDANCE”; and Chief Justice Sir Brian M. Moree QC and Sr. Justice Bernard Turner who presented on JUDGING IN A DIGITAL AGE. The Judicial Training Conference, which preceded the opening of the legal year was delivered virtually and fully attended by judicial officers at all levels. This included all Justices of the Court of Appeal, Justices of the Supreme Court, Registrars, Magistrates, members of the Industrial Tribunal and judicial research counsels.

On 25 and 26 August 2021 the BJEI facilitated the presentation of a short virtual course for our judicial officers by P.R.I.M.E. Finance (Panel of Recognized International Market Experts in Finance). P.R.I.M.E. Finance is an independent, not-for-profit foundation based in The Hague whose mission is to ensure that the requisite expertise is available to anticipate and address any disputes that may arise in the financial markets. The areas presented on were: Introduction to Financial Markets and Derivatives; Documentation of Derivatives; and Derivatives Litigation and Alternative Dispute Resolution. The Bahamas Bar Association and the Bahamas Financial Services Board co-sponsored the training which was intended to strengthen the knowledge and familiarity of judges with respect to financial products and issues which they may be required to adjudicate upon. The course was also attended by fellow judicial officers from Jamaica and the Turks & Caicos Islands who accepted our invitation to participate in the course.

Undoubtedly the crowning achievement of the BJEI in 2021 is the completion of our Judicial Training Center. The build out of the training center was funded by a component of the Inter-American Development Bank, Citizen Security and Justice Program. The Judicial Training Center, recently completed in November 2021, gives the BJEI a bespoke training facility to conduct training at all levels of the judiciary. The main training hall has a seating capacity for 48 participants, all of whom could be accommodated with fully digital plug and play workstations. Additional features of the Judicial Training Center include: smaller training rooms for breakout sessions; offices for clerical and administrative staff; a Boardroom; and a fully equipped kitchen.



Platform for setting area of renovated BJEI lecture hall



Newly installed participant tables and chairs in setting area of renovated BJEI lecture hall



Visual equipment in renovated BJEI lecture hall

Despite the continued challenges facing the country and the world, the BJEI is proud of what it was able to achieve in 2021. 2022 promises to be very busy as a result of the implementation of the Integrated Case Management System, the reintroduction of FTR Digital Court Reporting and the long awaited Civil Procedure Rules. Each of these new components will require the BJEI to facilitate considerable training for judicial officers and staff. We therefore eagerly look forward to building out a full training program for 2022.



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BY HON. MADAM JUSTICE INDRA CHARLES

The 43rd Annual Conference of the National Association of Women Judges (“NAWJ”) was held in Nashville (Music City), Tennessee from October 6-10, 2021 under the theme “The Music of Equality”. The Honourable Justices Indra Charles and Diane Stewart attended this conference which was sponsored by the National Center for State Courts in coordination with the US Embassy.

The Conference brought together 44 women judges from 16 countries, together with over 150 female judges from the US. The presentations and discussions focused on legal issues and challenges facing women judges and practitioners. We visited a Tennessee Court where we witnessed a live proceeding in a domestic violence case.

Over the next two days, we scrambled to various conference rooms to learn more about the American Judicial System. We found many similarities with our system and theirs. Our problems are basically the same. Some topics include Gender Equity in Judicial Writing, the Human Side of Judging, Judicial Bias Matters Too and Making a difference on and off the bench.

An interesting twist to the Conference was “The Bill and Phil Show on Technology: Friend or Foe”. Both Bill and Phil highlighted the development of technology over the years with the evolution to the Cloud and popular cloud applications. Meeting Owl was exceptional. It can be found at the [www. Owllabs.com](http://www.Owllabs.com). It has 8 omnidirectional microphones that rotates to the person who is speaking and possibly, will be the replacement for multiple speakers in the courtroom:

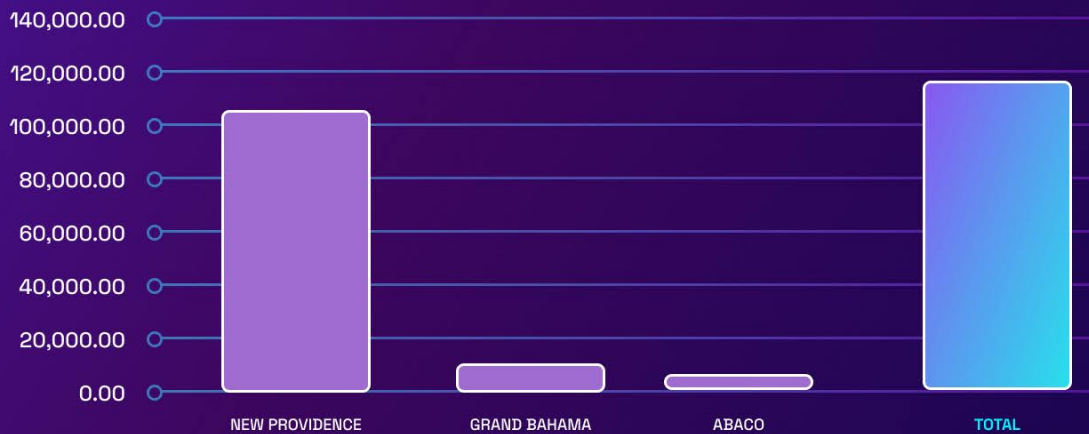




## OFFICE OF THE JUDICIARY (SUPREME AND MAGISTRATE COURTS)

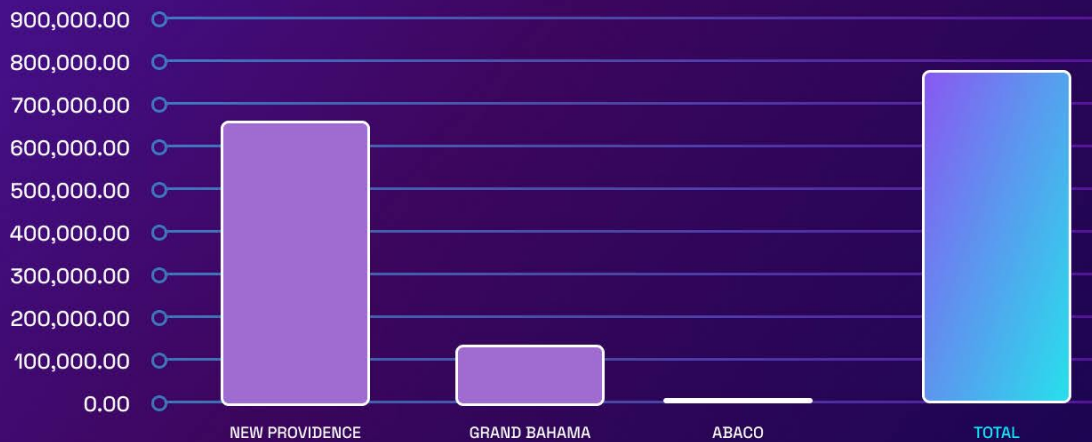
REVENUE COLLECTION  
November 2020-October 2021

### Transcripts of Court Proceedings

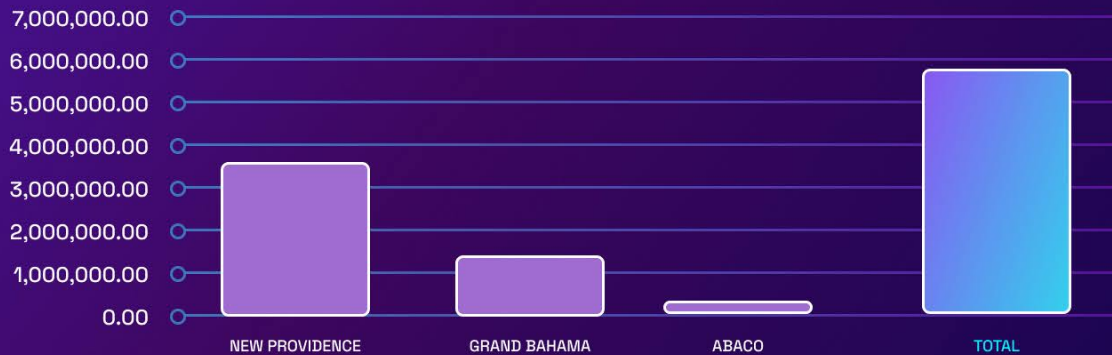




## Judicial Fees & Service Charges



## Judicial Fines & Forfeitures





## [Head 008] OFFICE OF THE JUDICIARY



ITEM NO.	TITLE OF ITEM	APPROVED ESTIMATES 2021/2022 \$	SUPPLEMENTARY ESTIMATES 2021/2022 \$	REVISED ALLOCATION 2021/2022 \$	REVISED FORECAST 2022/2023 \$	REVISED FORECAST 2023/2024 \$
<b>PERSONAL EMOLUMENTS</b>						
<b>21110EE</b>	<b>Wages &amp; Salaries (In Cash)</b>					
2111101	Salary-Permanent/Pensionable	8,866,571	0	8,866,571	8,979,771	9,092,971
2111102	Salary-Contract Workers	2,190,981	0	2,190,981	2,190,981	2,190,981
	<b>Wages &amp; Salaries (In Cash)</b>	<b>11,057,552</b>	<b>0</b>	<b>11,057,552</b>	<b>11,170,752</b>	<b>11,283,952</b>
<b>21120EE</b>	<b>Allowances</b>					
2112101	Honoraria	30,900	0	30,900	30,900	30,900
2112102	Overtime - Monthly Employees (General)	20,000	0	20,000	20,000	45,000
2112103	Housing Allowance	913,000	0	913,000	913,000	913,000
2112104	Scarcity Allowance	424,000	0	424,000	424,000	424,000
2112106	Educational Allowance	70,000	0	70,000	70,000	70,000
2112107	Technical Allowance	3,300	0	3,300	3,300	3,300
2112112	Transport & Mileage Allowance	156,912	0	156,912	156,912	156,912
2112115	Responsibility Allowance	277,000	0	277,000	277,000	277,000
2112116	Acting Allowance	20,000	0	20,000	20,000	20,000
2112133	Official Entertainment Allowance	10,000	0	10,000	10,000	10,000
2112199	Other Allowances	46,900	0	46,900	46,900	46,900
	<b>Allowances</b>	<b>1,972,012</b>	<b>0</b>	<b>1,972,012</b>	<b>1,972,012</b>	<b>1,997,012</b>
	<b>Personal Emoluments</b>	<b>13,029,564</b>	<b>0</b>	<b>13,029,564</b>	<b>13,142,764</b>	<b>13,280,964</b>
<b>22000EE</b>	<b>Use of Goods &amp; Services</b>					
<b>22111EE</b>	<b>Domestic Travel &amp; Subsistence</b>					
2211101	Air Transport of Persons Within The Bahamas	27,000	0	27,000	27,000	43,153
2211103	Mileage Within The Bahamas	8,000	0	8,000	8,000	10,000
2211110	Subsistence for Travellers Within The Bahamas	27,000	0	27,000	62,000	73,153
	<b>Domestic Travel &amp; Subsistence</b>	<b>62,000</b>	<b>0</b>	<b>62,000</b>	<b>97,000</b>	<b>126,306</b>
<b>22112EE</b>	<b>International Travel &amp; Subsistence</b>					
2211201	Air Transport of Persons Outside The Bahamas	3,000	0	3,000	3,000	20,000
2211210	Subsistence for Travellers Outside The Bahamas	3,000	0	3,000	3,000	15,000
	<b>International Travel &amp; Subsistence</b>	<b>6,000</b>	<b>0</b>	<b>6,000</b>	<b>6,000</b>	<b>35,000</b>
<b>22210EE</b>	<b>Rent</b>					
2221101	Rent - Living Accommodation (General)	36,000	0	36,000	36,000	36,000
	<b>Rent</b>	<b>36,000</b>	<b>0</b>	<b>36,000</b>	<b>36,000</b>	<b>36,000</b>
<b>22410EE</b>	<b>Supplies &amp; Materials</b>					
2241201	Office Supplies & Stationery	60,000	0	60,000	60,000	66,025
2241205	Food, Ice & Drinking Water	50,400	0	50,400	50,400	71,025
2241206	Publications	9,440	0	9,440	9,440	16,145
2241211	Cleaning & Toilet Supplies	50,000	0	50,000	50,000	62,500
2241212	Computer Software Supplies & Materials	19,600	0	19,600	19,600	31,174
2241213	Clothing & Clothing Supplies	17,000	0	17,000	17,000	20,000
2241299	Other Supplies & Materials	17,467	0	17,467	17,467	38,050
	<b>Supplies &amp; Materials</b>	<b>223,907</b>	<b>0</b>	<b>223,907</b>	<b>223,907</b>	<b>304,919</b>



## [Head 008] OFFICE OF THE JUDICIARY

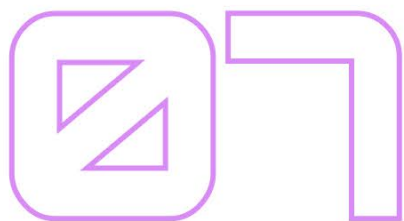


ITEM NO.	TITLE OF ITEM	APPROVED ESTIMATES 2021/2022 \$	SUPPLEMENTARY ESTIMATES 2021/2022 \$	REVISED ALLOCATION 2021/2022 \$	REVISED FORECAST 2022/2023 \$	REVISED FORECAST 2023/2024 \$
<b>22510EE</b>	<b>Services</b>					
2251101	Printing & Duplication Service	23,700	0	23,700	23,700	26,129
2251102	Advertising & Public Notices	14,400	0	14,400	14,400	17,425
2251104	Professional Services (Audit, Accounting)	800	0	800	800	1,000
2251107	Workshops, Conferences, Seminars, Meetings & Exhibits	14,400	0	14,400	14,400	49,838
2251108	Tuition, Training, In-service Awards, Subsistence	16,000	0	16,000	16,000	49,838
2251109	Licensing & Inspection of Vehicles	4,472	0	4,472	4,472	4,662
2251110	Postage, Postal Machines & Services	120	0	120	120	150
2251115	Consultancy Services	4,410	0	4,410	4,410	4,410
2251128	Fees & Other Charges	41,527	0	41,527	41,527	43,942
2251129	Staff Engagement	7,500	0	7,500	7,500	10,513
2251134	Special Projects	1,000,000	0	1,000,000	1,000,000	1,000,000
2251203	Freight & Express	10,000	0	10,000	10,000	12,703
2251302	Building Maintenance	46,000	0	46,000	46,000	52,050
2251322	Office Furniture Upkeep	5,600	0	5,600	5,600	7,513
2251337	Operation of Facilities or Other Services	873,962	0	873,962	636,000	491,025
2251399	Other Contractual Services	1,050	0	1,050	1,050	1,050
	<b>Services</b>	<b>2,063,941</b>	<b>0</b>	<b>2,063,941</b>	<b>1,825,979</b>	<b>1,772,248</b>
<b>22610EE</b>	<b>Minor Capital Repairs</b>					
2261201	Transportation Equipment Upkeep	27,200	0	27,200	27,200	20,905
	<b>Minor Capital Repairs</b>	<b>27,200</b>	<b>0</b>	<b>27,200</b>	<b>27,200</b>	<b>20,905</b>
<b>22710EE</b>	<b>Operational Expenses</b>					
2271001	Operational Expenses	450,000	0	450,000	450,000	506,375
	<b>Operational Expenses</b>	<b>450,000</b>	<b>0</b>	<b>450,000</b>	<b>450,000</b>	<b>506,375</b>
<b>22810EE</b>	<b>Special Financial Transactions</b>					
2281105	VAT Expenses	950	0	950	950	1,000
2281151	Judicial Service Commission Operational Expenses	3,000	0	3,000	3,000	10,000
	<b>Special Financial Transactions</b>	<b>3,950</b>	<b>0</b>	<b>3,950</b>	<b>3,950</b>	<b>11,000</b>
	<b>Use of Goods &amp; Services</b>	<b>2,872,998</b>	<b>0</b>	<b>2,872,998</b>	<b>2,670,036</b>	<b>2,812,753</b>
<b>27000EE</b>	<b>Social Benefits</b>					
<b>27200EE</b>	<b>Social Assistance Benefits</b>					
2721108	Legal Aid	350,000	0	350,000	350,000	441,000
2721109	Victim Care Fund	550,000	0	550,000	550,000	678,756
	<b>Social Assistance Benefits</b>	<b>900,000</b>	<b>0</b>	<b>900,000</b>	<b>900,000</b>	<b>1,119,756</b>
	<b>Social Benefits</b>	<b>900,000</b>	<b>0</b>	<b>900,000</b>	<b>900,000</b>	<b>1,119,756</b>
	<b>OFFICE OF THE JUDICIARY TOTAL EXPENSES</b>	<b>16,802,562</b>	<b>0</b>	<b>16,802,562</b>	<b>16,712,800</b>	<b>17,213,473</b>

The Accounting Officer for this Head is the REGISTRAR



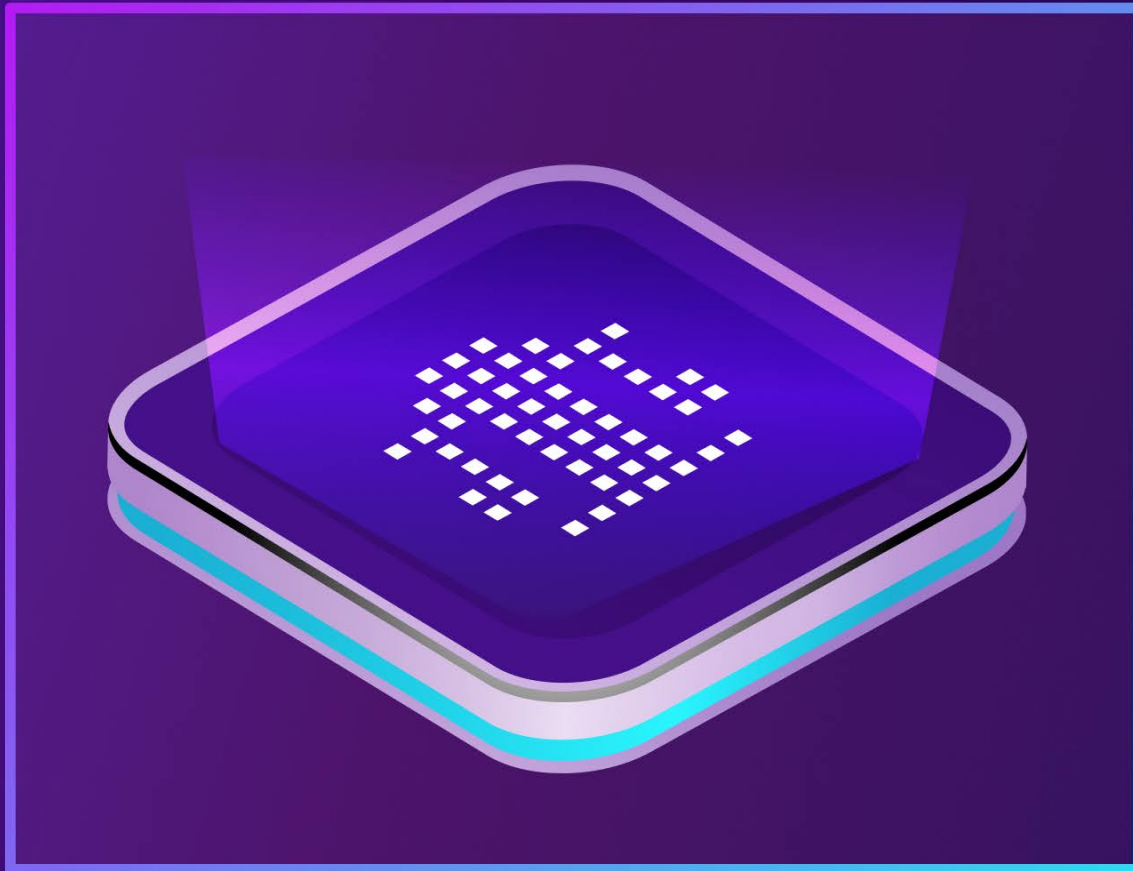
**JUDICIARY**  
THE BAHAMAS



# **THE OPENING OF THE LEGAL YEAR 2021 BY THE CHIEF JUSTICE**







7.1

THE OPENING OF THE LEGAL YEAR 2021 BY  
THE CHIEF JUSTICE



7.2

ACKNOWLEDGEMENT





SPEECH BY CHIEF JUSTICE SIR BRIAN M. MOREE, Kt.; Q.C. HON. CHIEF JUSTICE OF THE COMMONWEALTH OF THE BAHAMAS

My Lords, My Ladies, other Judicial Officers, Mr. Attorney, President of the Bahamas Bar Association and members of Bar Council, Counsel and Attorneys, guests, and others who are viewing these proceedings by live stream or watching on television – Good afternoon.

As we mark the Opening of the 2021 Legal Year the country is still under a Proclamation of Emergency declared by the Governor General as a result of the scourge which we now identify as Covid-19. That pandemic has literally changed our way of life and the way in which business affairs and activities are conducted around the world. Courts have not escaped the intrusive and disruptive impact of Covid 19 and over the past 10 -11 months we, who are responsible for the administration of justice, have had to adapt and respond to the dynamic and unpredictable environment of the Covid 19 era as national Governments and public health officials have struggled to mitigate and contain the transmission of the virus.

Lockdowns, curfews, physical distancing requirements, sanitizing protocols, quarantines, self-isolation procedures, PCR and antigen tests and travel restrictions have all become a part of the new paradigm. The overall result is that the landscape of the Courts today is massively different than it was a year ago when this Court sat in the Supreme Court building on 8 January, 2020 to mark the Opening of the 2020 Legal Year. At that time we were recovering from the devastation of Hurricane Dorian which had passed through parts of The Bahamas in September, 2019 and we were looking forward to better days ahead. Little did we know that Covid 19 was around the corner.

It is to state the obvious that our plans in 2020 for the Courts were severely threatened by the pandemic – but I can report that not only did our Court system survive in 2020, we defied the pessimists by making significant progress in many areas as we remained laser focused on court reform and modernization. Undoubtedly, 2020 was the most difficult and challenging year in modern history. The turbulent events associated with Covid 19 delayed my timeline for the implementation of certain projects but we nevertheless moved forward with major initiatives in the Courts. Indeed, for us in the Judiciary, the real takeaway from 2020 is best described in the well-known adage that “necessity is the mother of invention.” By the second quarter of last year it became evident to all in the Court system that in the Covid 19 era, change and innovation were no longer merely strategies for progress and modernization but were imperatives for survival.

That mindset was perfectly compatible with our pre pandemic objectives and mitigated the resistance to widespread reform intended to overhaul the machinery of justice in The Bahamas.

The result is that notwithstanding Covid 19, 2020 was a productive and busy year for the Courts as we continued throughout the pandemic to fulfil our constitutional mandate and advance the components of the **COURT MODERNIZATION AND REFORM INITIATIVE – COMRIN**.

This is the second time that I have the great honour and privilege of addressing you as Chief Justice at the ceremony to commemorate the Opening of the Legal Year. It is a humbling experience and I continue to be grateful for this opportunity to serve my country. I pledge to do my very best to discharge my duties for as long as I am in this office. I am mindful of the fact that I am here for only a season and my overreaching legal fidelity is to the Constitution of The Bahamas. I acknowledge God in all matters and seek His continued guidance in my life as I serve as the Head of the Judiciary.

My plan for the Court system in 2021 can be simply and succinctly expressed in three words – Reform and Modernization. As we move into a new year, we intend to consolidate our achievements in 2020 and continue to implement the components of the reform programme with vigour, focus, discipline and hard work in order to implement sweeping and sustainable changes throughout the Court system.



The ultimate objective is to provide the people in The Bahamas with a Court system which is commensurate with the standing and high calling of The Bahamas in the international community. They deserve nothing less in a 21st century Bahamas.

I express on behalf of all my colleagues our appreciation to all who have taken time to join us today, either in person or virtually, to mark the Opening of the 2021 Legal Year. I trust that the proceedings today will give you a better understanding of the workings of the Court. I deeply regret that because of public health protocols we have not been able to accommodate at this ceremony many more members of the Court staff, lawyers and the general public. I trust that you all understand the limitations which necessarily applied to this event and that you are watching these proceedings by live stream or television.

Earlier in these proceedings I conveyed my gratitude to His Grace, the Most Reverend Patrick Pinder, Bishop the Reverend Dr. Delton Fernander and Reverend Canon Norman Lightbourne for their prayers and words of wisdom which they shared with us in their pre-recorded messages. I also wish to thank the Commissioner of Police and Supt. Curtis for their generous assistance in organizing this event and arranging for the Honour Guard and a section of the Royal Bahamas Police Force Band to participate in the ceremony today. As always, they bring a great sense of pomp and pageantry to this annual event which enhances the special nature of this ceremony. Both groups were scaled back this year to facilitate physical distancing requirements but that did not in any way diminish their splendid contribution to these proceedings.

I wish to publicly applaud the extraordinary work of all judicial officers throughout the past twelve months and thank them for their exemplary service. Managing a court system through a pandemic in the midst of a public emergency with limited financial, and human resources operating out of seven different buildings in various states of disrepair is extremely difficult. We could not have succeeded without the exceptional commitment of the judges, registrars and magistrates. We all had to reinvent our work processes, our long established work habits and our delivery mechanisms in order to discharge our judicial duties and for the most part, we accomplished this. I express my gratitude to all of you for your support, your selfless service, your hard work and your sense of duty in the face of adversity.

Similarly, I pay tribute to the hard working staff of the Judiciary. We have many unsung heroes in the Courts who keep the system running on a daily basis. I thank them for their steadfast and loyal commitment to the work of the Judiciary. Last year produced unprecedented problems which stretched our staff in many ways but they prevailed because of their industry and hard work. It is always dangerous to single out individuals for special recognition when so many have contributed to the work of the Courts. Be that as it may, I must publicly acknowledge the Registrar of the Supreme Court, Ms. Camille Darville Gomez, for her outstanding work in the Judiciary. I previously observed in another place that she seems to be omnipresent throughout the Court system as she deals with so many different areas of our operations.

The Registrar has a commendable work ethic and is result oriented in adeptly carrying out her duties. I thank her for her significant contribution to the Judiciary throughout 2020. I also publicly recognize the stellar work of our recently appointed Senior Court Administrator, Mrs. Constance Delancy. Her capacity for hard work and multi-tasking is impressive and she has greatly strengthened our senior management team in the Courts. Mrs. Delancy, ably supported by Assistant Registrar Renaldo Toote, headed our team who was responsible for organizing today's event. They did an extraordinary amount of work in pulling together the many aspects of the production and I thank them for their sleepless nights and scores of hours of meetings and rehearsals in connection with the Opening of the Legal Year ceremony.

During 2020 two Magistrates retired – Magistrate Gwendolyn Claude and Magistrate Rengin Johnson. They both served in Grand Bahama and I thank them for their many years of able and dedicated service. Each of them made a significant contribution to the administration of justice in The Bahamas.

Justice Keith Thompson was scheduled to retire in December of 2020 but his term of service was extended by the Governor General to 30 April, 2021 under Article 96(2) of the Constitution to allow him to complete his judgments. More will be said about the contributions of Justice Thompson to the administration of justice at a later date nearer to the time when he demits office. However, I want to use this occasion to publicly recognize his committed and outstanding service to the Judiciary since his appointment as a Justice of the Supreme Court in August, 2018. Before that date, Justice Thompson was a member of the Industrial Tribunal for almost nine years after a long career in Education and then in private practice at the Bar.

I convey my congratulations to Justice of Appeal Carolita Bethell who was a Justice of the Supreme Court for seven years prior to her elevation to the Court of Appeal in August of last year. We will miss her judicial acumen and experience at the level of the Supreme Court and wish her well as she joins the appellate court.

In October of last year the title of Senior Justice was conferred upon Justice Bernard Turner by the Governor General. This was a most deserving recognition for Senior Justice Turner and I convey to him my congratulations.

I wish to thank Acting Justice Tara Cooper-Burnside for agreeing to serve as an Acting Justice of the Supreme Court for the period 23 November, 2020 – 31 March, 2021. She has provided much needed judicial assistance in the Civil and Commercial Divisions of the Court as she has taken on a full calendar of hearings. I trust that others will follow her example in setting aside a period of time from their private practice for public service.

I am also grateful to Mr. Dawson Malone who agreed to serve as an Acting Assistant Registrar in Grand Bahama for a period of approximately four months. He has greatly assisted in reducing the backlog of interlocutory applications in civil cases which can be heard by a Registrar. Again, he has set a sterling example for others to emulate in giving back to the country.



Once again, we have produced an Annual Report which in this edition covers the work of the Courts in 2020. I do not propose to inundate you with statistics as you can study them in the Report.

You will find that the Covid 19 restrictions impacted the volume of work before the Supreme Court during the second quarter of 2020 but that trend changed as we migrated to the use of our remote platform for court hearings during the second half of the year.

Productivity in the Magistrates Court was significantly interrupted by the pandemic as in person court hearings and trials were suspended for long periods of time. I can say at this point that we do not expect this state of affairs to continue beyond the middle of February, 2021. I urge you to read the Annual Report as it contains important information about the work and operations of the Courts. Like last year, we have hard copies of the 2020 Report and also wallet size USB flash drives containing the Report. These will be circulated to interested persons later this week and can be obtained from the Office of the Senior Court Administrator.

Since my address last year we have made major progress on many fronts through the execution of the Court Modernization and Reform Initiative. Our mission is to continue the process of reform in 2021 at an increased pace to recover some of the time lost as a result of Covid 19 in order to deliver on my commitment to overhaul the Court system in The Bahamas. Time restraints dictate that I share with you today only a brief update on some of the major initiatives:



## THE INTEGRATED CASE MANAGEMENT SYSTEM

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This will be the backbone of the new ICT platform for the Judiciary and will allow the Courts to deliver a wide range of E Services including E filing, E scheduling, E Payments, E Notices, E Probate and other customized subject matter applications.

The procurement process has now been completed and in December, 2020 the contract was signed with the Anchor Group for the design and implementation of the ICMS.

Under the contract the ICMS is to be completed and installed within twelve months and there is an additional six month post implementation period for follow-up work. The Anchor representatives have already commenced work, and they will be on the ground in Nassau by the end of this week.

Through the ICMS we will implement an electronic filing feature via a secure web portal for authorized users. The initial launch of this service is scheduled for late July/early August of this year and it will literally transform the way in which cases are commenced and conducted in all Divisions of the Court.



The E filing portal will be introduced in the Magistrates Court, the Supreme Court and the Court of Appeal.

Other benefits of the ICMS will include better management by court officers of all aspects in the life cycle of a case via an electronic scheduling feature, the roll out of E Notifications and messaging, the ability to pay online, fees and process payments through the ICMS and access to the digital recording and transcript software through the ICMS;

## THE DIGITIZATION PROJECT

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In December, 2020 the contract was signed with ZCom, the successful vendor in the procurement exercise. Members of their team are already in Nassau to commence work. I have established a new Digitization Unit in the Judiciary which is headed by Mrs. Grace Bostwick. We have secured premises for the ZCom team and the members of the new Digitization Unit in Charlotte House and they are expected to move into the newly renovated and customized office space by the end of the first quarter of this year. ZCom will be responsible for digitizing court records and the in house Digitization Unit will deal with documents and records going forward. This project is closely aligned to the ICMS and will ultimately facilitate the migration from a heavy dependence on paper to a reliance on data where we are managing information as opposed to tracking paper. Court documents and dockets will be digitized and input into the ICMS to provide real time access to court files.

## THE DIGITAL RECORDING SYSTEM

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Significant progress was made on this project in 2020 and we now expect to formally launch it by the end of the first quarter, 2021. This project will include Court of Appeal/Supreme Court and the Magistrates Court.

## THE AUTOMATED BAIL MANAGEMENT SYSTEM

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Is finalized and the initial pilot programme was launched in December of last year. Its utilization by members of the Bar is minimal at this time but this will change as we move to its mandatory use by the end of February.

## THE COURT AUTOMATED PAYMENT SYSTEM –“CAPS”

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The contract with CaribPay (Bahamas) Ltd. trading as ‘Kanoo’ was finalized in December, 2020. Kanoo was the successful vendor in the public procurement exercise which involved a published Initial Expression of Interest and subsequently a Request For Proposal involving a number of bidders. CAPS is an electronic payment management solution for the Family Magistrates Court which will allow court users to make and receive payments pursuant to court orders for maintenance, child support and related matters.

## THE LISTING OFFICE

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The entire procedure for obtaining court hearing dates has now been automated. 7. A new Technology Platform has now been launched throughout the Judiciary. All judges, registrars and magistrates were issued new laptop computers with specifications designed to be compatible with the ICMS and DRS. Later this month, they will each receive new monitors and a work station for scanning, copying and printing together with accessories. These devices will be the initial roll out of a ‘technology kit’ which will now be issued to all judicial officers.

Additionally, with funding from the IDB Loan Facility, all Court buildings are undergoing infrastructural upgrades to support computerization and LAN/WAN environment for Cloud Computing to modernize operations and administrative procedures. Also, we are repairing and/or upgrading the current electrical distribution equipment within certain court buildings for higher efficiency, cost-effectiveness, easier maintenance and enhanced security to support the implementation of the ICMS.

## THE BAHAMAS JUDICIAL EDUCATION INSTITUTE

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Is now the principal arm of the Judiciary for all judicial and ongoing professional training. We have engaged an Administrator for the BJEI and it is expected that the new customized Training and Conference Centre will be ready for use by the end of the first quarter of this year. The Institute provided numerous virtual training webinars/seminars last year and hosted a remote Seminar for judicial officers yesterday dealing with Judicial Ethics and the Bangalore Principles, Effective Case Management, Sentencing in Criminal cases and Judging in a Digital Age.

## THE PROBATE REGISTRY

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Work processes have been changed and now all compliant applications are now being processed within 90 days.

## THE FAMILY COURT

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This is now operating through a specialized Division and we will be updating the Matrimonial Rules in early 2021 to reflect the changes in the procedures.

## THE COMMERCIAL COURT

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This is now also functioning through a specialized Division. We will be promulgating new Rules in the first quarter of this year to govern the procedure in this specialty Division.

## REDUCTION OF BACKLOG

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A specific Judicial Unit will be established to target the backlog with a view to expediting trial dates and reducing the disposition cycle for cases in the court system.

## REFORM OF JUVENILE COURT

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I intend to focus my attention on the Juvenile Court during the first quarter of 2021 to address systemic, administrative and procedural problems which are impeding the optimal performance of that Court and causing unacceptable delays contributing to the backlog. We must do better in this area in 2021. I will be consulting with the Chief Magistrate and the presiding Magistrate in the Juvenile Court with regard to this state of affairs. The solution must embrace a holistic approach involving Social Services and other stakeholders.

## JUDICIAL RESEARCH COUNSEL

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We now have 9 Judicial Research Counsel working with the judges of the Supreme Court. This additional resource will significantly assist the judges in the preparation of their judgments and in reviewing submissions and cases in connection with court hearings.



## COURT ADMINISTRATORS

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We have now appointed

1

**Mrs. Constance Delancy** as the Senior Court Administrator. She has oversight of all court operations with day to day responsibility for the Supreme Court;

2

**Mrs. Alphanette Grant** as the Court Administrator for the Magistrates Courts with responsibility for all non-judicial functions and services in those courts. Also, appointed was Mr. Darmeeko Isaacs as the Director of Information and Communications Technology.

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## NEW SUPREME COURT COMPLEX

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This remains a high priority for the Judiciary as we cannot continue indefinitely to operate out of the existing court buildings. This project requires a substantial capital investment and the funding arrangements were compromised by the economic fallout of Covid 19. I have been working with a group of local specialists to recast the financial model for this project to test its viability in the short term. In his national address last evening the Prime Minister reiterated that the site of the old Post Office (which is currently being demolished) is reserved for a Supreme Court Complex and we continue to work on this project. While the current financial climate is challenging, we remain committed to advancing this project as expeditiously as is consistent with its viability. Certainly, the essential importance of a new Court Complex cannot be reasonably doubted as until that occurs, we continue to spend money on substandard buildings to make them barely habitable which were never designed or intended in the first place to be court rooms and which are not suitable for a modern Court system. It is a false economy to continue this ad hoc approach to providing the physical infrastructure for the Courts. We are cognizant of the serious and grave financial restraints on public spending caused by the pandemic but our expectation is that a substantial amount of the funding for the new Court Complex can be raised outside the public purse through the capital markets.

In all of this it must be accepted that delivering justice comes at a cost. As a former Master of the Rolls in England stated – “The price we pay for justice is the price we pay for a civil society.”

I repeat what I said last year. The Judiciary stands ready to lead this project as a part of our Court Modernization and Reform Initiative and work with all stakeholders if we are provided with the resources. The Courts deserve to be properly resourced and located in buildings which are fit for purpose in order to carry out its vital functions in our democracy.

## COURT SERVICES BILL

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I am very pleased to report that the Court Services Bill was tabled in the House of Assembly in the fourth quarter of last year. I express my appreciation to the Attorney General and to his Cabinet colleagues for taking this important step to further deepen the independence of the Judiciary. This Bill is transformative and will deliver to the Courts a higher level of financial, administrative and operational autonomy over the affairs of the Judiciary while at the same time preserving the constitutional role of the Minister of Finance over the public finances of the country. The Bill also provides for full accountability by the Judiciary in respect of its use of public funds.

I urge the Government to pass this legislation at the earliest opportunity and not let it become captive to other interests. This matter is too important to the institutional independence of the Judiciary for it to be delayed while other issues are pursued.

The Chief Justice of Kenya astutely expressed the point well when he said that: *"The necessary judicial independence of the judiciary cannot be achieved if the court finances are determined and dictated by the political organs of the Executive and the legislatures over whom the court should exercise judicial control." . ....The performance of the judiciary in its administrative matters depends directly upon financial autonomy of the court because efficient administration requires resources to support the remuneration of necessary staff and acquisition of equipment and facilities. In the interest of the independence of the judiciary, it is important that the administration of the judiciary be carried out by the judiciary itself or/by a professional agency under the superintendence of the judiciary."*

The Court Services Bill is landmark legislation in institutionalizing the high constitutional principle of the independence of the Judiciary which is one of the pillars of the Rule of Law.

In a lecture by Lord Browne-Wilkinson, a former Vice-Chancellor in England, he recognized the Judiciary *"...as a separate branch of government."* The Chief Justice of Kenya endorsed this principle when stating that:

*"The judiciary should not be treated as if it is another administrative department in the Ministry of Justice for it is not. It is an institution under Constitution which qualifies as an independent institution; whose accountability and responsibility should go hand in hand. Judicial independence without administrative and financial autonomy may turn out to be meaningless. Autonomy implies control of resources both human and material and without this autonomy there can be no accountability to speak about. The needs of the judiciary and its concerns can only be addressed if and only if the judiciary can itself assess and determine these needs and concerns. Delivery of justice depends on many factors such as numerical strengths of the judicial personnel, their competency and training; the judiciary must be assisted by an administrative staff with adequate equipment supervised by a diligent court administration."*



## SUPREME COURT RULES

It is source of regret for me that my time line for the new Civil Procedure Rules has been significantly delayed by external factors. The new CPR is a critical part of the reform process for the conduct of civil and commercial litigation. I have given timelines in the past which have not been met. Nevertheless, given the state of the current draft of the CPR, I expect to circulate a working draft to the Committee members by the end of January. On that basis we should be able to release the working draft to the Bar in February for consultation. I appreciate that there may be skeptics amongst us based on past promises. However, they will see that the new CPR will be promulgated before Easter of this year.

## THE MAGISTRATES COURT

This Court has the highest level of contact with public. The top priority at this time is to resume all trials in the Magistrates Court. We are ready to do so as soon as the Plexiglas barriers are installed and I expect that this will occur by the end of this month.

## CONCLUSION

I remain irreversibly committed to the modernization of our Court system. There are many moving parts on the journey to that destination and I invite all stakeholders in the administration of justice to join us as we seek to deliver to all in the Bahamas a 21st century Court system.

**I DECLARE THE 2021 LEGAL YEAR OPEN.**





The country is currently in the midst of a major surge of Covid 19 positive cases thought to be connected to the highly transmissible Omicron variant of the Covid 19 virus and this has significantly disrupted the preparation and publication of the Annual Report for this year. Nevertheless, the small team of court officers assigned to this project has worked assiduously under difficult circumstances to complete the task and this Report is the result of their extraordinary and exemplary work ethic and overall competence in discharging their duties to the Judiciary. I express my gratitude to all of them for their contribution in dealing with the miscellany of issues involved in the publication of this Report. The process involves many moving parts and requires strong administrative skills, organizational discipline and a great deal of hard work.

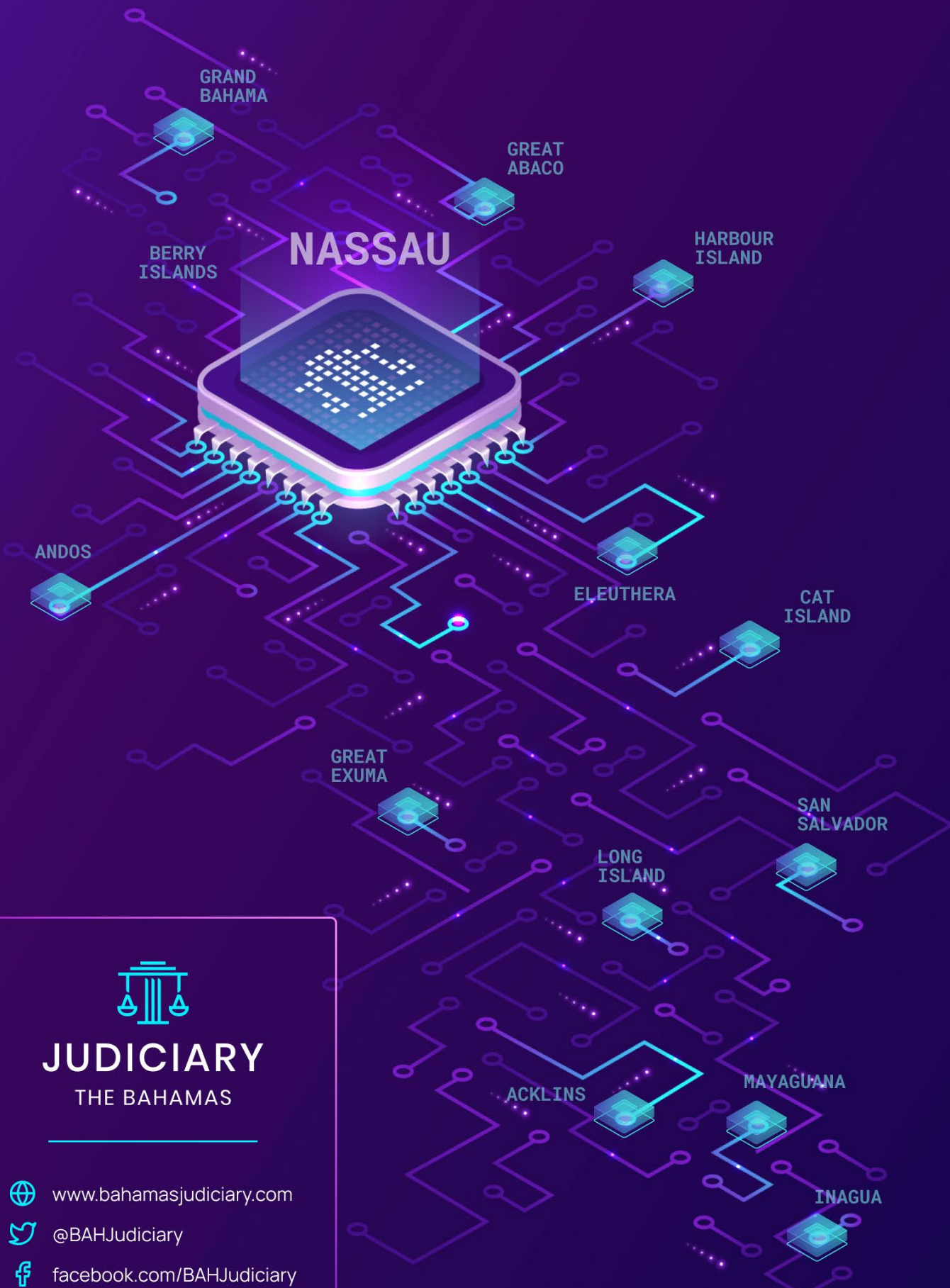
Justice Diane Stewart and Justice Camille Darville-Gomez are the Co-Chairs of the Committee appointed to produce the 2021 Annual Report. They have provided able leadership for this project as they used their skill sets in writing, editing and administration together with their experience in completing the task. I acknowledge with thanks their guidance, work and commitment in the preparation of the Report.

The Registrar of the Supreme Court, Mrs. Constance Delancy, has been in the trenches in overseeing and coordinating the work of the Committee for several months. She has an impressive capacity for multi-tasking and her tireless work, competence and attention to detail are examples for all of us in the Judiciary. I commend the Registrar for her invaluable role in the publication of the 2021 Report and for successfully navigating through the many practical and logistical impediments arising from the pandemic.

The other Committee members are Deputy Registrar Stephana Saunders; Deputy Registrar Renaldo Toote; Magistrate and Acting Coroner Kara Turnquest-Deveaux; Director of ICT Mr. Darmeeko Isaacs; Manager of HR, Ms. Annamae Neely; Ms. Bathsheba Algreen of the Office of the Judicial and Legal Service Commission; Mrs. Elizabeth Taylor of HR and Ms. Cheryl Brown from the Office of the Chief Justice. I commend each of them for his/her contribution to the 2021 Report. We could not have produced the 2021 Annual Report without them.

Once again, we were greatly assisted in the publication of this Report by the professional and very competent advice of our outside consultant, Starboard SoftWorks Ltd. Their technical and creative assistance was essential to completing the task and I thank them for their high quality work in the production of the 2021 Report.

BRIAN M. MOREE CHIEF JUSTICE



# JUDICIARY

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