

ORGANISATION OF EASTERN CARIBBEAN STATES

**APPOINTMENT TO THE OFFICE OF
CHIEF JUSTICE OF THE EASTERN CARIBBEAN
SUPREME COURT**

GUIDE FOR APPLICANTS

CONTENTS

PART 1

- | | | |
|----|--------------|---|
| 1. | Introduction | 3 |
|----|--------------|---|

PART 2

- | | | |
|----|--------------------------------|-------|
| 2. | Qualifications | 4 |
| 3 | Criteria governing appointment | 4 |
| 4. | The appointment procedure | 4 - 5 |

PART 3

- | | | |
|----|-----------------------|-------|
| 5. | Making an application | 6 - 7 |
|----|-----------------------|-------|

PART 4

- | | |
|----------------|---|
| Annex A | Outline of the terms and conditions of the office of Chief Justice of the Eastern Caribbean Supreme Court |
|----------------|---|

PART I

1. INTRODUCTION

This Guide is to assist persons applying for the position of Chief Justice of the Eastern Caribbean Supreme Court. It is arranged in four parts.

Part 1 provides a brief outline of the contents of the Guide.

Part 2 outlines the **qualifications** and the **criteria** applicants must satisfy for consideration for the position. It also explains the **appointment procedure** and outlines how the comments of referees will be obtained.

Part 3 gives important advice on **making an application**.

Part 4 contains **Annex A**: An outline of the terms and conditions of the office of Chief Justice of the Eastern Caribbean Supreme Court.

PART 2

2. QUALIFICATIONS

Section 5. (1) of the West Indies Associated States Supreme Court Order 1967, S.I. 1967 No. 223 provides:

5.(1) The Chief Justice shall be appointed by Her Majesty by Letters Patent and the Justices of Appeal and the Puisne Judges shall be appointed on behalf of Her Majesty by the Judicial and Legal Services Commission.

(2) A person shall not be qualified to be appointed –

(a) as Chief Justice or a Justice of Appeal unless –

(i) he has been for a period or periods amounting in the aggregate to not less than five years a judge of a court of unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court; or

(ii) he is qualified to practice as an advocate in such a court, and has so practiced, for a period of, or periods amounting in the aggregate to, not less than fifteen years;

...

3. CRITERIA GOVERNING APPOINTMENT

In making appointments to the office of Chief Justice, regard shall be had, inter alia, to the following criteria: high moral character, intellectual and analytical ability, sound judgment, integrity, and understanding of people and society.

4. THE APPOINTMENT PROCEDURE

4.1 Interview

The Search Committee will invite, receive and vet applications and thereafter interview shortlisted candidates. The Search Committee may require an applicant to attend the interview in person.

4.2 Appointment

The legislative guidelines for the appointment of a Chief Justice in the OECS are therefore as follows:

- (1) A minimum of five years as a Judge of the High Court/Court of Appeal; or
- (2) Having been qualified to practice before the above Courts, with a minimum of fifteen years standing as a practitioner.

Within this framework, the Lord Chancellor of England consults with relevant Heads of Government before tendering his advice to Her Majesty. The established procedure is that Heads of Government unanimously agree upon a nominee and advise the Lord Chancellor accordingly.

4.3 Confidentiality

The Search Committee will treat all applications and supporting information as confidential.

4.4 Consultation

The Search Committee may, prior to recommending an appointment for the Office of Chief Justice of the Eastern Caribbean Supreme Court, consult with associations representative of the legal profession and with other bodies and individuals that it considers appropriate in selecting a Chief Justice.

PART 3

5. MAKING AN APPLICATION

5.1 Obtaining the Application

The Application Package consists of the Application Form, Guide for Applicants, Referee Assessment Form, and the Guide for Referees.

Copies of the Application Package can be obtained by:

1. Downloading from the Website of the OECS Commission
2. Downloading from the website of the ECSC
3. Email request from the Search Committee at searchcommittee.cj@gmail.com

5.2 Delivery of the Application Form

It shall be the responsibility of the applicant to ensure that the completed Application Form is sent by email to the Search Committee at searchcommittee.cj@gmail.com as an attachment to a cover letter addressed to the Chairman, Search Committee.

5.3 Submission of Application Form

Applications are to reach the Commission not later than **4.00 p.m. EST** on **Tuesday 5th March 2024**.

5.4 Acknowledgement of an Application

Applicants should receive an acknowledgement within 14 days of the receipt of their application from the office of the Search Committee. If you have not received an acknowledgement within this period, you should contact the Search Committee at searchcommittee.cj@gmail.com

Applications must be submitted electronically and will be acknowledged in the same manner.

5.5 Completing the Form

Your application should be typed or completed clearly in black ink, with any additional information attached. Please ensure that you sign and date the Form. **Unsigned Application Forms will not be considered.**

5.6 Your Address

Please indicate clearly the email address to which you wish correspondence to be sent together with a current telephone number. Please immediately notify the Search Committee at **searchcommittee.cj@gmail.com** of any changes to the information supplied under this heading.

5.7 Names of Referees

The Search Committee requires you to provide the names, email addresses and telephone numbers of 2 referees who are members of the judiciary and/or the legal profession and who will be able to comment upon your qualities and experience.

The referees are required to complete the Referee Assessment Form, having regard to the Guide for Referees and submit same to the Search Committee at its email address, before 4 p.m. EST on or before 5th March 2024.

5.8 Medical Examination

Applicants should be aware that any offer of appointment will be made subject to a medical report acceptable to the Search Committee. If you are aware of any health issue which might adversely affect your performance in judicial office, it would be appreciated if this should be mentioned at the outset.

5.9 Contact Information

All communications and enquiries in relation to your application should be directed to: Chairman of the Search Committee at **searchcommittee.cj@gmail.com**