

SUPREME COURT OF JUDICATURE



ANNUAL REPORT 2016

OUR MISSION

The Supreme Court of Judicature endeavours to provide the required support to the Judiciary and magistracy to achieve the aims and objectives of social justice.

OUR VISION

Our vision is to provide access to justice, the hallmarks of which are expeditious and timely trials, equality, fairness and integrity, independence and accountability thereby encouraging and maintaining public trust and confidence in our judicial system.

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OUR LEADERSHIP



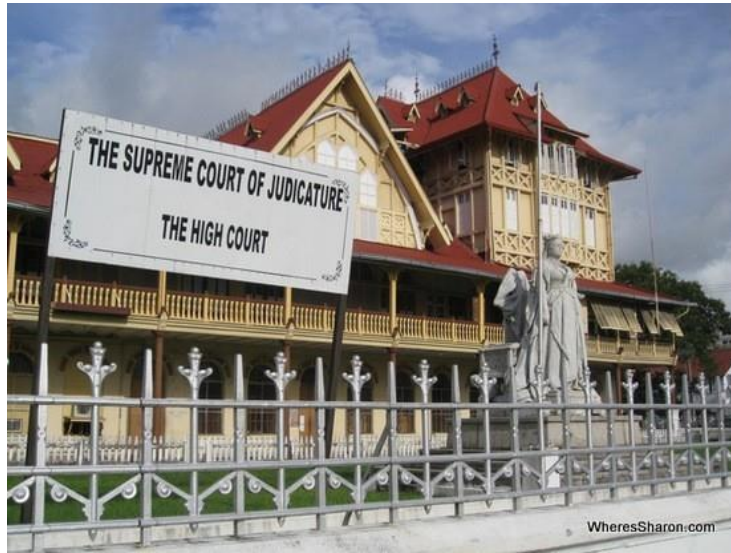
Mr. Justice Carl Singh OR, CCH
Chancellor of the Judiciary (ag)



Mdme. Justice Yonette Cummings-Edwards
Chief Justice (ag)

THE CHIEF JUSTICE AND JUDGES OF THE HIGH COURT





The Supreme Court of Judicature, Georgetown



The Berbice High Court



The Essequibo High Court

INTRODUCTION

The Judiciary of the Co-operative Republic of Guyana is, as in any modern democracy, the third arm of a tri-partite state and functions independently of the other arms, that is to say, the Executive and Legislative arms. This is borne out by our Constitution which provides expressly at Article 122 A (1) that:

“All courts and all persons presiding over the courts shall exercise their function independently of the control and direction of any other person or authority; and shall be free and independent from political, executive and any other form of direction and control.”

In this regard therefore, Article 123 of the Constitution further provided for the establishment of a Supreme Court of Judicature consisting of the Court of Appeal and the High Court. Guyana, in April 2005, adopted the Caribbean Court of Justice as its final Court of Appeal.

The summary jurisdiction of judiciary is governed by the Summary Jurisdiction (Magistrates) Act, Cap 3:05 which establishes the Magistrates’ Court and sets out its practice and procedure, provides for the appointment of magistrates and the regulation of their duties.

Guyana’s judicial system can best be described as a four-tiered system made up as follows:

- (a) The Court of Summary Jurisdiction or Magistrates’ Court
- (b) The High Court, which is governed by the High Court Act, Cap 3:02 and the Rules made thereunder and sits in Demerara, Berbice and Essequibo. There are two sub-registries outside of Georgetown located at Essequibo and Berbice respectively. It has several divisions including the Land Court, the Commercial Court, the Constitutional Court, the Full Court and most recently, the Family Court Division.
- (c) The Court of Appeal which is governed by the Court of Appeal Act, Cap 3:01 is a court of review.

OVERVIEW AND COURT

PERFORMANCE

The High Court

(d) The Caribbean Court of Justice, which is governed by the Caribbean Court of Justice Act 2004, replaces the Guyana Court of Appeal as the final Court of Appeal for Guyana.

The Courts resolve disputes by independently and impartially applying the law to the facts of each case presented. Every party has the absolute right to an arbiter who is neutral and independent of the parties in the case and their advocates. These arbiters are the Justices of Appeal, the Puisne judges, the Commissioners of Title, the Magistrates.

It is the Judiciary's task to ensure that all who come utilize and interface with the courts at various levels are treated respectfully, fairly and equally. Each case must receive individual attention, and the law must be applied uniformly. Regardless of economic, social or other status, each party in a dispute must receive equal access lending to the process, consistency and predictability.

The High Court of the Supreme Court is presided over by the Chief Justice and such number of Puisne Judges as may be prescribed by Parliament. This is provided for in Article 125 of the Constitution. Parliament has prescribed that number of Puisne Judges to be twenty (20). Currently, however, the High Court is functioning with thirteen (13) Puisne Judges.

The High court exercises original jurisdiction over indictable criminal matters, civil matters, commercial matters and family matters which previously were categorized as civil matters. This Court hears and determines the most serious criminal cases and the most complex civil cases.

CIVIL JURISDICTION

The High Court in its civil jurisdiction, deals with claims made pursuant to the court's inherent jurisdiction and

such other jurisdiction as is vested in the court by statute. Such matters are dealt with by trial by a single judge without a jury or by way of chamber hearings.

The Commercial Court

The Commercial Court, a specialized court which commenced operations on June 21, 2006, was implemented to shorten lengthy trials and really is a precursor to the operation of the civil courts of the supreme Court under the New Civil procedure Rules. It introduced such concepts as case management and pre-trial reviews. It handles commercial-type civil litigation involving claims for money, the purchase and sale of commodities and contracts relating to the sale and purchase of land and other such matters. The Court is presided over by two judges, Justices Rishi persaud and Diana Insanally.



Justice Rishi Persaud Justice Diana Insanally

The procedure in the Commercial Court is governed by Order 12 of the Rules of the Supreme Court. The Specially Indorsed Writ is used when there is a claim for liquidated damages, that is, a claim for a quantifiable sum of money. On appearance of the parties in the court, if the defendant is unable to show that he has a good defence to the plaintiff's claim, the court may give judgment for the plaintiff thus lending itself to a faster resolution of actions filed.

In total, there were **one thousand, five hundred and twenty-six (1526)** matters filed in the Commercial Court. At the end of 2016, **one thousand and forty-nine (1049)** were concluded.

The Constitutional Court

The Constitutional Court of the High Court, as the name suggests, hears matters filed seeking Constitutional relief and is presided over the by the Chief Justice.

In 2016 there were **78** Constitutional Motions filed in the High Court; **42** constitutional matters were concluded at the as at 31st December, 2016.

Family Court

The civil jurisdiction of the High Court has mutated over the past year with the official launching of the Family Court Division of the High Court. This has separated from the High Court's traditional civil jurisdiction, matters pertaining to family-related issues such as petitions for divorce, division of property, custody and maintenance and has streamlined them in that special-purpose court with its own peculiar rules and procedure as set out in the Family Court Rules 2016 and its own fully staffed registry.

Two specially appointed judges preside over the Family Division.

Established in June 2016, the Family Court caters to citizens seeking help to deal with family disputes through case management and a number of alternative dispute resolution processes such as mediation, social work intervention, probation and child and youth day-care services.

During its six (6) months of existence, the court has proven to be one of the most important institutions. Its mission is to provide the required support service to the Judiciary in dealing with family disputes. In its effort also to facilitate the maintenance of public trust and confidence, the Court has employed the use of *skype* in order to improve the delivery of its service and as a delay reduction measure.

THE FAMILY COURT REGISTRY



FAMILY COURT JUDGES



Madam Justice Dawn Gregory



Madam Justice Sandra Kurtzious

Table 1 and Figure 1a represent intake of matters to the Family Court, Social Intervention (Child Care and Protection Services) and mediation.

Table 1:

Source of Referral	Amount	Interim/ Nisi Orders	Withdrawn &/Dismissal	Struck Out	Concluded	Pending
Family Court Intake Matters	520	176	18	8	81	237
Mediation	0	0	0	0	0	0
Social Intervention (CC&PA)	9	7	0	0	2	0
Total	529	183	18	8	83	237

Figure 1a:

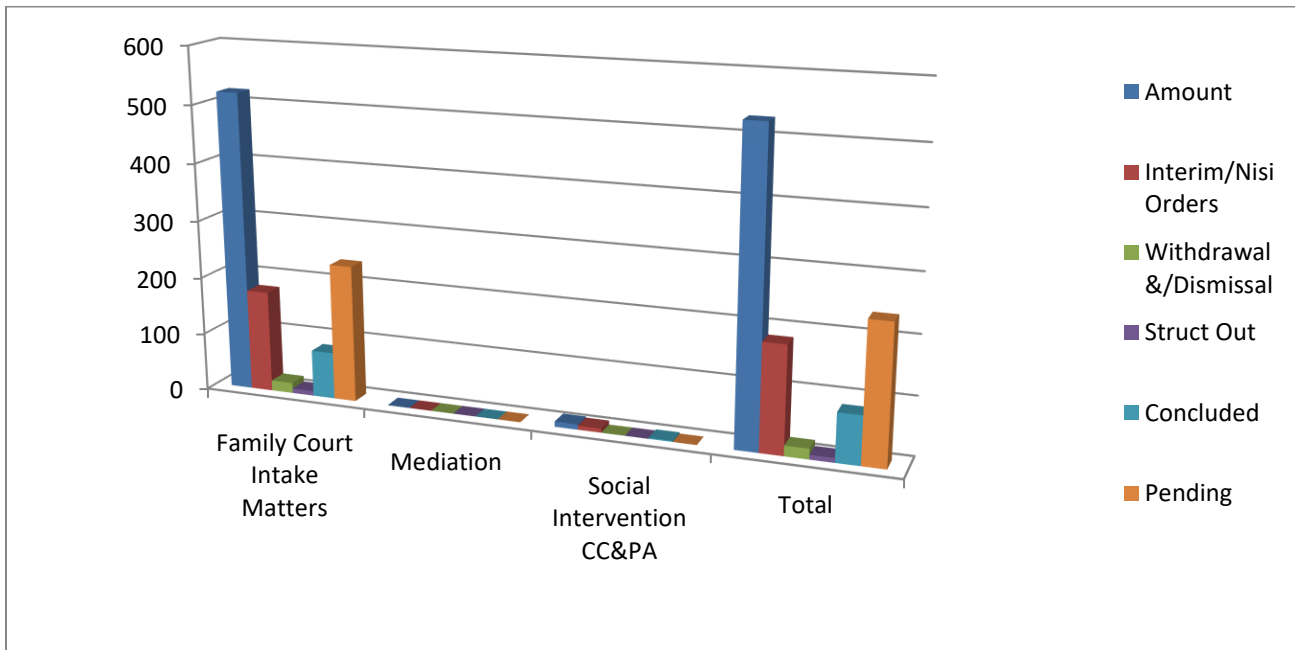


Table 2a & Figure 2b: Shows the contrast between Property and Custody with Access Applications over a period of six (6) months - (June-December, 2016).
 Custody with Maintenance, Custody with Division of

Table 2a:

Intake Matters	Amount	Percentage
Custody with Maintenance	6	40%
Custody with Division of Property	1	6.7%
Custody with Access	8	53.3%
Total	15	100%

Figure 2b:

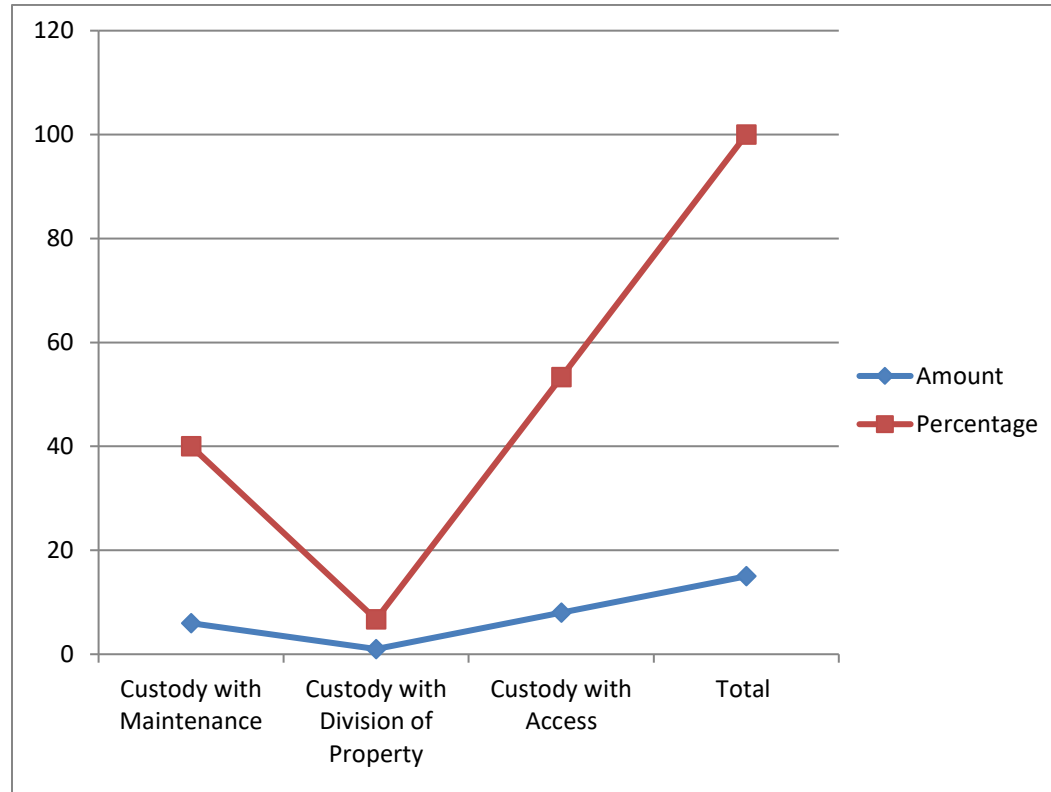


Table 3a & Figure 3b: Show the comparison between Division of Property, and Injunction with Division of Property and maintenance with Division of Property Applications over a period of six (6) months - (June-December, 2016).

Table 3a:

Intake Matters	Amount	Percentage
Division of Property	14	60.9%
Injunction with Division of Property	8	34.8%
Maintenance with Division of property	1	4.3%
Total	23	100%

Figure 3b:

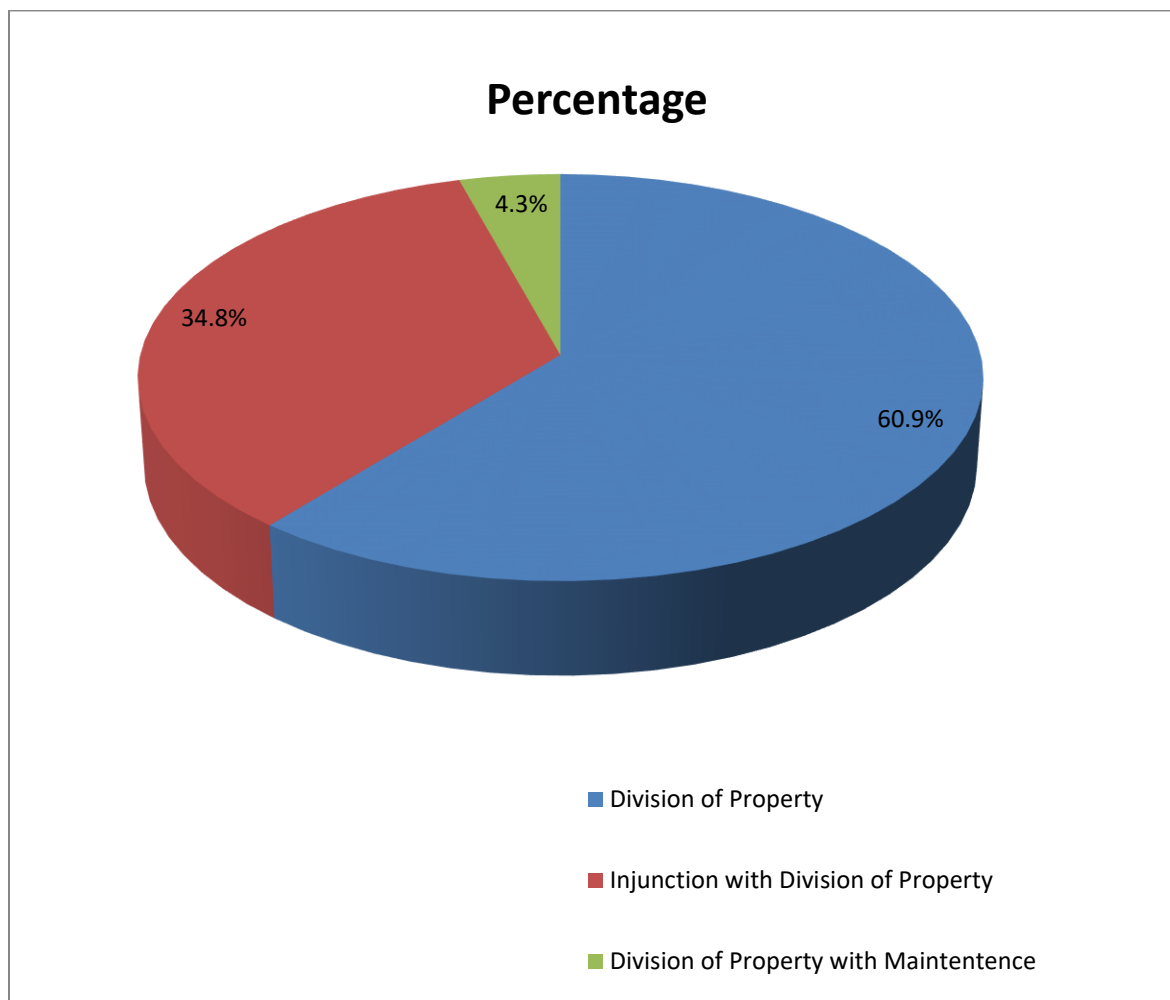


Table 4a & Figure 4b: Show the comparison between Divorce with Custody, Divorce with Maintenance, Divorce with Access, Divorce with Custody and Division of Property, Divorce with maintenance and Division of Property Applications over a period of six (6) months - (June- December, 2016).

Table 4a:

Intake Matters	Amount	Percentage
Divorce with Custody	18	41.9%
Divorce with Maintenance	3	7%
Divorce with Access	4	9.3%
Divorce with Division of Property	2	4.7%
Divorce with Custody & Division of Property	2	4.7%
Divorce with maintenance & Division of Property	14	32.6%
Total	43	100%

Figure 4b:

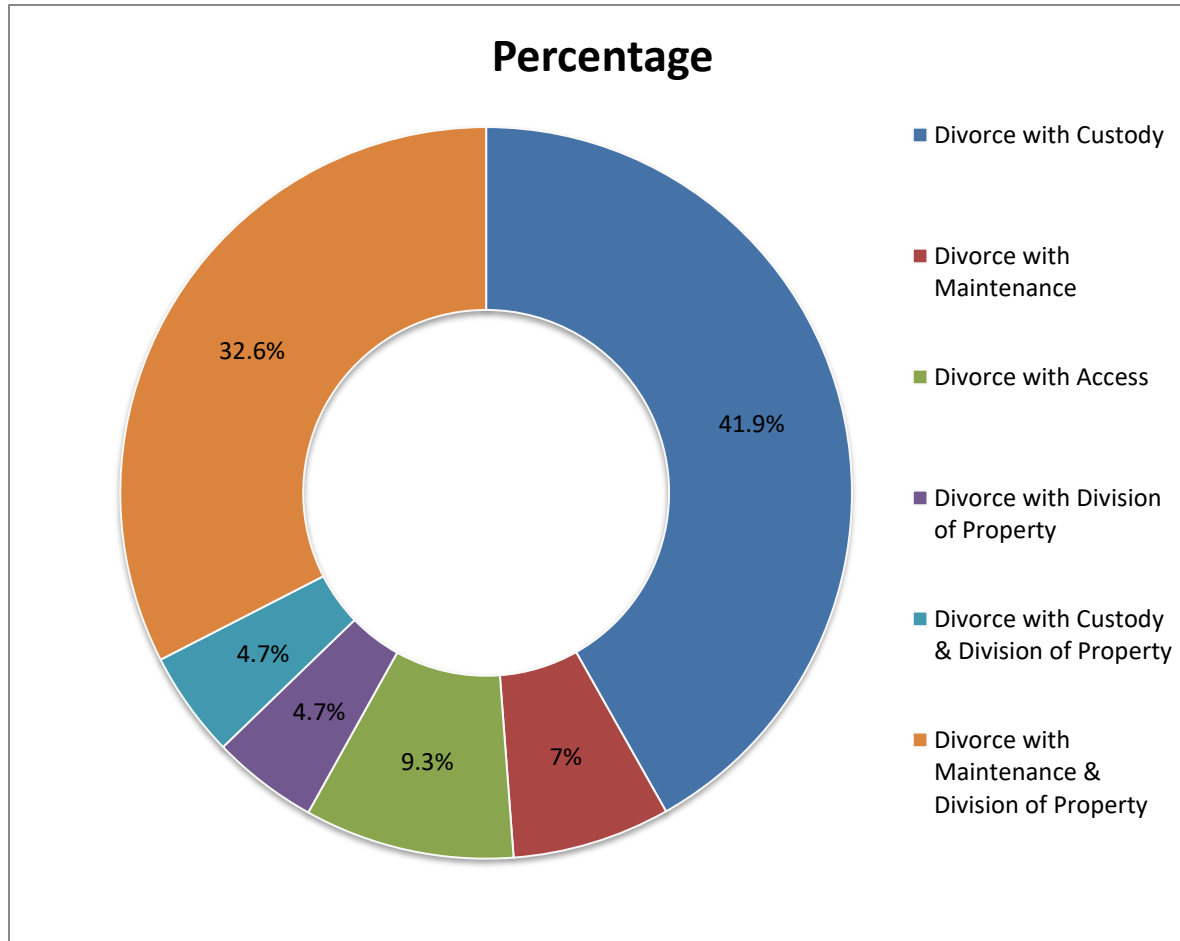


Table 5a & Figure 5b: Show the comparison between only Divorce, Custody, maintenance, Access and Guardianship Applications over period of six (6) months (June-December, 2016).

Table 5a:

Intake Matters	Amount	Percentage
Divorce	413	92.2%
Custody	27	6.0%
Maintenance	3	0.7%
Access	1	0.2%
Guardianship	4	0.9%
Total	448	100%

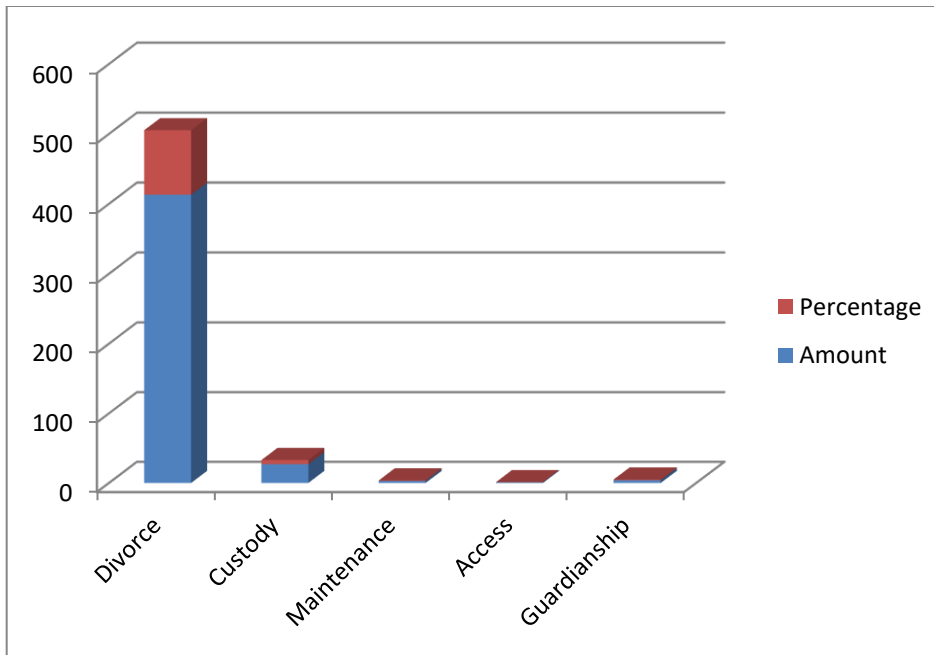


Figure 5b:

FAMILY COURT CHILD CARE FACILITY



Figures 6a & 6b: Show the number of children accessing the Child Care Facilities during the past six (6) months period - (June-December, 2016).

Figure 6a:

Source of referral	Number of Children Accessing Child Care Facilities
Court Referral	16
CC & PA Cases	12
Total	28

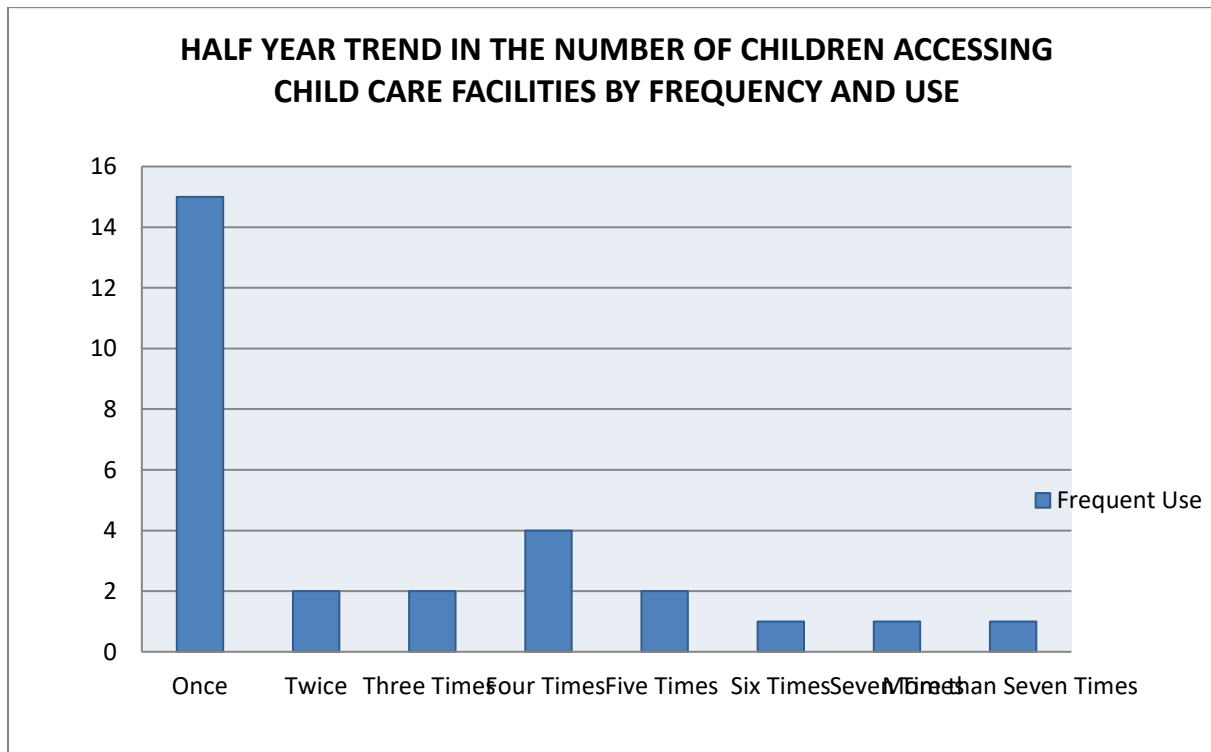


Figure 6 b:

Land Court

COMMISSIONERS OF TITLE



Ms. Melisa Robertson



Ms. Nicola Pierre



Mrs. Priscilla Chandra-Haniff

LAND REGISTRATION was instituted in Guyana in 1959 with the passing of the Land Registry Ordinance No.18 of 1959 now incorporated in the **LAND-REGISTRY ACT CHAPTER 5:02** of the Laws of Guyana.

The objects of the Act are as follows: -

- (a) To simplify the Title to land.
- (b) To facilitate dealing therewith and
- (c) To secure indefeasibility of Title to all registered proprietors, except in certain cases specified in the Act.

The Act provides for the establishment of a Court of special jurisdiction to be called a LAND COURT, which shall be a Court of record and shall have a seal. This Court is presided over by a COMMISSIONER OF TITLE who has Jurisdiction in all claims filed under the Land Registration Act.

Section 11 makes provision for the appointment of such number of Commissioners of Title as may be necessary for the purposes of the Act and Section 12 stipulates the qualification of such a person.

There is also a LAND COURT REGISTRY, which performs the administrative functions under the Act. The Registrar of the Supreme Court is the Administrative Head of this Department.

JURISDICTION:

The Land Court Registry deals with nature the following matters:-

- (1) Declaration of Title Petitions filed under the Title to Land (Prescription and Limitation) Act Chapter 60:02 assigned by the Honourable Chief Justice to the Commissioner of Title for hearing and determination.
- (2) Summons/ Applications for registration of Title brought under Section 35 of the Deeds Registry Act Chapter 5:01 that have been assigned as at (1) above.
- (3) Land Registration Applications that are filed in the Land Registry for registration of Title brought under the Land Registry Act Chapter 5:02.

This includes Applications such as: -

- (a) Applications under First Registration vide Sections 18-31.
- (b) Applications under Section 79 of the Act and
- (c) Applications under Section 107 of the Act.

KEY OBJECTIVES

- 1. To ensure that Justice is served.
- 2. To maintain a standard of effectiveness and efficiency within the Land Court.
- 3. To assist the High Court with hearings and determination of Declaration of Title Petitions.
- 4. To assist the High Court with hearings and determination of Summons or Applications for

registration of Title under the Deeds Registry Act (Chapter 5:01-Section 35).

- 5. To provide the machinery for the acquisition of Certificate of Title to lands situated in Land Registration Areas as set out in the Land Registry Act Chapter 5:02.

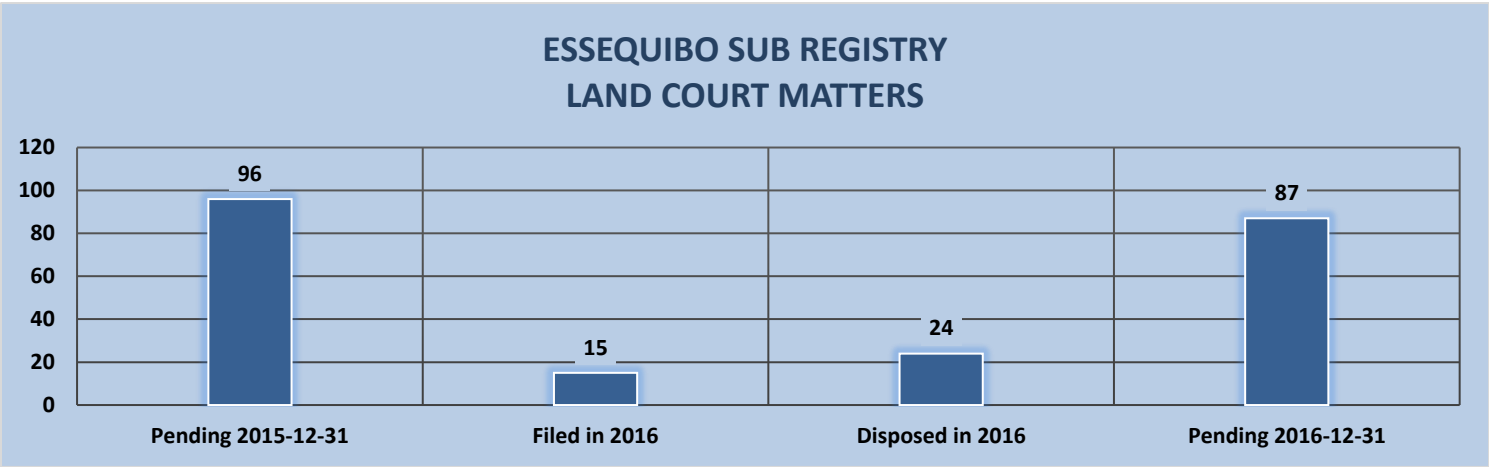
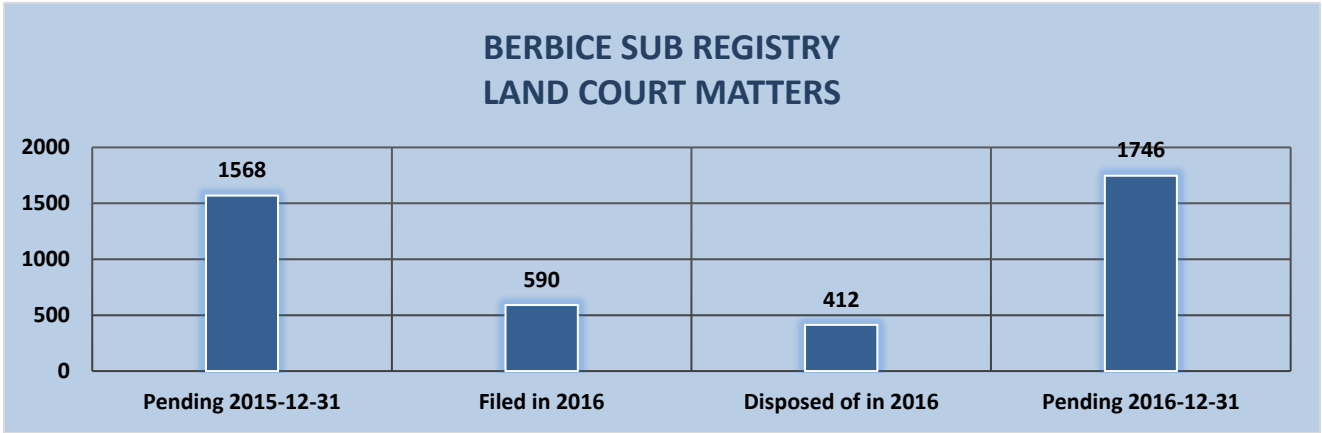
The Land Court functions in Georgetown in the Ombudsman's Building at Brickdam and at the Sub-registry in New Amsterdam. It is presided over by two Commissioners of Title in Georgetown and one in New Amsterdam. A Commissioner of Title from Georgetown travels periodically to Essequibo to hear the Land Court matters coming out of the Sub-registry.

DECLARATION OF TITLE PETITIONS CASEBOARD

D.O.T Petitions	Total D.O.T Petition Received For 2016	Total D.O.T Awaiting Date for Hearing	D.O.T Petition Granted	D.O.T Part Heard	Trials	Decision	D.O.T Settled	Dismiss for want Of Prosecutor	Withdrawn & Discontinue	Dismissed	Taken off List	Sine Die	Struck Out
Unopposed D.O.T Petition	633	249	105	133	-	-	-	7	36	9	13	-	3
Opposed D.O.T Petition	12	68	13	-	64	22	1	6	7	21	4	-	1

LAND REGISTRATION OF TITLE APPLICATIONS CASEBOARD

Land Registration	Total Land Registration Application Received For 2016	Total Land Registration Application for hearing	Land Registration Application Granted	Part Heard L.R	1 Year Publication	Withdrawn & Discontinue	Dismissed	Struck out	Sine Die	Taken Off List	Trial
Section 107	24	78	20	42	-	6	15	1	2	5	5
First Registration	61	67	15	44	-	9	6	-	1	-	-
Section 79	-	-	-	1	-	-	-	-	-	-	-



THE PROBATE SECTION

The Probate Section is called the Estate's Division and deals with Letters of Administration, Probates, Wills, Caveats, Citations and Affidavits verifying accounts.

OBJECTIVES OF THE PROBATE SECTION

The main objective of Probate Section is to process applications for, and issue the orders granted by the Chief Justice to applicants for grants of Probate and Letters of Administration to enable them to administer the estate of deceased persons according to law.

FUNCTIONS OF THE PROBATE SECTION

1. Processing applications for Probating of Wills and Letters of Administration.
2. Receiving and keeping Wills for safe keeping.
3. Accepting and keeping proper record of Caveats to ensure that nothing is done to the estate of the deceased persons without the knowledge of persons concerned.
4. Preparing certificates for grant of Probate and Letters of Administration.
5. Recalling grants that were already given off to lawyers and applicants by way of Citation.
6. Entering on the date base and scanning all estates filed daily and also entering wills that deposit for safe keeping on the data base.
7. Issuing certified copies of Letters of Administration, Probate, Wills and Statement of Assets and Liabilities.
8. The Probate Section also keep and maintain Registers and other books with respect to its functions.
9. All concluded estates are bound into volumes and stored in the Vault maintained for that purpose.
10. The Probate Section Staff process all Estates filed in Berbice and Essequibo and prepare the grant of Probate and Letters of Administration to be issued in Berbice and Essequibo.

TABLE SHOWING STATUS OF MATTERS FILED IN THE PROBATE SECTION 2016

		Applicat ion For Probate	Applicatio n For Letters of Administr ation	Re- Seali ng Of Gran t	Estates Withdra wn	Wills	Cavea ts	Citatio ns	Affidav its Verifi ng Accoun ts
Georgeto wn	Filed in 2016	369	729	10	-	885	150	25	-
Georgeto wn	Dispos ed at 2016- 12-31	219	332	8	32	42	70	13	-
Georgeto wn	Pendi ng at 2016- 12-31	150	397	2	-	843	80	12	-

An analysis of this information shows that: -

(a) One thousand one hundred and eight (1108) applications for Letters of Administration, Probate and Re-sealing of grant were filed for 2016. Of that amount (559) five hundred and fifty nine estates were granted and given over to Attorneys-at-Law, making a total of (549) five hundred and forty nine estates pending at 31st December, 2016. Of that (549) five hundred and forty nine estates pending, thirty two (32) estates were withdrawn leaving a total of (517) five hundred and seventeen still pending at 31st December, 2016.

These estates pending are defective for various reasons and notices were sent out to applicants and Attorneys-at-Law to have them rectified.

- (b) Eight hundred and eighty five wills were deposited in 2016. Of that amount (42) forty two wills were uplifted in 2016 and a total of (843) eight hundred and forty three wills pending at 31st December, 2016 for safe keeping.
- (c) One hundred and fifty (150) caveats were filed in 2016. Of that amount (70) caveats expired in 2016 leaving an amount of (80) eighty caveats still in force at 31st December, 2016.
- (d) Twenty five (25) citations were filed in 2016. Of that amount (13) citations were issued in 2016 and (12) citations are pending at 31st December, 2016.
- (f) No affidavit verifying accounts were filed in 2016.

STATUS OF PROBATE MATTERS 2016-BERBICE

	Application for Probate	Application for Letters of Administration	Re- Sealing of Grant	Wills Deposited	Caveats Entered	Total
Pending at 2015/12/31	165	369	1	1731	12	2278
Filed in 2016	53	167	NIL	269	14	503
Disposed of in 2016	23	94	NIL	10	7	134
Pending at 2016/12/31	195	442	1	1990	19	2647

The Full Court

The Full Court of the High Court is the appellate jurisdiction of the High Court and sits in Georgetown and New Amsterdam, Barbice.

In 2016, one hundred and thirteen (113) matters were filed in total to the Supreme Court Georgetown Registry for the appellate jurisdiction of the High Court, thirty four (4) in the Barbice Sub-Registry and none from the Essequibo Sub-Registry.

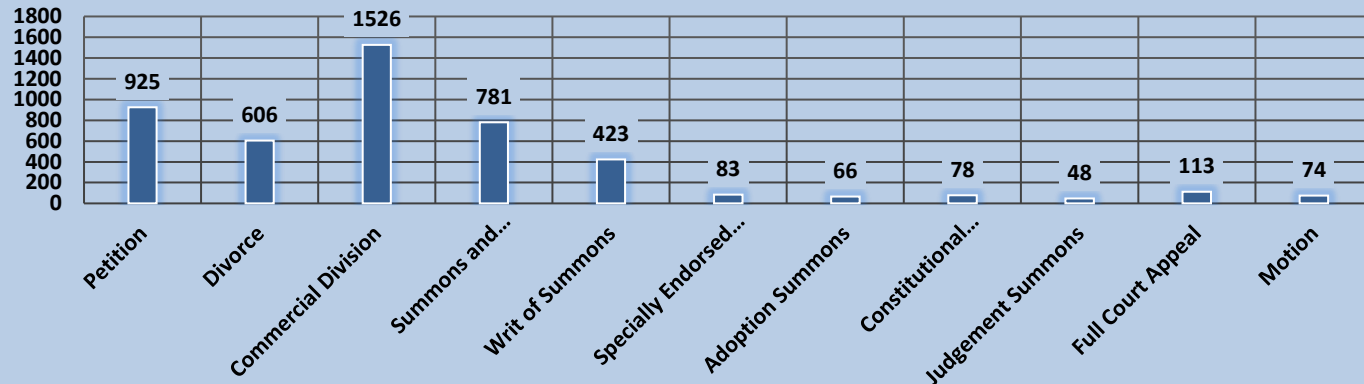
STATUS OF FULL COURT MATTERS IN GEORGETOWN 2016

Matters filed	113
Matters disposed	37

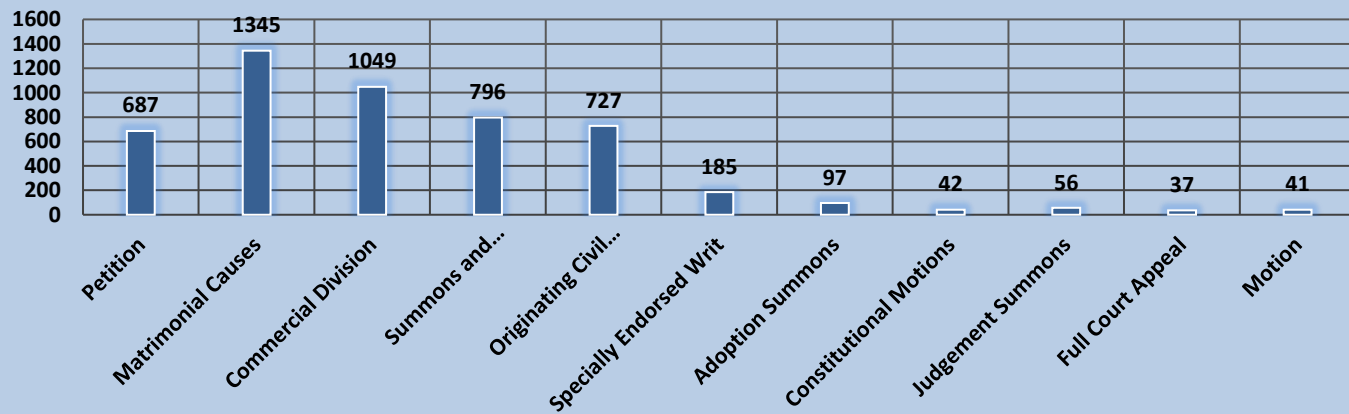
STATUS OF FULL COURT MATTERS IN BERBICE 2016

	CRIMINAL	CIVIL
Pending at 2015/12/31	11	87
Filed in 2016	27	7
Disposed of in 2016	8	0
Pending at 2016/12/31	30	94

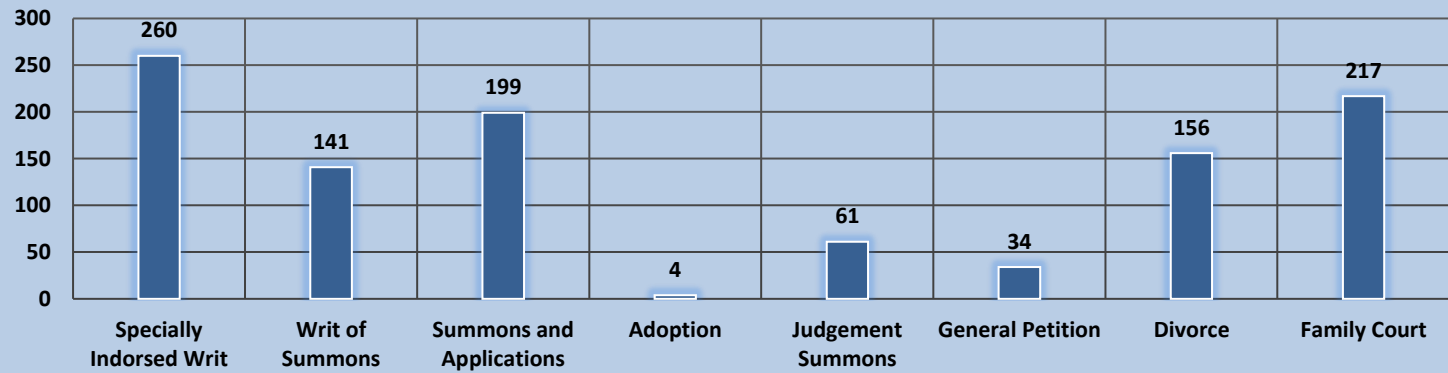
SUPREME COURT REGISTRY MATTERS FILED IN THE YEAR 2016



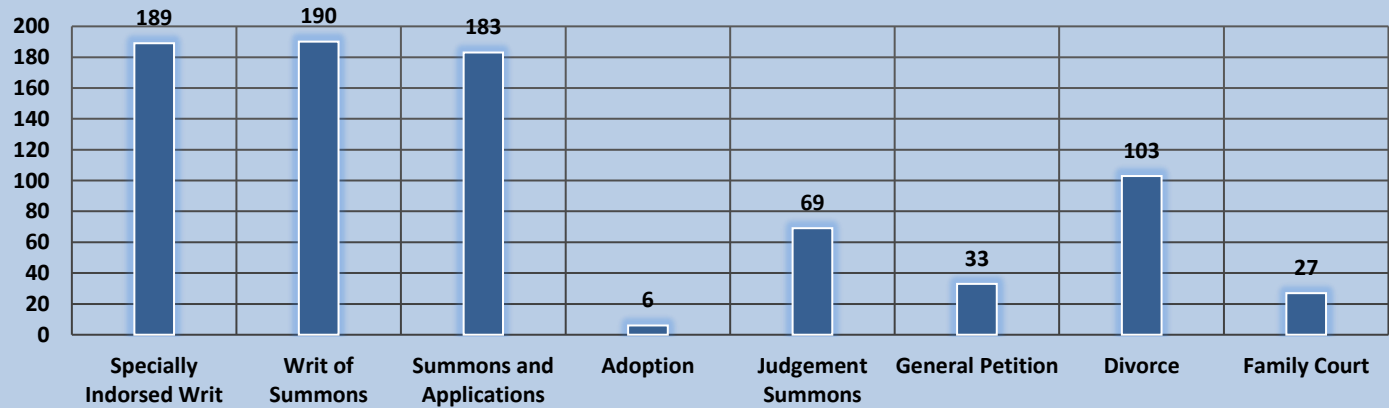
SUPREME COURT REGISTRY MATTERS COMPLETED AT THE END OF THE YEAR 2016



BERBICE SUB REGISTRY CIVIL MATTERS FILED IN 2016



BERBICE SUB REGISTRY CIVIL MATTERS COMPLETED AT THE END OF 2016



ESSEQUIBO SUB REGISTRY CIVIL MATTERS

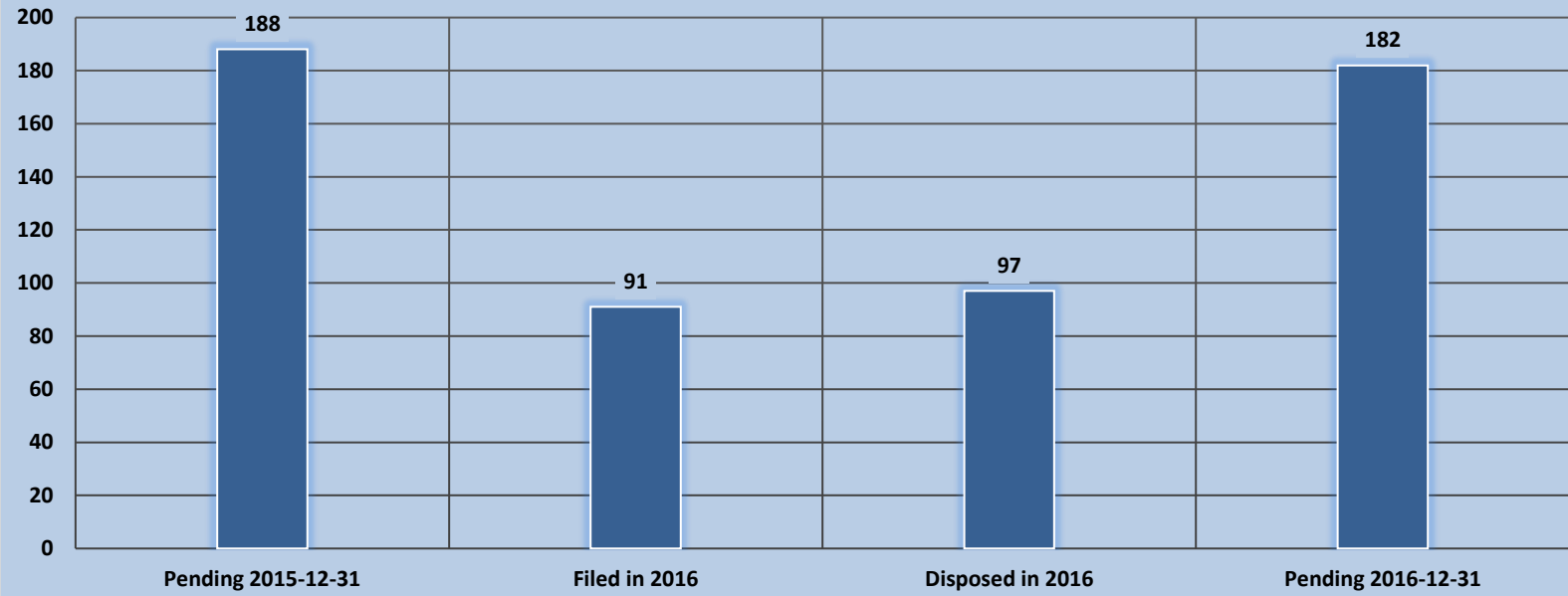


TABLE 6 MARSHALS' SECTION MATTERS

Districts	Status	WRIT OF SUMMONS	Specially Indorsed Writ	Summons & Applications	General Petitions, Notices, Citations	Di- vorce	Judge- ment Summons	Wit- ness Citation	Inter- Pleaders	Notice Of Motion	Writ Of Possession	Order Of Court	Levy	Total
G/town	Pending at 2016-01-01	165	701	371	321	737		77	6		21			2399
NA Sub-Reg		67	163	84	27	224	39	108	1	5	3	4		725
Esseq Sub-Reg		17	6	8	4	1				1		3		52
G/town	Filed in 2016-01 Jan-31 st Dec	504	1608	706	703	523	172	123	6	142	24	527	282	5320
NA Sub-Reg		88	129	43	12	87	27	16		10		20		432
Esseq Sub-Reg		12	19	12	16	18	7	5				5		94
G/town	Disposed in 2016-01 ST Jan-31 st Dec	469	1214	731	643	472	138	106	10	129	20	432	120	4484
NA Sub-Reg		125	211	70	13	80	28	16	1	15		17		576
Esseq Sub-Reg		9	17	10	19	15	6	3		1		7		87
G/town	Pending at 2017-01-01	200	1095	346	381	788	34	94	2	13	25	95	162	3235
NA Sub-Reg		30	81	57	26	231	38	108			3	7		581
Esseq Sub-Reg		20	8	9	1	16	2	2				1		59

TABLE 7 MARSHALS' SECTION MATTERS FAMILY COURT-DIVISION

Districts	Status	Form 1	Form 2	Form 3	Form 4	Form 5	Form 6	Form 7	Form 8	Form 9	Form 10	Form 11	Form 12	Form 13	Form 14	Order of Court	Notice of Directions hearing	Total
G/town	Pending at 2015-01-01																	
NA Sub-Reg																		
Essex Sub-Reg																		
G/town	Filed in 2016-06 Jun-31 st Dec	323	263	318	285	-	2	33	23	80	60	5	1	1	1	18	50	1463
NA Sub-Reg		89	65	88	86	-	11	8	10	20	11	-	-	-	-	5	-	393
Essex Sub-Reg		6	2	6	6	-	-	1	-	-	-	-	-	-	-	-	-	21
G/town	Disposed in 2016-06 Jun-31 st Dec	306	250	308	282	-	2	26	23	75	51	5	-	1	1	15	50	1395
NA Sub-Reg		85	61	85	80	-	2	8	7	20	11	-	-	-	-	-	3	362
Essex Sub-Reg		13	3	11	9	-	2	1	-	1	1	-	-	-	-	-	-	41
G/town	Pending at 2017-01-01	17	13	10	3	-	-	7	-	5	9	-	1	-	-	3	-	68
NA Sub-Reg		4	4	3	6	-	-	9		3	-		-	-	-	2	-	31
Essex Sub-Reg																		

**Execution Auction Sales held by Registrar of The Supreme Court of Judicature for the
Judicial Year 2016**

Months	Demerara	Berbice	Essequibo	Total
Jan	Nil	Nil	Nil	Nil
Feb	9	3	Nil	12
Mar	11	3	Nil	14
Apr	8	Nil	Nil	8
May	Nil	Nil	Nil	Nil
Jun	16	4	Nil	20
Jul	15	Nil	Nil	15
Aug	Nil	3	1	4
Sep	9	6	2	17
Oct	Nil	Nil	Nil	Nil
Nov	6	Nil	Nil	6
Dec	10	1	Nil	11
Total	84	20	3	107

COURT CONNECTED MEDIATION



Mr. Colin Chichester, Mediation Coordinator



The Mediation Centre

Overview

The Mediation Centre Guyana is annexed to the Supreme Court and provides an Alternative Dispute Resolution mechanism in the form of mediation to the members of the public. It offers an opportunity to resolve conflicts that engage the attention of the High Court in its civil jurisdiction in a less formal, user-friendly environment.

Mediation is solution-oriented in that all parties involved contribute directly to the final agreement. It allows all

parties to address underlying issues that may otherwise be lost in that dispute.

How it works

The cases are first examined by the Court and referred to the Mediation centre. The lawyers representing the respective parties must agree on a mediator from a list of pre-qualified mediators maintained at the Centre and the coordinator then schedules a meeting between the mediator, the lawyers and their clients.

A notice is delivered directly to each party indicating when and where the session will take place. The usual time limit set for a mediation session is three (3) hours, although the process can sometimes take much longer.

At the beginning of the mediation process, all parties, including the mediator, must sign an agreement and based on the final consensus of the

parties in the dispute, a corresponding order of court is made at the end of the process.

General Comments

We are constrained to comment that, quite unsatisfactorily, the procedural issues previously ventilated continue to negatively affect the effectiveness of the centre.

Concerns continue to be raised by the stakeholders about the seemingly significant delay between the conclusion of a case, where agreement was reached and the issuing of the order of court. These concerns should be urgently investigated and if proven valid, appropriate corrective actions taken to regularize same.

Concerns have also been expressed about the delay between matters being referred for mediation to when they actually arrive at the mediation centre. This seems to suggest that some of the clerks (working with the judges) are not entirely familiar with the system. This situation should be urgently addressed so as to avoid unnecessary delays in the process.

The Mediation Centre has outgrown its current location and as such urgent attention should be given towards either relocation or expansion.

The situation becomes even more critical, given the impending implementation of the Civil Procedure Rules 2106 (CPR 2016) which will result in a significant increase in the amount of matters being referred for mediation.

The following data represents the analysis of the usage and work of the mediation centre in 2016.

1. No. of matters referred 106

No. Judge directed	105
No. Attorney /client directed	1

From Chief Justice	34
From Justice D. Gregory – Barnes	2
From Justice R. Persaud	7
From Justice R. George	17
From Justice B. Reynolds	15
From Justice F. Holder	4
From Justice D. Insanally	3

From Justice N. Singh	3
From Court of Appeal	4
From Justice A. Beharry	6
From Justice N. Harnanan	10

2 No. of Referral notices sent 106

No. of cases returned to Judicial Officer due to
inability to locate attorney/s/client/ s -

3. No of Sessions scheduled (all parties ready) 140

No of matters settled before actual mediation	3
No of matters successfully mediated (agreement reached)	19
No of matters unsuccessfully mediated (matters referred to trial	20
No of matters partially mediated (some issues resolved but case referred to trial)	7

No of matters referred for mediation but subsequently returned for trial in preference to mediation

2

4. Analysis

The records reveal a significant increase in matters referred to mediation for the period under review (**106 as against 31 in 2015**).

The number of matters referred for mediation by litigants/attorney remained constant.

The number of new matters scheduled for mediation increased from 82 to 140, (**scheduling continued to**

pose challenges) whilst the number of matters successfully resolved also increased from **12 to 19**. The number of unresolved matters returned to court increased from **7 to 20**

Payment to Mediators continued as per existing stipulations.

5. No. of actual sessions held per month

MONTH	NUMBER OF SESSIONS
Jan.	11
Feb	12
Mar	13
Apr.	10
May	12
June	14

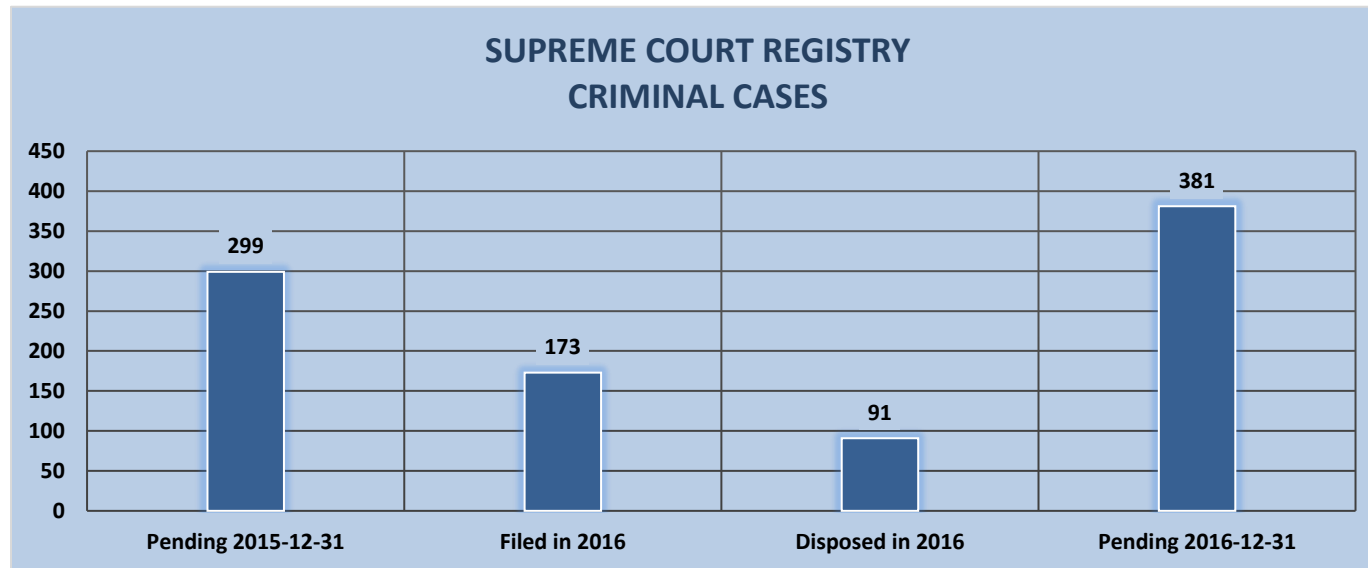
July	14
Aug.	10
Sept.	10
Oct.	14
Nov.	10
Dec.	12

CRIMINAL JURISDICTION

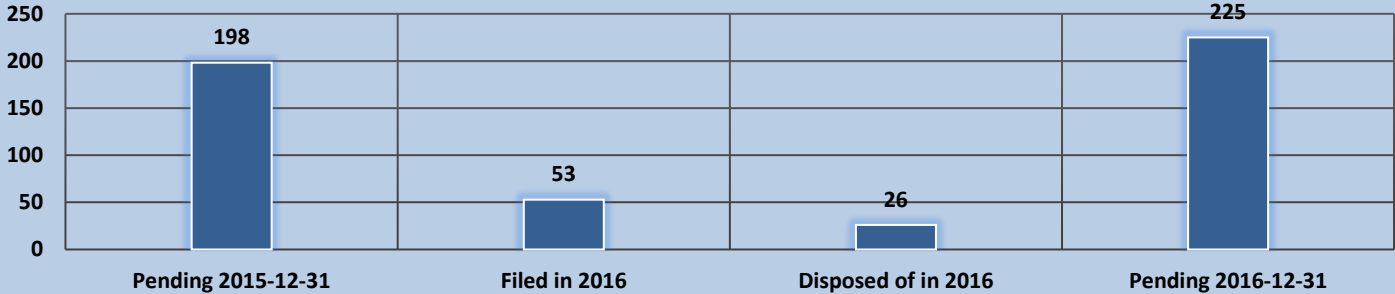
The High Court exercises criminal jurisdiction in matters that are brought before it by way of indictment filed by the Director of Public Prosecutions (DPP). These matters are heard by a single judge sitting with a jury of twelve (12). The Criminal jurisdiction functions in three (3) month periods called assizes or criminal sessions which are presided over by specially assigned criminal judges for the particular session.

Section 27 of the High Court Act Cap 3:02 mandates that the Court hold sittings in the exercise of its criminal jurisdiction every year in each of the counties and expressly states the days for the commencement of such sittings.

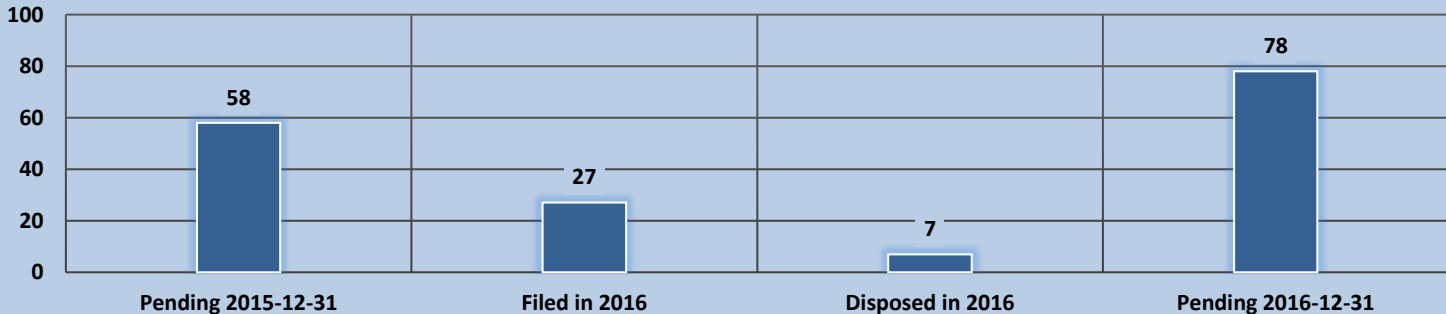
In furtherance of this mandate, there is a ceremonial opening of the criminal sessions four times in each year during which there is a parade and Guard of Honour. A judge takes the salute and inspects a Guard of Honour.



BERBICE SUB REGISTRY CRIMINAL MATTERS



ESSEQUIBO SUB REGISTRY CRIMINAL MATTERS



THE COURT OF APPEAL



The Court of Appeal comprises the Chancellor, who is the head of the Judiciary of Guyana and Chairman of the Judicial Service Commission, and four (4) Justices of Appeal at full strength. The Chief Justice is also an ex officio member of this Court. The Chancellor is the President of the Court of Appeal, which at the end of 2016, was staffed by an Acting Chancellor, the Acting Chief justice, who is a substantive Justice of Appeal and one Justice of Appeal.



**Chancellor of the Judiciary
Carl Singh**



Justice B S Roy



**Justice Yonette
Cummings-Edwards**

THE CARIBBEAN COURT OF JUSTICE

The Caribbean court of Justice (CCJ) is Guyana's final Court of Appeal. Headquartered in Port-of-Spain, Trinidad, Guyana joined the CCJ from its inception in 2005. The Supreme Court Registry has been deemed a Sub-registry of the CCJ and the Registrar a Deputy Registrar of the CCJ. Filing of appeals to the CCJ from Guyana are therefore done at the Supreme Court Registry in Guyana.

In 2016, five (5) matters were filed in our sub-registry for the CCJ in its appellate jurisdiction; there were no matters filed from Guyana to the CCJ in its original jurisdiction.

THE MAGISTRATE'S COURTS

There are eight (8) magisterial districts which are administered through seven Head Offices and are listed hereunder starting easternmost as follows:

- (i) The Corentyne Magisterial District with Head office at Whim.
- (ii) The Berbice Magisterial District with its office at New Amsterdam.

- (iii) The West Berbice Magisterial District with office at Fort Wellington.
- (iv) The East Demerara Magisterial District with Head office at Vigilance.
- (v) Georgetown Magisterial District with Head office in Georgetown
- (vi) The West Demerara Magisterial District with Head office at Vreed-en-Hoop
- (vii) The Essequibo Magisterial District with its Head Office at Suddie.
- (viii) The Northwest Magisterial District which is administered by Georgetown and Essequibo.

These nine Magisterial Districts are currently served by twenty-one (21) Magistrates. The Magistrates' Courts have both criminal and civil jurisdiction. They exercise original jurisdiction in relation to Summary criminal matters. These Courts also conduct Preliminary Inquiries into serious criminal matters to determine whether a case has been established against an accused person sufficient to put them to trial in the High Court. They also conduct trials into indictable matters which

are by election tried summarily by virtue of the provisions of the Summary Jurisdiction (Procedure) Act, cap 10:02 as amended by the Administration of Justice Act, 1978.

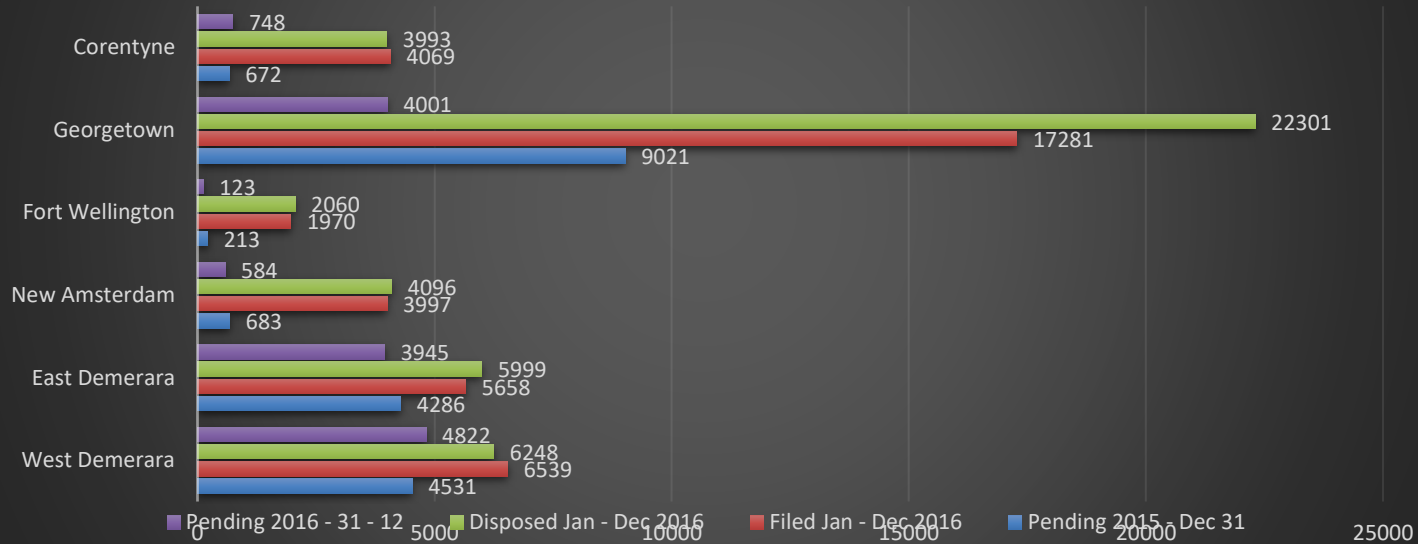
In their civil jurisdiction, Magistrates' courts hear and determine petty debt claims for recovery of any debt or damages where the amount claimed does not exceed one hundred thousand dollars (\$100,000) unless statute dictates otherwise. They also adjudicate claims for rent owed and possession of premises. The

Magistrates' Courts also have jurisdiction to hear applications for assessment of rent.

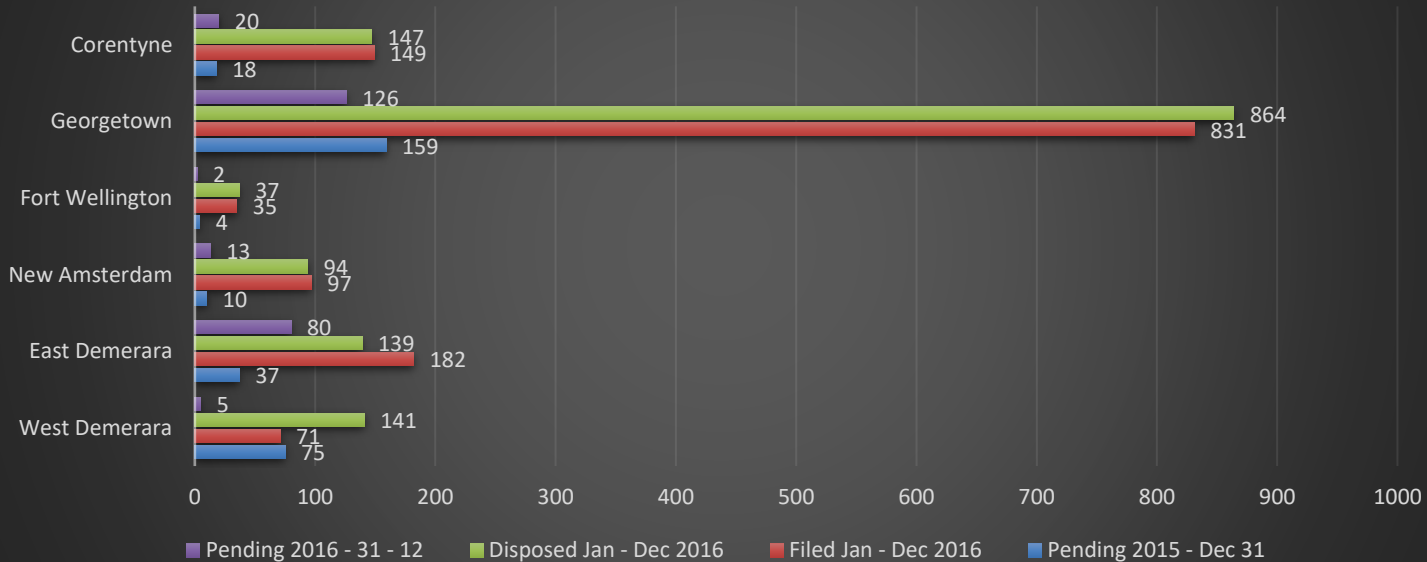
Magistrates also bear the statutory responsibility to sit as Coroners holding Inquests into deaths which occur in circumstances which tend to excite suspicion. They also sit and determine eligibility of applicants to be granted liquor licences as members of the various county Liquor Licensing Boards.

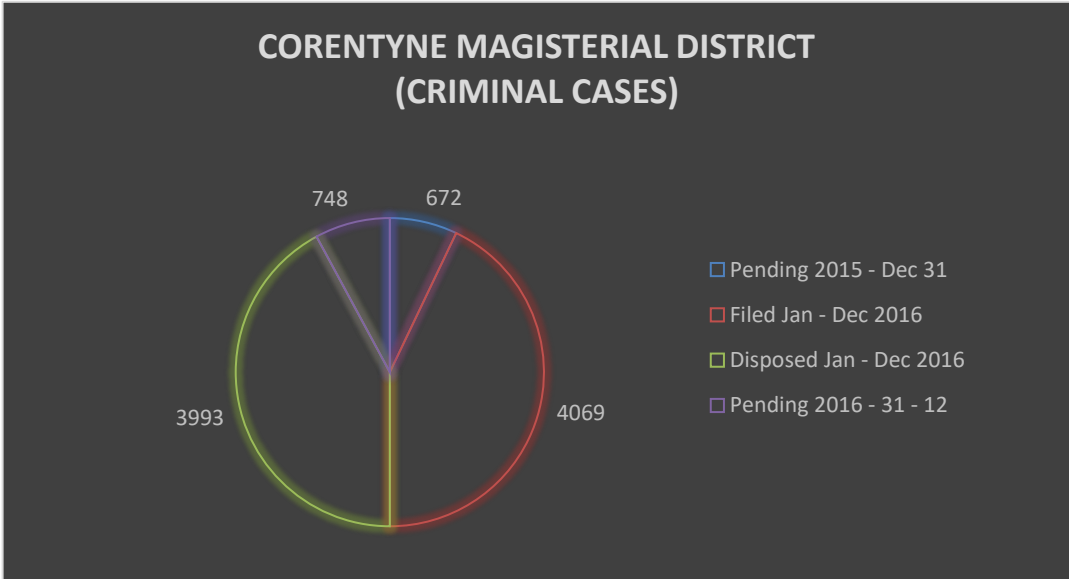
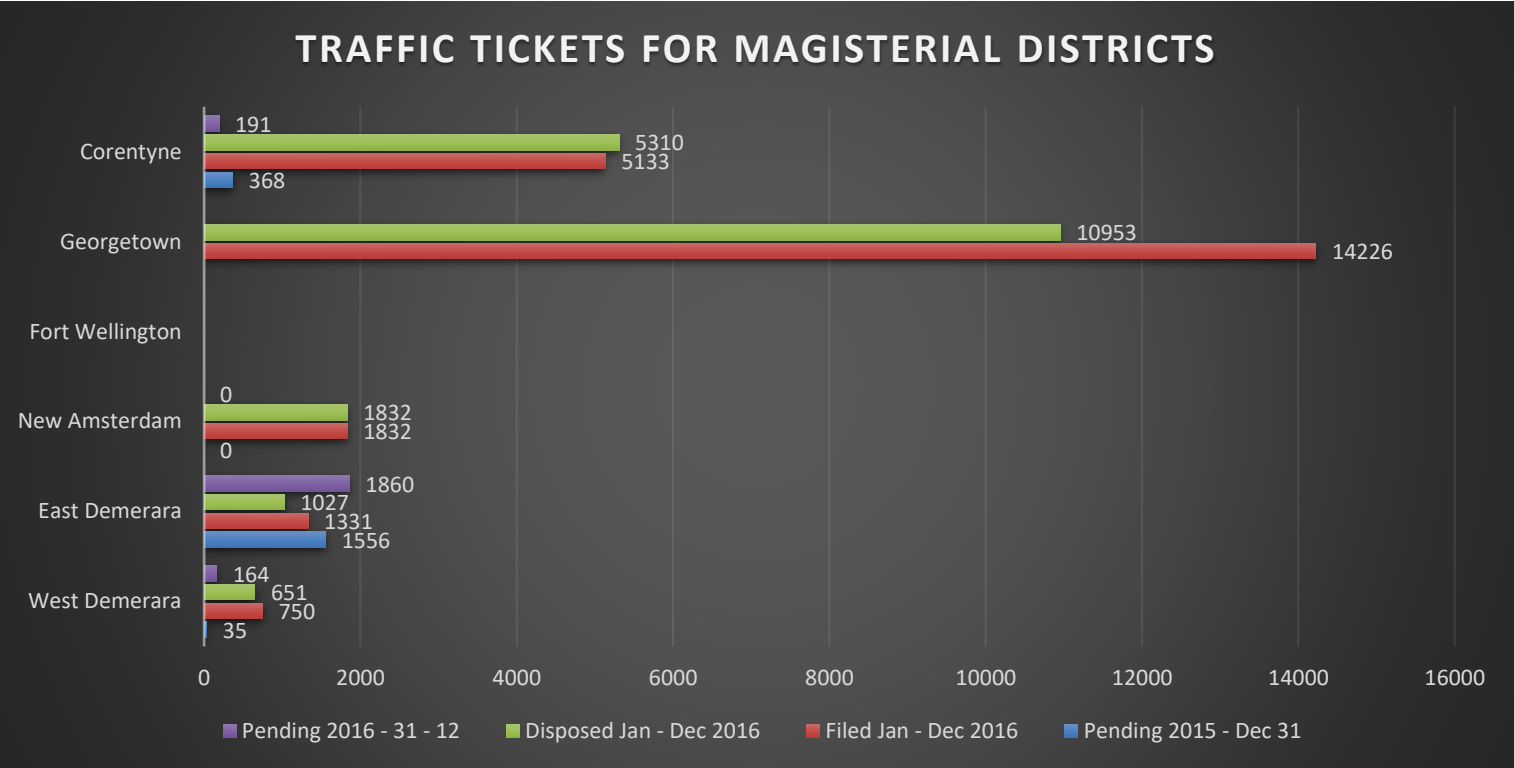
The data set out below show the number of civil and criminal matters filed and disposed of in the various magisterial districts for the period under review.

CRIMINAL CASES FOR MAGISTERIAL DISTRICTS

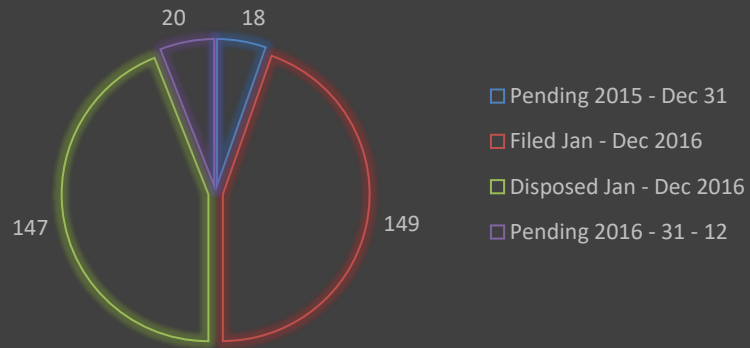


CIVIL CASES FOR MAGISTERIAL DISTRICTS

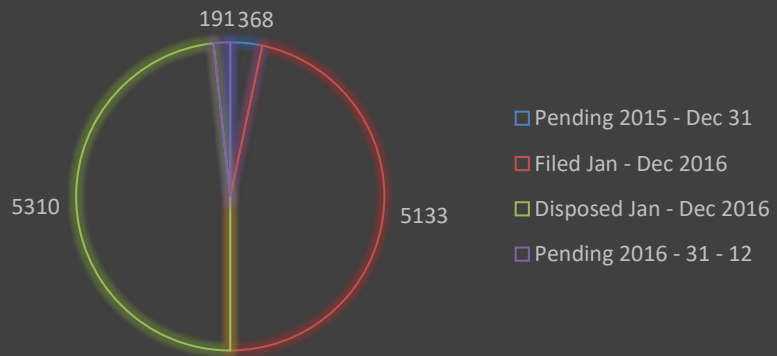




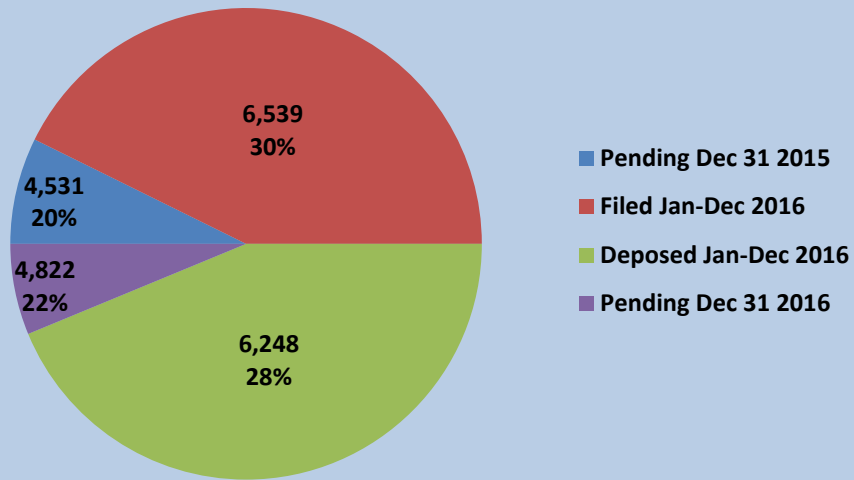
CORENTYNE MAGISTERIAL DISTRICT (CIVIL CASES)



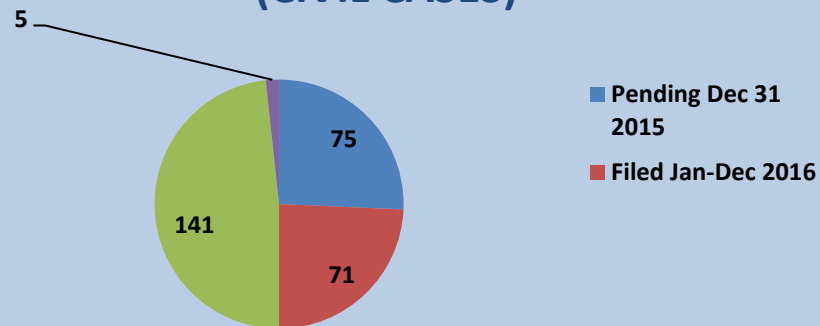
CORENTYNE MAGISTERIAL DISTRICT (TRAFFIC TICKETS)



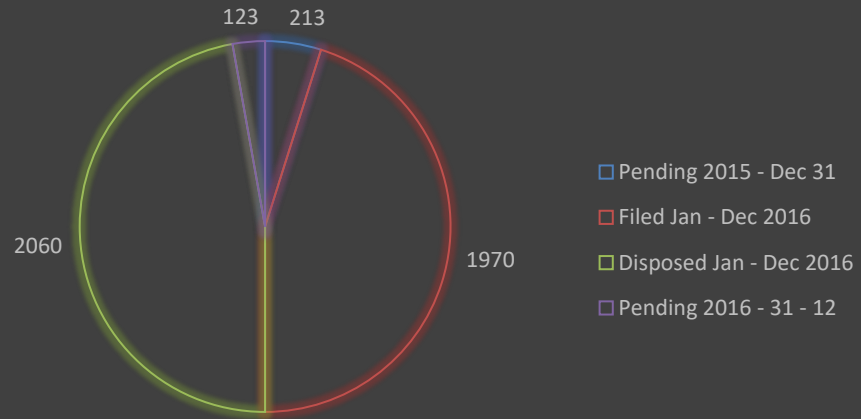
NEW AMSTERDAM MAGISTERIAL DISTRICT (CRIMINAL CASES)



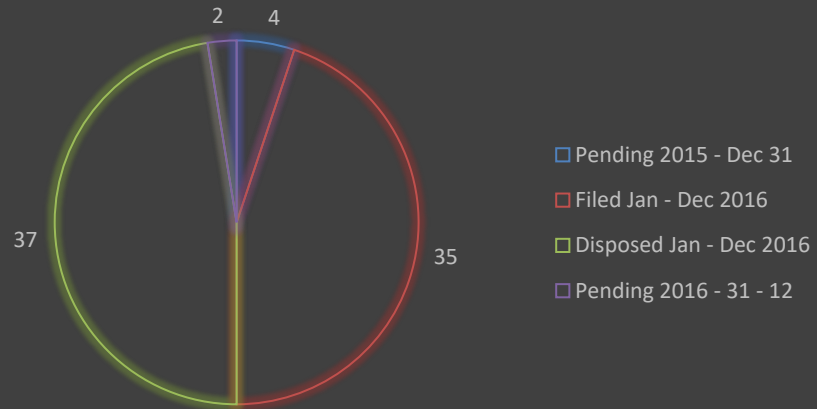
NEW AMSTERDAM MAGISTERIAL DISTRICT (CIVIL CASES)



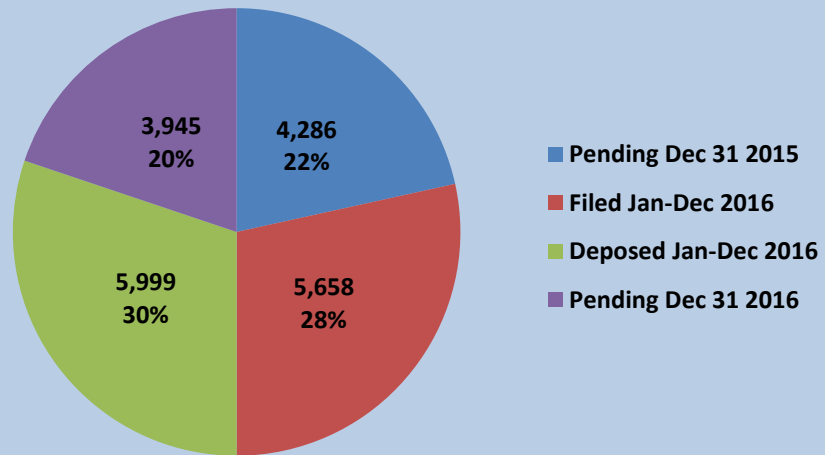
WEST BERBICE MAGISTERIAL DISTRICT (CRIMINAL CASES)



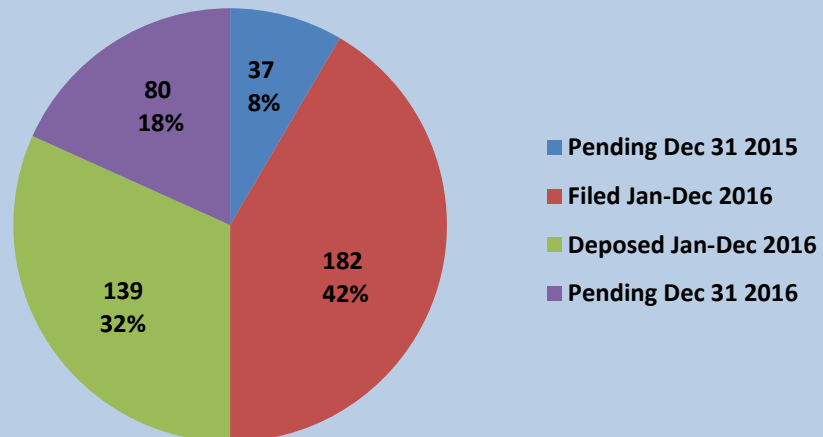
WEST BERBICE MAGISTERIAL DISTRICT (CIVIL CASES)



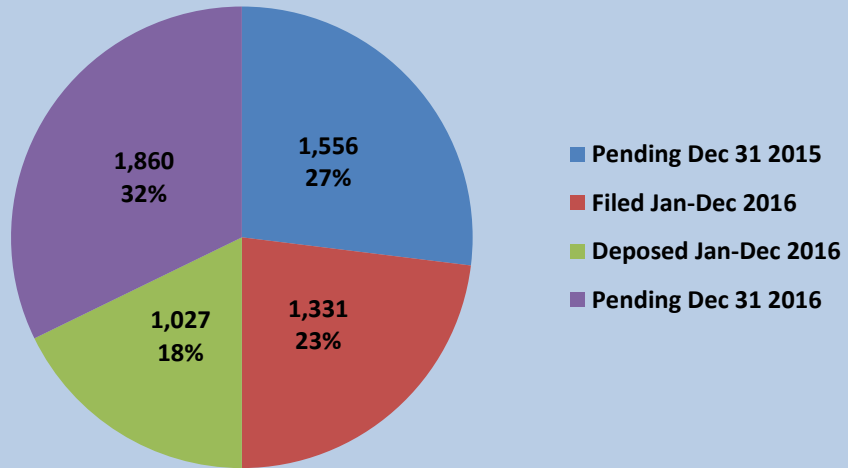
EAST DEMERARA MAGISTERIAL DISTRICT (CRIMINAL CASES)



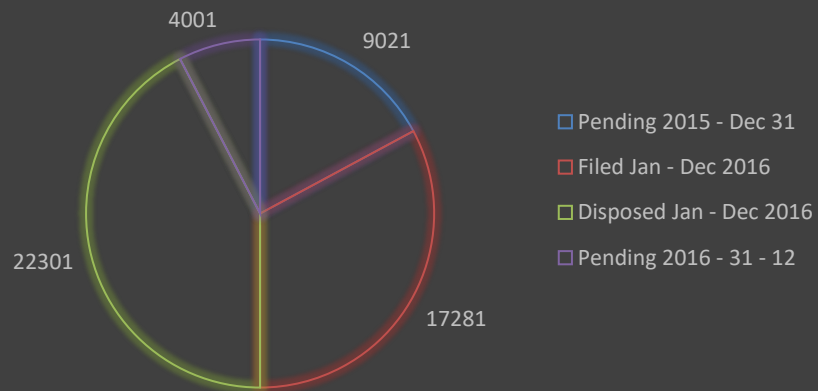
EAST DEMERARA MAGISTERIAL DISTRICT (CIVIL CASES)



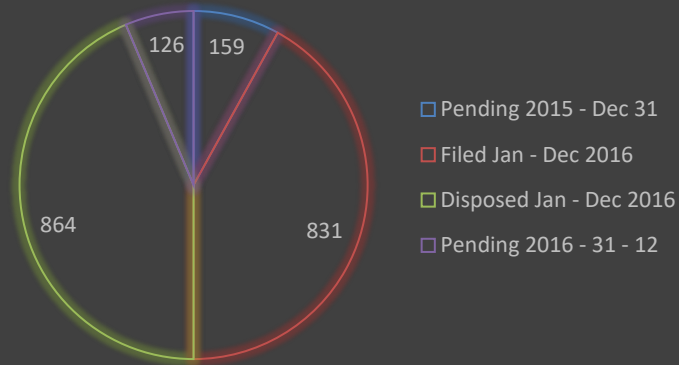
EAST DEMERARA MAGISTERIAL DISTRICT (TRAFFIC TICKETS)



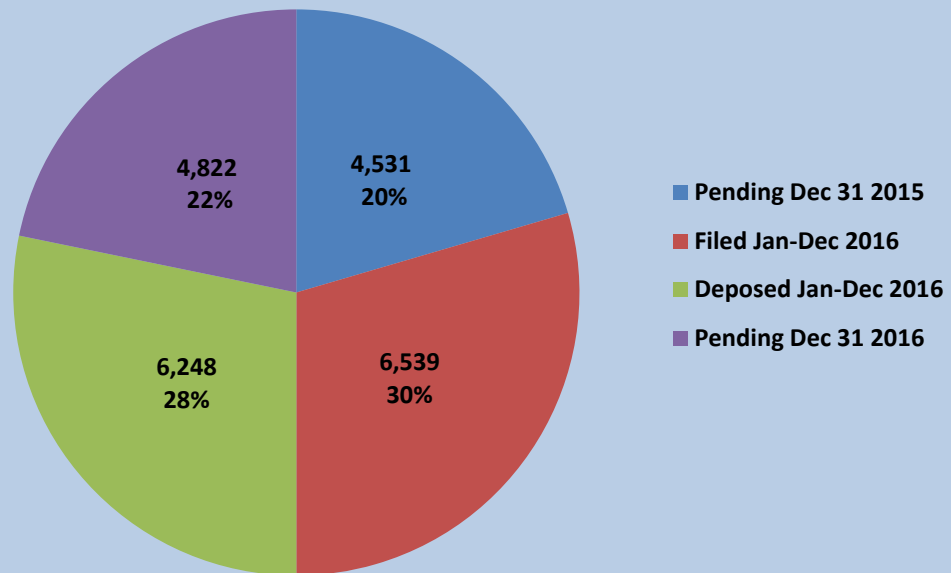
GEORGETOWN MAGISTERIAL DISTRICT (CRIMINAL CASES)



GEORGETOWN MAGISTERIAL DISTRICT (CIVIL CASES)



WEST DEMERARA MAGISTERIAL DISTRICT (CRIMINAL CASES)



THE YEAR IN REVIEW

In the year 2016, the Supreme Court witnessed several progressive accomplishments all of which have worked together to significantly advance the cause of the delivery of justice in a fair, transparent, timely and accountable manner.

THE VERBATIM COURT REPORTING UNIT

The Chancellor of the Judiciary (ag) on April 18th, 2016 established the Verbatim Court Reporting Unit whose duty it is to record court proceedings and generate verbatim transcripts of such proceedings for the benefit of the Court, the judges and parties to those proceedings. This is a pilot project and the staffers of this unit for the year 2016 have been confined to recording and transcribing summings up and Full Court proceedings at the High Court, and the delivery of judgments at the Court of Appeal. The equipment and personnel needed to expand the Unit's operations are not yet available. Nevertheless the Unit has been functioning as envisioned and it is hoped that it will in the near future emerge from its fledgling stage stronger and well equipped to realize the full ambit of its mandate.

NEW LEADERSHIP

Firstly, and very significantly, for several years now, the Supreme Court Registry has been headed by an Acting Registrar who was not an Attorney – at – Law; while at the same time the position of Deputy Registrar remained vacant for an even longer time. In June 2016, for the first time, both of these positions were filled by suitable qualified persons with the result that the administration of justice had been significantly improved.

FAMILY COURT

Further, as mentioned before, 2016 saw the commencement of the operations of the new specialized Family Court Division of the High Court. The Family Court is governed by its own body of rules i.e. The Family Court Rules which provide that the court is to be “Judge-driven” and is fully staffed with 2 Judges as well as all the necessary properly trained support staff in its very own family Court Registry. The procedure has become much more streamlined and in keeping with international standards and practices. This is the first facility of its kind in Guyana.

CIVIL PROCEDURE RULES 2017

Additionally, the New Civil Procedure Rules have been completed and were tabled in Parliament in November, 2016. These Rules have been passed in the National Assembly and are awaiting Practice Direction under the hand of the Chancellor of the Judiciary (ag) in order to become operational. It is expected that this will occur very early in 2017.

These New Civil Procedure Rules will see Guyana coming up to the level of her Caribbean counterparts and the wider of the Commonwealth New Civil Procedure rules are designed to increase efficiency in the courts resulting in reduced backlog and delay in the civil justice system, something that has dogged our judicial process for many years now.

NIGHT COURT

In furtherance of the goal of reducing the overcrowding of the Georgetown Prisons, the Supreme Court administration under the auspices of the Hon. Justice Carl Singh, Chancellor of the Judiciary (ag) has implemented

extra sittings of the Georgetown Magistrate's Court, commonly called the "Night Court".

Five temporary magistrates were appointed to adjudicate in summary jurisdiction matters between the hours of 3 p.m. and 8 p.m. daily, thereby allowing the regular magistrates to concentrate on the more serious indictable offences matters during the hours of 9 a.m. to 2:30 p.m. daily. This project commenced in October, 2016 and is ongoing; it is expected to come to an end in March 2017.

THE COMMONWEALTH MAGISTRATES AND JUDGES CONFERENCE

The Supreme Court of Guyana hosted the Commonwealth Magistrates and Judges Association (CMJA) Conference at the Marriot Hotel from the 18th to 21st September, 2016. Judges and Magistrates from all across the Commonwealth came to Guyana under the theme "The Judiciary as guarantors of the Rule of Law".

The conference attracted a distinguished array of speakers on a diverse spread of topics on the Rule of Law, the

provision of resources for the courts, anti-terrorism legislation and human rights, Environmental Law and Sustainable development.

The conference aimed to promote better understanding among judicial officers of all ranks and from all parts of the Commonwealth, of judicial independence issues and to explore the approach to those issues in different parts of the Commonwealth.

The conference also promoted greater awareness among the magistrates and judges of the Commonwealth, of international treaties and law relating to the development and access to justice and considered the practical

application of that body of law and enhancing networking within the Commonwealth Magistrates and Judges Association. Prime Minister Moses Nagamootoo delivered the keynote address to the conference delegates and special invitees on the opening day of the conference.



The Hon. Chief Justice (ag) and judges of the High Court at CMJA 2016

THE JUDICIAL EDUCATION INSTITUTE

The Honourable Chief Justice (ag) Madame Justice Yonette Cummings-Edwards in this year spearheaded the launch of the Judicial Education Institute (JEI) Guyana. This Institute is the realization of a vision by the Hon. Madame Justice Yonette Cummings-Edwards; a vision to enhance the capacity of our judiciary by having continuing legal education and thereby to enhance the delivery of justice to our nation.

The Judicial Education Institute Guyana is intended to provide critical support to the judges, commissioners of title, magistrates, registrars and registry staff by making continuous, formalized training readily available and accessible to them so that together, we may see the elevation of the standard and quality of output from our judicial system.

It is hoped, that this will be but the first step, in a long journey to greater things as we partner with professionals and educational organisations at home and abroad to deliver continuing judicial education at every level of the judicial system.

THE FIRST ANNUAL JUDICIAL CONFERENCE

One of the first initiatives of the JEI was the organization and successful hosting of the Annual Judicial Conference at Aruwai Resort on the Essequibo River, held from 25-27 November, 2017. The theme of the conference was “A Competent, Independent and Impartial Judiciary, Upholding the Constitution and the Rule of Law”.

The Conference was attended by the judges of the Court of Appeal and the High Court, the Chief Justice (ag), the Chancellor (ag) and the Registrar of the Supreme Court. Presentations were made by the Honourable Mr. Justice Carl Singh, OR, CCH, Chancellor of the Judiciary, Madame Justice Yonette Cummings-Edwards, Justices Dawn Gregory and Nareshwar Harnanan as well as from renowned clinical Psychologist Dr. Diane Douglas and Dr. Jeremy Bisram from Trinidad and Tobago who conducted well-received sessions on work/life balance.



Day 2 of the Conference, Mdme. Justice Cummings- Edwards and judges pay rapt attention.

SPECIAL FULL COURT SITTINGS

There has been a tradition in the Supreme Court of Guyana to hold a special sitting of the court to honour the memory of judges and attorneys who have passed away. This practice had however fallen into disuse in recent years.

Madame Justice Cummings-Edwards, Chief Justice (ag) reinstated the tradition, and in the latter half of 2016, there were Special Sittings of the Full Court of the Supreme Court of Judicature to pay respect to the memories of two deceased retired judges, several attorneys-at-law as well as the former Acting Registrar of the High Court.

TRAINING

During the year 2016, the Supreme Court expended the sum of three million, six hundred and thirteen thousand,

nine hundred and fifty four dollars (\$3,613,954) for conducting several trainings for Judges, Magistrates and staff in the following areas:

- Family Court Rules
- Legal seminars for Judges and Magistrates
- Professional Staff Development
- Civil Procedure Rules 2016

This is testimony to the dedication that the Supreme Court administration has to investing in continuous training and development of our staff and the members of the judiciary in pursuit of our mission.

**PROFESSIONAL STAFF DEVELOPMENT
SEMINAR, NOVEMBER 2016**



NEW APPOINTMENTS

Registrar, Mrs. Sueanna Lovell

Mrs. Sueanna Lovell was appointed Registrar of the Supreme Court on June 1st 2016. Mrs. Lovell was admitted to the Bar as an Attorney-at-Law in October, 2002. She served in the Chambers of the Attorney General as State Counsel for seven (7) years before being appointed a magistrate.

Mrs. Lovell held the position of magistrate for six (6) years. During her tenure, presided various magistrates courts the last being Mahaica and Mahaicony in the East Demerara Magisterial District.

Mrs. Lovell brings a wealth of legal acumen and a high degree of competence to the position of Registrar of the Supreme Court. We look forward to working with her to meet our goals and realize our mission.



Deputy Registrar, Ms. Alicia Lowenfield

Ms. Alicia Lowenfield was called to the Bar in Guyana in October 2006. She thereafter practiced at the Attorney General Chambers from 2006 to 2007. She migrated to the Bahamas and practiced as a Registered Associate to a Private Law Firm from 2007-2009. Ms. Lowenfield then moved to Trinidad in 2009 and was called to the Bar in Trinidad and Tobago in October, 2009. Upon her call to the bar she became a Judicial Research Counsel to the Judges of the Court of Appeal and High Court of Trinidad and Tobago. She worked in this position for six years.

Ms. Lowenfield remigrated to Guyana in 2016 and was appointed Deputy Registrar of the Supreme Court in June, 2016.



RETIREMENT

The Hon. Mr Justice Ian Chang, S.C –Chief Justice (ag)

Mr. Justice Ian Chang, S.C. who acted in the position as Chief Justice retired in February 2016. Justice Chang was appointed to this post in 2000. Justice Chang was a substantive Justice of Appeal who answered the call to perform the duties of Chief Justice and he did so with distinction for over 8 years.

Chief Justice Chang was responsible for some of the most thought-provoking and erudite judgements in our recent history. The judiciary is certainly poorer for having lost this outstanding legal mind from among its ranks. We wish him well in his retirement.



Supreme Court Financial Summary

Article 122 A (2) of the Constitution provides:

“Subject to the provision of articles 199 and 201, all courts shall be administratively autonomous and shall be funded by a direct charge upon the Consolidated Fund, and such courts shall operate in accordance with the principles of sound financial and administrative management.”

The Supreme Court is listed among the entities in the Third Schedule of the Constitution of Guyana.

The pronouncement of the National Assembly of the 10th Parliament of Guyana on April 15, 2014 removed the Supreme Court from the schedule of Budget agencies and approved it as a Subvention Entity under chart of account 6321 – Subsidies and Contributions to Local Organizations.

Expenditure of the Supreme Court is therefore financed as a direct charge on the Consolidated Fund, determined as a lump sum by way of an annual subvention approved by the National Assembly after a review and approval of the of entity’s annual budget as a part of the process of the determination of the national budget.

The Supreme Court is empowered to manage its subvention in such a manner as it deems fit for the efficient discharge of its functions, subject only to conformity with the financial practices and procedures approved by the National Assembly to ensure accountability, and all revenue is paid into the Consolidated Fund.

The terms and conditions applicable to grants and donations destined for the entities are subject to approval by, and disbursements are made through, such appropriate government agency or department as determined by the National Assembly.

The Supreme Court remained with the Integrated Financial Management and Accounting System (IFMAS) operated by the Ministry of Finance for the releases of funds and processing of payments.

In the year 2016 funds for recurrent and capital expenditures were released under chart of account 6323 – Constitutional Agencies from the Ministry of Finance.

Accounts

This unit should be headed by a Principal Assistant Secretary (Finance). The two Chief Accountants are sharing the responsibilities of the Principal Assistant Secretary (Finance). This department is responsible for the control of all financial matters in this Constitutional Agency for processing of payroll, expenditure, collection of revenue and its transfer into the Consolidated Fund, and Budget preparation. Operate accounts for minors, pursuant to Orders of Court, Registry Court Account, that is, money paid into the Registry by litigants to abide the outcome of civil proceedings and the execution sale account.

In terms of expenditure of current and capital budget allocations, the staff of this unit must ensure that monies are spent in accordance with sub – heads or chart of accounts under which monies are drawn by a direct charge on the Consolidated Fund subject to conformity with the financial practices and procedures approved by the National Assembly.

In the year 2015, the Supreme Court submitted its budget proposal for the year 2016 to the Ministry of Finance for the sum of one billion, nine hundred and sixty seven million, two hundred and forty four thousand dollars (G\$1,967,244,000) for both recurrent (operational) and capital (developmental) expenditures for consideration.

The National Assembly approved the sum of one billion, five hundred and thirty two million, two hundred and eighty seven thousand dollars (G\$1,532,287,000) as a lump sum to facilitate both recurrent and capital expenditures

This approved amount represents 0.66% of the total estimates of two hundred and thirty billion, thirty million, five hundred and twenty six thousand dollars (G\$230,036,526,000) approved by the National Assembly for Public Sector for both current and capital expenditures.

After reviewing our lump sum budget of G\$1,532,287,000, this amount is inadequate to meet proposed expenditures.

In February of 2016, a request was made from the Caribbean Court of Justice to the Honourable Chancellor of the Judiciary for a contribution of one hundred thousand United States dollars (US\$100,000) from the Supreme Court of Guyana to support its Accelerated Capacity Expansion Initiative. This initiative is to improve the quality of the service it delivers to National Courts, foster innovation and facilitate development of indigenous solutions to common issues faced by courts and judges in the Caribbean region including the Judiciary of Guyana.

The key flagship project under the Accelerated Capacity Expansion initiative is the **Court e-filing platform** which allows courts to accept filings and provide access to filed documents online.

In April, 2016 the Supreme Court employed new staff to fill the Verbatim Court Reporting Unit. During the first half of 2016 new staff were employed for the Family Court and the Linden Magistrate's Court, and replacement of staff within the various departments of the Supreme Court during the year.

In June, 2016 the Supreme Court made provision to the Ministry of Finance for a Supplementary Provision of one hundred and eighty million dollars (G\$180,000,000) to offset the following expenditures:

- For the payments of salaries and other emoluments to new staff and vacant positions filled.
- Reimbursement of Government's contribution to Caribbean Court of Justice to

support the CCJ Accelerated Capacity Expansion Initiative

- Salary in lieu of leave for Judges
- Completion of Sparendam Magistrates' Court – Capital Project (Buildings)
- Purchasing of Furniture and Equipment

This amount was approved by the National Assembly increasing our approved budget for 2016 to the sum of one billion, seven hundred and twelve million, two hundred and eighty seven thousand dollars (\$1,712,287,000).

During the year 2016, additional funds were received from the Ministry of Finance through Inter/Intra Departmental Allocation Warrants to meet the following expenditures

- One million, six hundred and forty six thousand, eight hundred and seventy dollars (\$1,646,870) to meet expenditure for the payment of rates and taxes which was unbudgeted for.

- Twenty eight million, nine hundred and one thousand, two hundred and ten dollars (\$28,901,210) to meet expenditure for the payment of salary increases for year 2016
- Nine million, five hundred thousand dollars (\$9,500,000) to meet expenditure for the payment of one off tax free payment of \$25,000 for all employees earning below five hundred thousand dollars (\$500,000) monthly.

Summary of Funds Received for 2016

Revised Approved Budget

\$1,712,287,000

Inter/Intra Departmental Allocation Warrants

\$ 40,048,080

Total

\$1,752,335,080

Statutory Cost

To fulfil our obligations with respect to remuneration for Judges, the Supreme Court expended the sum of three hundred and thirty million, eight hundred and twenty one thousand,

three hundred and sixty four dollars (G\$330,821,364) on statutory expenditure for year 2016. This amount represents 18.9% of total funds received for 2016

Employment Cost

To fulfil our obligations with respect to remuneration to all members of staff except the judges, the Supreme Court expended the sum of six hundred and sixty three million, six hundred and fifty thousand, five hundred and twenty dollars (G\$663,650,520) on employment for year 2016. This amount represents 37.8% of total funds received for 2016.

Other Charges

The Supreme Court expended the sum of five hundred and thirty two million, one hundred and fifty one thousand, one hundred and eighteen dollars (G\$532,151,118) on Other Charges for year 2016. This amount represents 30.4% of total funds received for 2016.

- **Commonwealth Magistrates and Judges Association (CMJA) Conference**

The Supreme Court of Guyana hosted the Commonwealth Magistrates and Judges Association (CMJA) Conference at the Marriot Hotel from the 18th to 21st September, 2016. The actual expenditure for this event amounted to thirteen million, two hundred and forty seven thousand, three hundred and ninety for dollars (G\$13,247,394).

- **Overseas Travelling for Judicial Officers**

The Supreme Court expended the sum of twenty four million, five hundred and four thousand, one hundred and sixty two dollars (G\$24,504,162) for overseas travelling for Judicial Officers attending conferences, seminars and training.

- Case Management Training Programme in Singapore in April, 2016
- International Judicial Conference in Washington DC, United States of

- America in May, 2016 and visit to the Federal Supreme Court.
- Judicial Conference in Washington DC in May, 2016.
 - Judicial Conference in Halifax in June, 2016.
 - CJEI training programme in Halifax, Canada in June, 2016.
 - Judicial Conference in Trinidad in June, 2016
 - Project Steering Committee meeting of the JURIST project in Barbados in June, 2016
 - International Judicial Symposium in the Netherlands in July, 2016.
 - Bilateral discussions in Suriname on matters aimed at fostering working relations between our judiciaries in August, 2016.
 - Council of Legal Education meeting in Antigua in September, 2016.
 - Caribbean Academy for Law and Courtroom Administration Conference in St. Maarten in October, 2016.
 - Study tour at the invitation of the Justice Education Society in Canada in October, 2016.
 - Annual Conference of Chief Justices in India in November, 2016.
 - Conference in Trinidad in December, 2016.

- **Training**

During the year 2016, the Supreme Court expended the sum of three million, six hundred and thirteen thousand, nine hundred and fifty four dollars (\$3,613,954) for conducting several trainings for Judges, Magistrates and staff in the following areas:

- Family Court Rules
- Legal seminars for Judges and Magistrates
- Professional Staff Development
- Civil Procedure Rules 2016

- **Security Services**

The Supreme Court expended the sum of fifty six million, five hundred and six thousand, two hundred and ninety one dollars (\$56,506,291) to provide security for court buildings.

- **Operating and Court Related Expenses**

The Supreme Court expended the sum of four hundred and thirty four million, two hundred

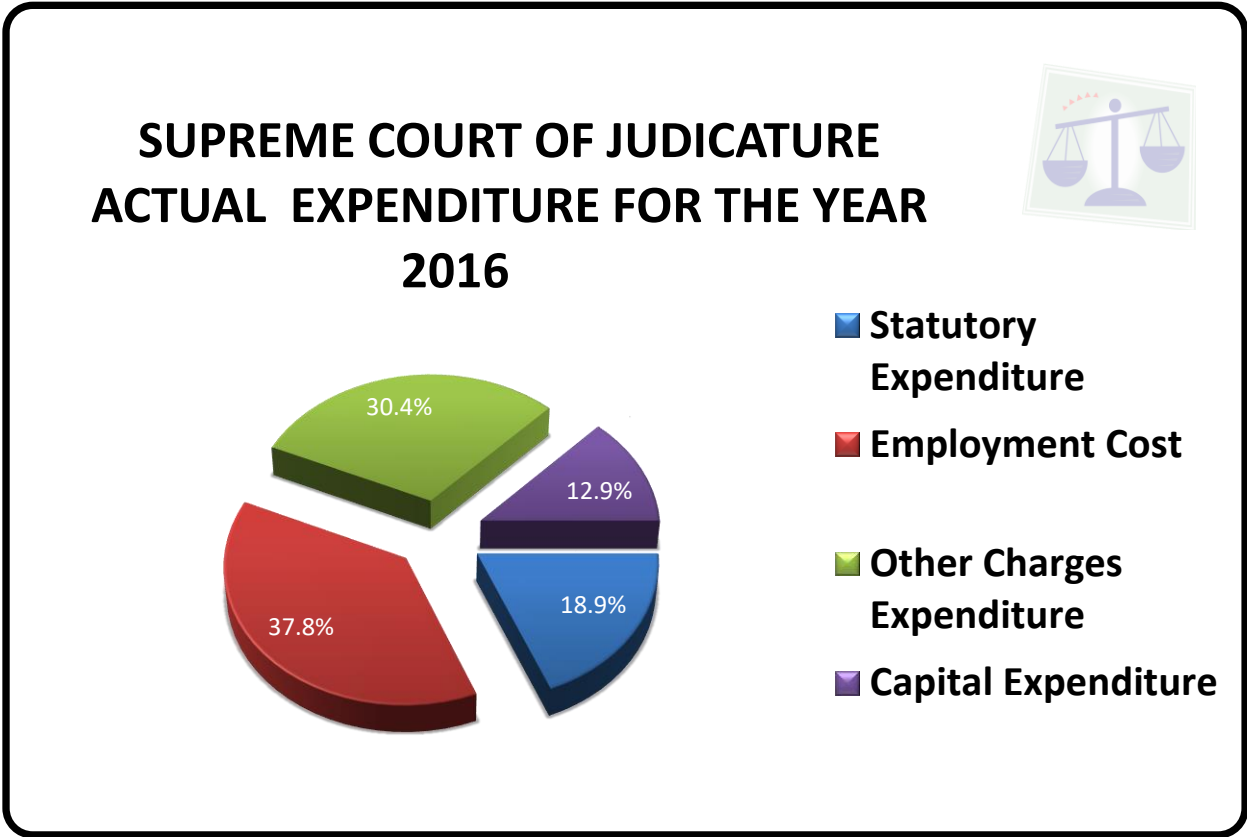
and seventy nine thousand, three hundred and seventeen dollars (\$434,279,317) on operating and court related expenses such as:

- Drugs and Medical Supplies
- Field Materials and Supplies
- Office Material and Supplies
- Print and Non-Print Materials
- Rental and Maintenance of Buildings
- Maintenance of Other Infrastructure
- Local Travel and Subsistence
- Vehicles Spares and Service
- Utility Charges
- Equipment Maintenance
- Cleaning and Extermination Services
- National and Other Event
- Refreshment and Meals
- Other

Capital Expenditure

The Supreme Court expended the sum of two hundred and twenty five million, seven hundred and twelve thousand, and seventy three dollars

(\$225,712,073) on Capital expenditure for year 2016. This amount represents 12.9% of total funds received for 2016.



The amount of one hundred and eighty million, nine hundred and eighty three thousand, nine hundred

and twenty eight dollars (\$180,983,928) was expended on Buildings. The following are major

works (projects) that were continued and new projects undertaken in 2016:

On-going projects for 2016

Construction of the Georgetown Land Court, Region No. 4

Construction of the Sparendaam Magistrates' Court, Region No. 4

New Projects

Construction of Judges' Living Quarters at Suddie

Construction of north eastern fence at Leonora Magistrate Court

The amount of forty three million, one hundred and thirty five thousand, five hundred and thirty nine dollars (\$43,135,539) was expended on the purchasing of furniture and equipment for the various sections and magisterial districts within the Supreme Court to provide the staff of the Judiciary with adequate furniture and equipment so that

improved office accommodation and operational efficiency can be achieved.

REVENUE

The Supreme Court Registry is a revenue earner. The Registry earns revenue in the form of fees which are required to be paid in accordance with the scales of fees contained in the Rules of Court for the performance of duties and execution of processes by officers of the court.

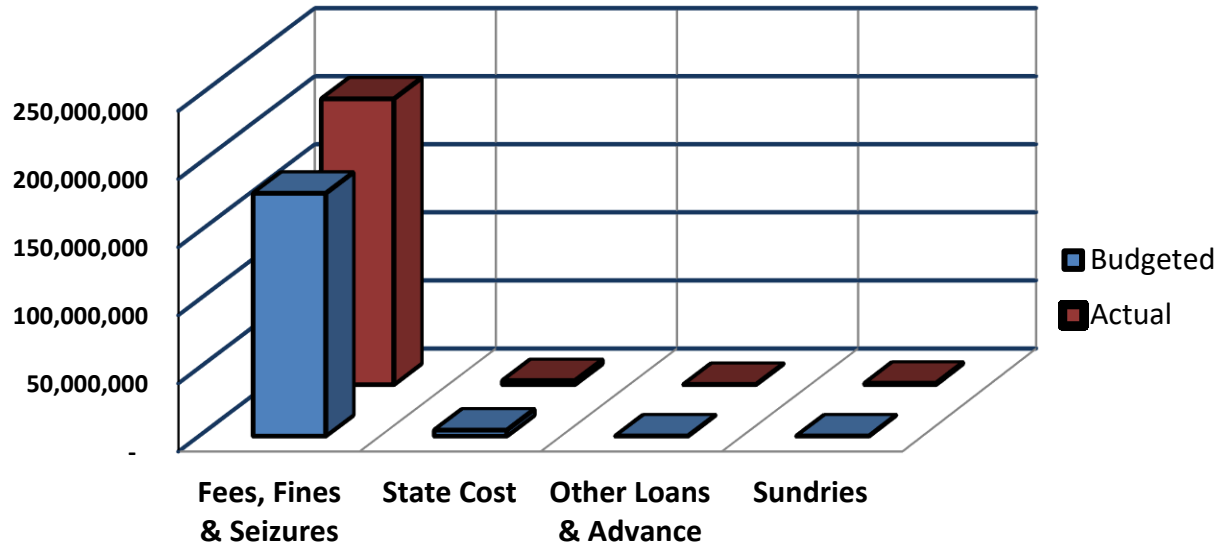
The Magistrates' Courts are also revenue earners. They collect revenues in the form of fees which are required to be paid in accordance with the scales of fees contained in the Rules of Court for the performance of duties and execution of processes by officers of the court.

The Magistrates' Courts also earns revenue from fines and costs imposed by Magistrates from the outcome of cases and in some cases where bail is escheated by the Magistrates.

The table below showing actual revenue collected for the year 2016 as against budgeted amount.

Chart of Accounts	Revenue Name	Budget for 2016	Revenue Collected for 2016	Variance
5326	Fees, Fines & Seizures	178,131,000	209,729,100	31,598,100
5329	State Cost	4,331,000	2,853,244	(1,477,756)
5419	Other Loans & Advance		24,948	24,948
5616	Sundries		904,742	904,742
	Total	182,462,000	213,512,034	31,050,034

SUPREME COURT OF JUDICATURE ACTUAL REVENUE COLLECTED AS AGAINST BUDGETED FOR THE YEAR 2016



The following data shows our receipts and payments as at 31st December, 2016 for financial year 2016 and actual against budget for 2016

Supreme Court

Receipts and Payments for the year ended December 31, 2016

<u>RECEIPTS</u>	<u>G\$</u>	<u>G\$</u>
	<u>2016</u>	<u>2015</u>
1 Government Subvention		
Current subvention	1,425,135,000	1,413,646,000
Capital subvention	107,152,000	32,051,791
Total	1,532,287,000	1,445,697,791
2 Other Receipts		
Supplementary Provision	180,000,000	0
	180,000,000	0
	<u>G\$</u>	<u>G\$</u>
	<u>2016</u>	<u>2015</u>
3 Inter Departmental Warrant		
Inter Departmental Warrant	1,646,870	13,729,383
Inter Departmental Warrant	28,901,210	5,123,246
Inter Departmental Warrant	9,500,000	
	40,048,080	18,852,629
	1,752,335,080	1,464,550,420

4 Revenue

These are derived from fees for filing of matters, fines, seizures and state cost and are paid over to the Consolidated Fund

Particulars

5326 - Fees, Fines & Seizures	209,729,100	169,602,604
5327 - State Cost Recovered	2,853,244	4,197,011
5419 - Other Loans & Advances	24,948	27,148
5616 - Sundries	904,742	1,622,528
	<u>213,512,034</u>	<u>175,449,291</u>

5 Income

This account comprises:

Description

Government Subvention	1,532,287,000	1,445,697,791
Other Receipts	220,048,080	18,852,629
Revenue collected	213,512,034	175,449,291
	<u>1,965,847,114</u>	<u>1,639,999,711</u>

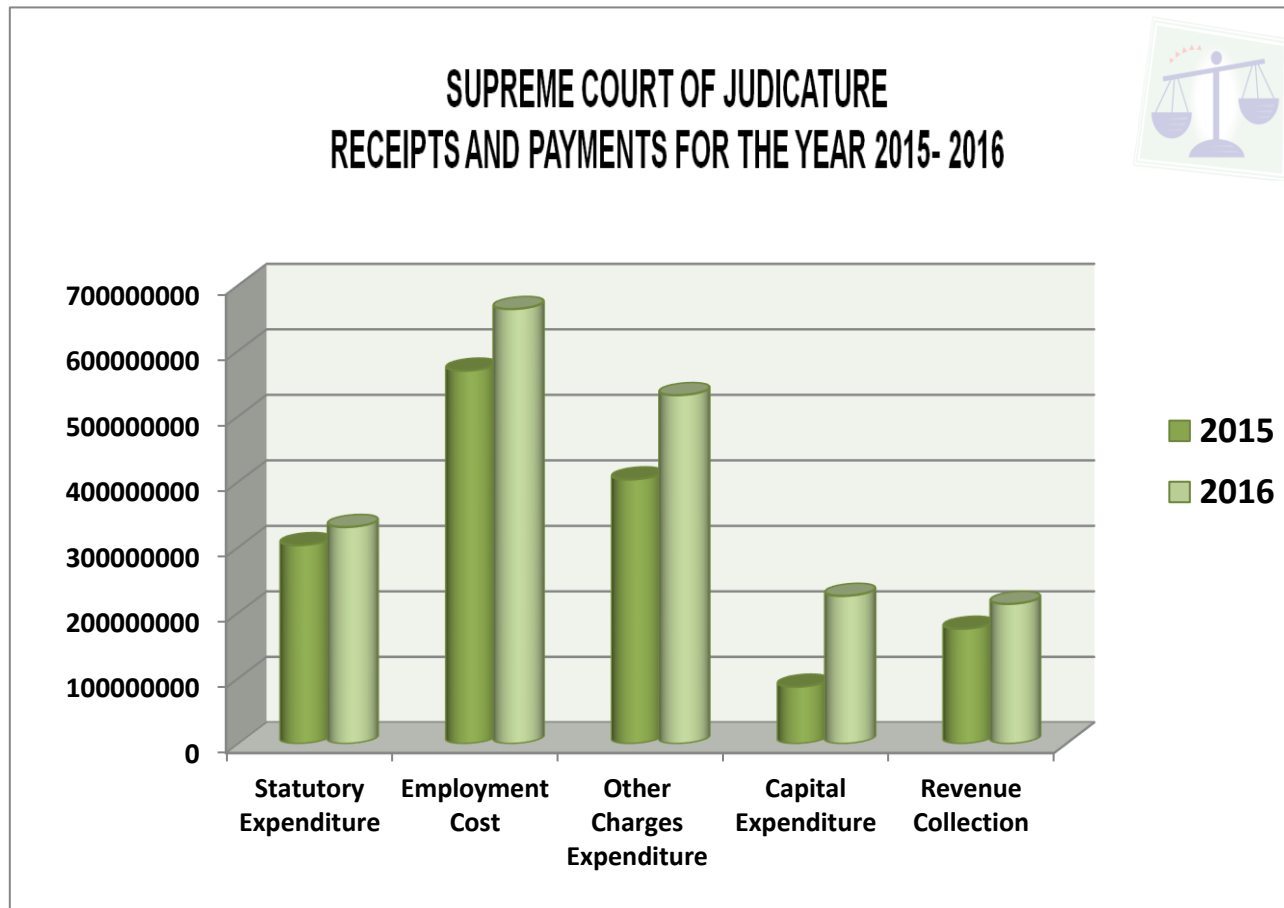
6 Operating Expenses

Statutory Cost	330,821,364	303,154,328
Employment Cost	663,650,520	569,582,505
Drugs and Medical Supplies	1,381,334	1,066,560
Field Materials and Supplies	1,355,983	139,200
Office Materials and Supplies	26,876,863	20,480,720
Print and Non-Print Materials	41,575,326	33,864,992

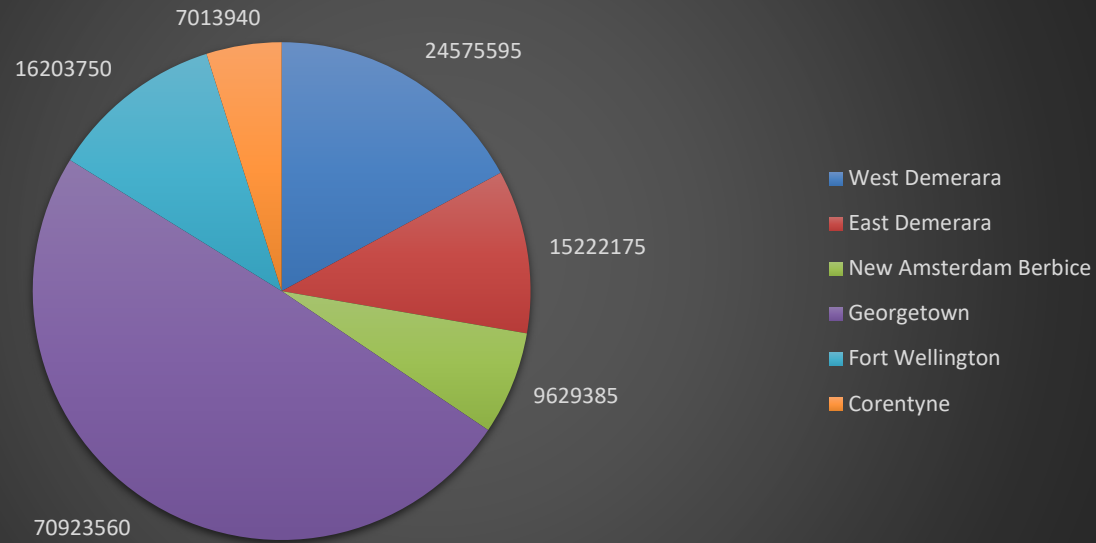
Fuel and Lubricants	4,517,378	4,410,642
Rental of Buildings	10,955,000	9,469,340
Maintenance of Buildings	32,641,921	24,958,872
Janitorial and Cleaning Supplies	12,610,333	10,322,444
Maintenance of Other Infrastructure	8,257,172	16,997,439
Local Travel and Subsistence	86,724,300	64,504,347
Overseas Conferences and Official Visits	24,504,162	250,200
Postage, Telex and Cablegrams	1,805,570	1,842,250
Vehicle Spares and Services	3,813,987	3,463,277
Telephone Charges	27,561,697	23,076,985
Electricity Charges	36,796,700	37,400,217
Water Charges	10,227,612	10,134,125
Security Services	56,506,291	56,596,422
Equipment Maintenance	13,786,767	12,750,482
Cleaning and Extermination Services	7,916,798	7,614,762
National and Other Events	2,190,500	753,647
Refreshments and Meals	14,517,180	13,976,692
Training (including Scholarships)	3,613,954	543,755
Others	98,473,625	48,862,341
Rates and Taxes	3,540,665	0
Capital Expenditure - Buildings	180,983,928	74,818,006
Capital Expenditure - Furniture & Equipment	43,135,539	12,231,703
Capital Expenditure - Motor vehicles	1,592,606	0
Revenue paid over to Consolidated Fund	213,512,034	175,449,291
Warrant Amount returned to Consolidated Fund	0	207,050

Current subvention returned to Consolidated Fund
 Capital subvention returned to Consolidated Fund

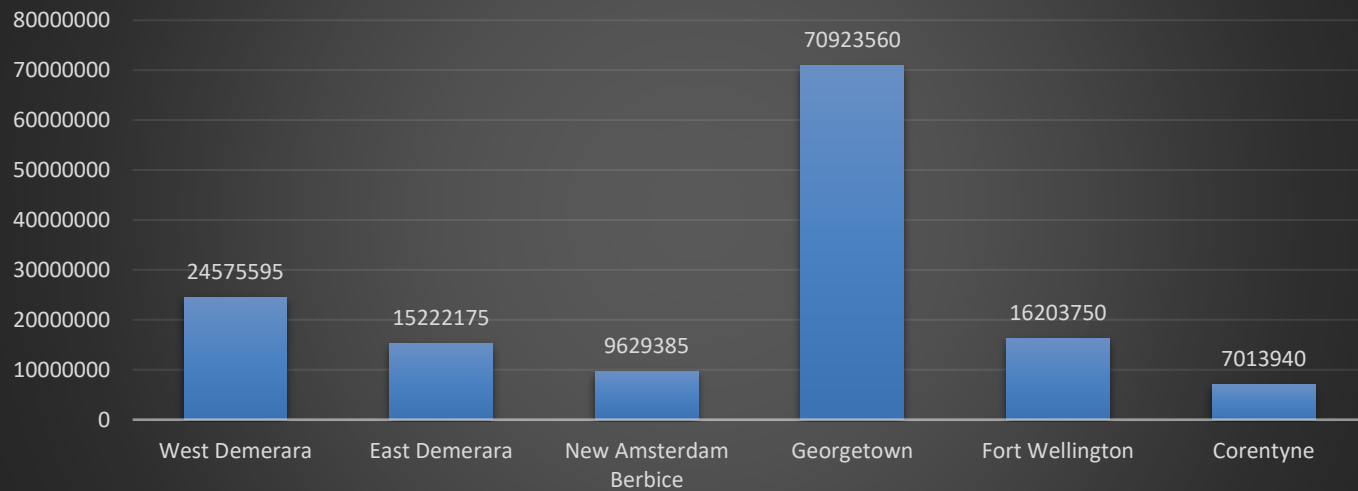
	5	101,073,967
	0	3,150
	1,965,847,114	1,639,999,711



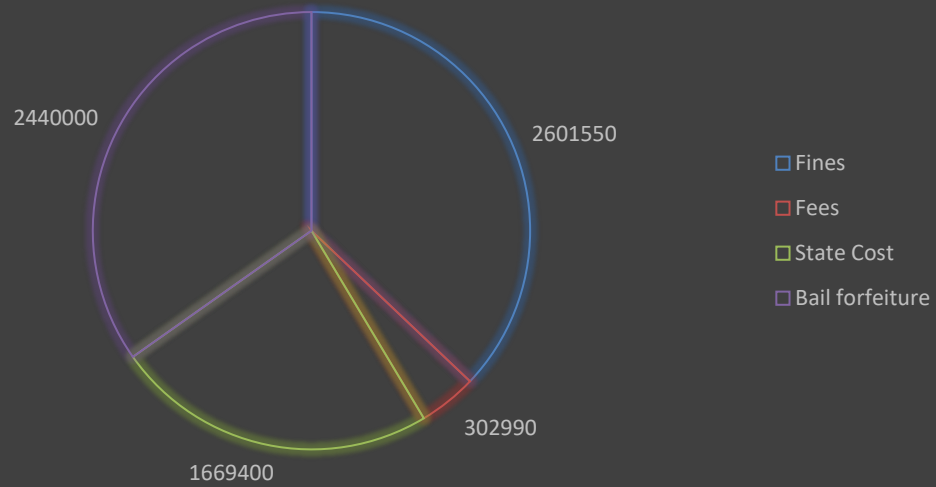
REVENUE COLLECTED FOR MAGISTERIAL DISTRICTS



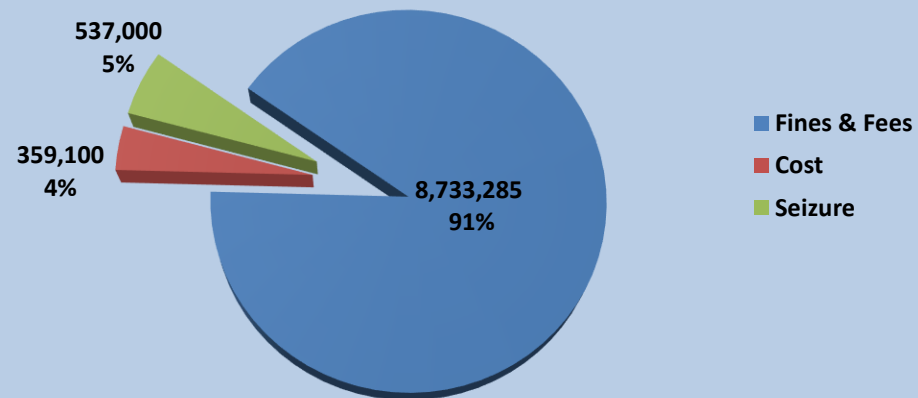
REVENUE COLLECTED FOR MAGISTERIAL DISTRICTS



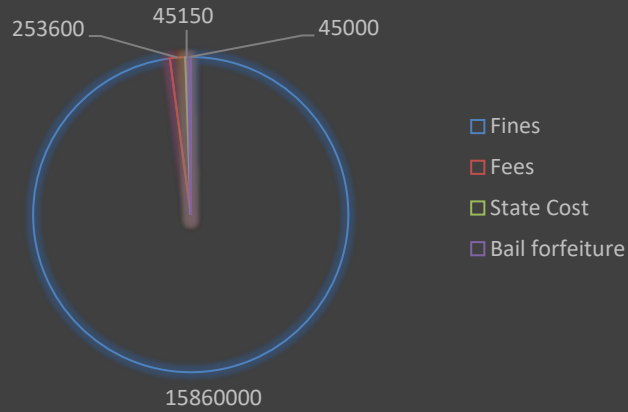
CORENTYNE MAGISTERIAL DISTRICT (REVENUE COLLECTED)



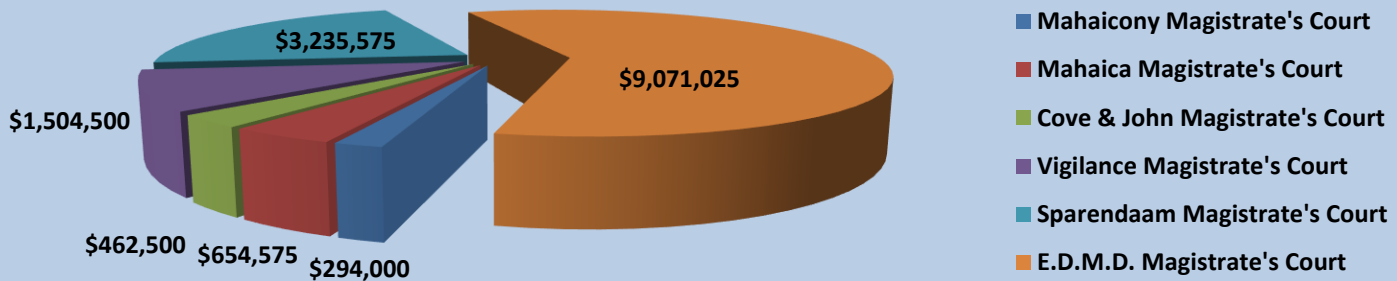
NEW AMSTERDAM MAGISTERIAL DISTRICT (REVENUE COLLECTED)



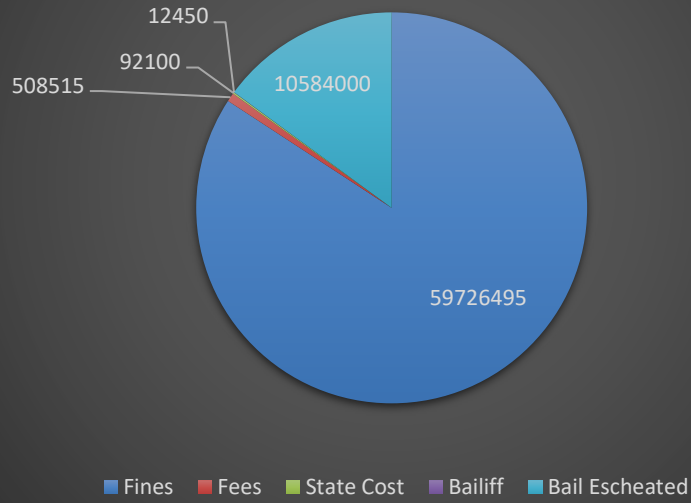
FORT WELLINGTON MAGISTERIAL DISTRICT (REVENUE COLLECTED)



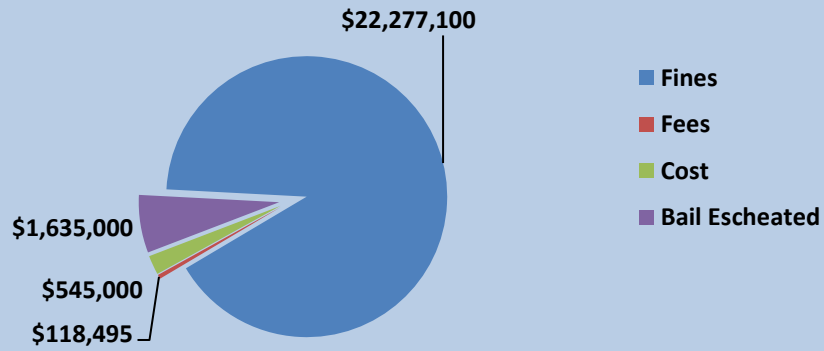
EAST DEMERARA MAGISTERIAL DISTRICT (REVENUE COLLECTED)



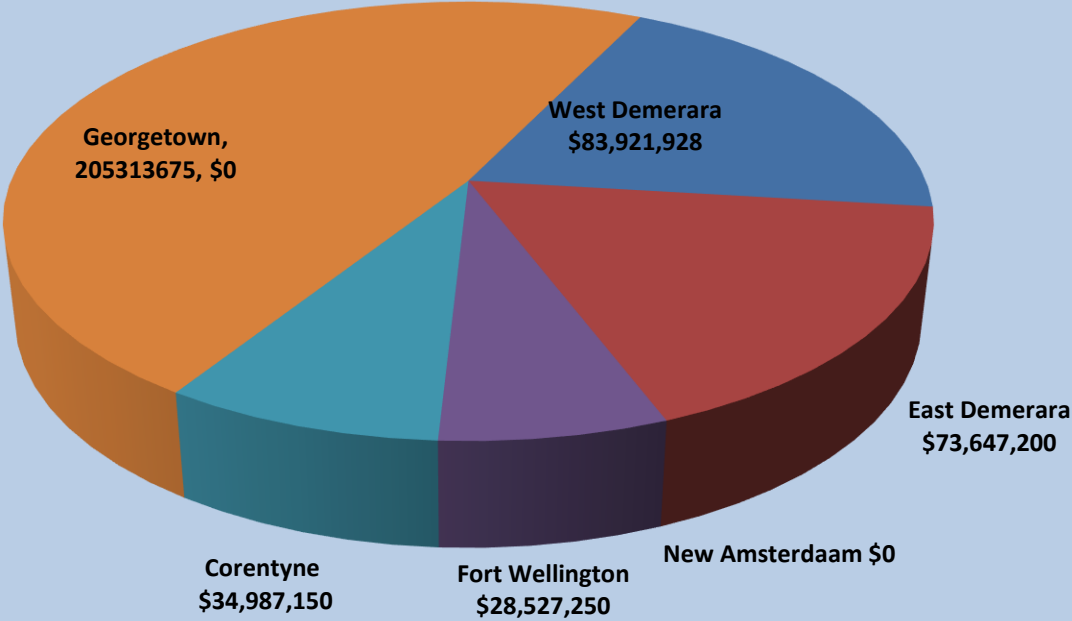
GEORGETOWN MAGISTERIAL DISTRICT (REVENUE COLLECTED)



WEST DEMERARA MAGISTERIAL DISTRICT (REVENUE COLLECTED)



SUITORS



LOOKING AHEAD

In 2017 the Supreme Court has budgeted for the construction of a new Magistrate's Court at Diamond/Grove at the East Bank of Demerara. This venture, like Sparendaam, is critical because the workload has simply become too great for the single court on the East Bank of Demerara, with establishment and expansion of housing schemes in that area.

2017 will also see the completion in the first quarter of the Sparendaam Magistrates' Court as well as the new Land Court building in the compound of the High Court at Avenue of the Republic, Georgetown.

We began work on new living quarters for the judges at Suddie, Essequibo in 2016. When this project is completed, the judge presiding at Essequibo will be comfortably housed in brand new, modern living facilities with the amenities to compliment them. The Judges' Living Quarters construction project is expected to be completed in the second quarter of 2017.

On the administrative side, we have budgeted for the employment/appointment of 2 Court of Appeal Judges and two (2) Puisne Judges which will round out the full complement of judges provided for in the Judiciary. It is also hoped that the complement of magistrates will be replenished since with retirement and promotion some positions are vacant. We hope that with the promulgation of new Civil Procedure Rules, the appointment of new Judges at both High Court and Court of Appeal level, appointment of new magistrates and the continued employment of the night court sittings, the administration and delivery of justice in the year to come will be simpler and more efficient.

In an effort to further strengthen and increase the output of the Judiciary and to realize or goal of timeliness in the delivery of justice to citizens, the Chief Justice (ag) proposes to employ, in answer to the cry of our judges, suitably qualified persons to be Judicial Research Assistants. These officers will assist judges with legal research and writing during legal proceedings and prepare draft judgments, legal opinions and briefs, notes on law,

research papers, judgments, decisions and rulings. This will be of invaluable assistance to our hard-working judges and boost public confidence in the quality of justice delivered and in the judiciary itself.

Further, under the auspices of the Judicial Education Institute, plans are in place to continue and to expand training opportunities for the Judiciary, the magistracy and Supreme Court Registry staff. In the first quarter of 2017 we have planned to conduct training in collaboration with Sir Dennis Byron, President of the CCJ, Justice Adrian Saunders, Judge of the CCJ and other resource personnel from Trinidad in an effort to train the Judiciary, staff and attorneys-at-law in preparation for the implementation of the new Civil procedure Rules, 2016.

The Registrar and Deputy Registrar are expected to travel to Antigua on the invitation of the Registrar of the High Court of Antigua on a study tour of the Eastern Caribbean

Supreme Court Registry to get a first hand look at how a registry operates in a new rules arena. It is hoped that the learning gleaned from this exercise will result in the adoption of policies that will assist our registry in effecting as smooth a transition from old rules to new as possible.

FINAL THOUGHTS

The year 2016 has been challenging and successful in equal measure. The Supreme Court witnessed several progressive accomplishments all of which have worked together to significantly advance the cause of the delivery of justice in a fair, transparent, timely and accountable manner. We will continue to work and to innovate and improve the quality of the output from every aspect of the operations of the judicial arm of government. In 2016, we faced our challenges head on and those which did not lend themselves readily to being conquered, we persevered and overcame.

OBITUARY

Mr. Rashid Mohamed Assistant Registrar and Former Acting Registrar of the Supreme Court (dec'd)

Mr. Rashid Mohamed, Assistant Registrar of the Supreme Court, who previously performed the functions as Registrar of the Supreme for several years, passed away on August 23rd 2016.

Mr. Mohamed has been an indispensable fixture at the Supreme Court since he commenced his long career with this organization in August 1974. He worked his way up through the ranks at the Supreme Court working in various capacities.

His encyclopaedic knowledge of the rules of Court made him an invaluable resource. While it is true that his name will not appear in any decision rendered by this Court either as advocate or as a judge, it is equally true that his imprint is on virtually every major case handled by the Court in the last twenty years. He will surely be missed.

