



JUDICIAL & LEGAL SERVICE COMMISSION

EIGHTH REPORT

2008—2016

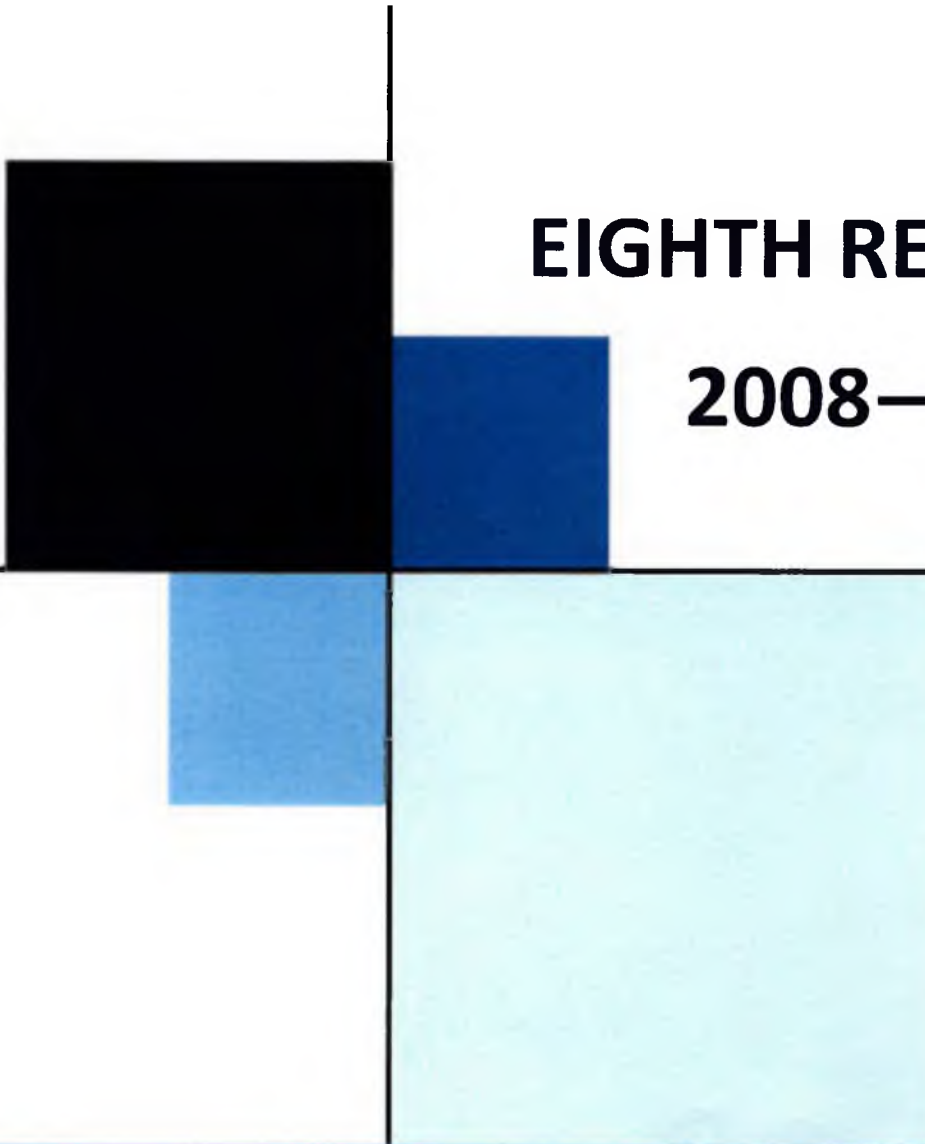


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FOREWORD

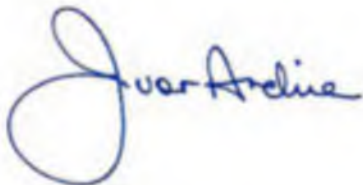
In compliance with Section 66 of the Constitution, I am pleased to present the Eighth Report of the Judicial and Legal Service Commission (the Commission) for the years 2008 to 2016.

The Eighth Report, as in previous reports, describes the procedures followed and the criteria adopted by the Commission in the exercise of its functions and powers during the period 2008 to 2015. It will also report on the year 2016.

The experience and commitment of its members continued and continues to be the Commission's major asset in meeting the many challenges faced during the years under review. In an ever changing environment the Commission acknowledges the demand for dynamic judicial and legal staff.

The Commission performed and will continue to perform its functions with fairness, integrity and efficiency.

In this regard, the Commission acknowledges the administrative support of the Director of Personnel Administration and her staff in the fulfillment of its mandate.

A handwritten signature in blue ink that reads "Ivor Archie". The signature is written in a cursive style with a large, looped initial "I".

*Ivor Archie, O.R.T.T.
Chairman
Judicial and Legal Service Commission*

1.0 INTRODUCTION

This is the Eighth Report of the Judicial and Legal Service Commission (the Commission) which is being submitted pursuant to Section 66C (2) of the Constitution of the Republic of Trinidad and Tobago (the Constitution). The Constitution requires the Commission, before 1st October, in each year, to submit a report on the exercise of its functions and powers in the previous year, describing the procedures followed and any criteria adopted. The period under review is 2016. The Eighth Report however, will also report on the functions and powers of the Commission for the period 2008 to 2015.

The Judicial and Legal Service Commission acknowledges that the Annual Reports in respect of the years 2008 through 2015 were outstanding. The omission was noted while the Service Commissions Department was preparing the Commission's 2016 Annual Report, in keeping with the provisions of Section 66C(2) of the Constitution. In this regard, this Report seeks to address outstanding Reports from 2008 to 2015 and the 2016 Report which is now due.

The Commission has apologized to the Office of the President for the omission and wishes to assure that no disrespect was intended to His Excellency or to the Office of the President.

1.1 Origin

The Commission is an executive body established under Section 110 of the Constitution and comprises the Chief Justice and the Chairman of the Public Service Commission (both *ex officio*) and three other members appointed by the President after consultation with the Prime Minister and the Leader of the Opposition and otherwise in accordance with the stipulations set out in the said Section (*see Appendix I*).

1.2 Powers, Functions and Jurisdiction

Section 104 of the Constitution gives the Commission the power to advise the President on the appointment of Judges other than the Chief Justice, the acting appointment of Judges and the revocation of such acting appointments. The President must act upon the advice which he receives from the Commission on all these matters.

Section 111 of the Constitution also vests in the Commission, the power to appoint persons to hold or act in prescribed public offices for which legal qualifications are required, including the power to make appointments on promotion and transfer and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices (*see Appendix I*).

The total number of offices under the purview of the Commission currently stands at five hundred and eighty four (584). The schedules listing these offices are at *Appendix II*.

2.0 PROCEDURES

Section 129 of the Constitution gives the Commission the power to regulate its own procedure with the consent of the Prime Minister by regulation or otherwise. During the years 2008 to 2016, the Commission continued to discharge its responsibilities in accordance with the procedures contained in the Public Service Commission Regulations (as amended), which it has adopted *mutatis mutandis* with the consent of the Prime Minister.

3.0 J&LSC THROUGH THE YEARS 2008 to 2015

3.1 Meetings

During the years 2008 to 2015, the Commission met at the Hall of Justice and considered Notes, which were prepared by the Secretariat of the Commission housed in the Service Commissions Department as follows:-

Year	Total Number of Statutory meetings	Total Number of Special Meetings	Total Number of occasions the Commission met	Total Number of Notes considered
2008	8	5	13	154
2009	11	6	17	143
2010	15	4	19	176
2011	9	3	12	159
2012	10	3	13	122
2013	12	0	12	138
2014	12	0	12	132
2015	12	1	13	136

Additionally, during the period, Notes were circulated for written opinions, by way of round robin, for the attention of Commission members between its Statutory Meetings as follows:

Year	Number of round robin matters
2008	35
2009	15
2010	34
2011	40
2012	28
2013	16
2014	11
2015	3

Minutes of all meetings of the Commission, the decisions taken and matters noted by written opinions were recorded and duly confirmed by the Commission. A statement showing the numbers and nature of the matters considered during the period 2008 to 2015 is set out in *Appendix III*.

The Sub-Committees of the Commission met to conduct interviews of candidates for appointment to the Judicial and Legal Service on the Commission's behalf as follows:-

Year	Interviews conducted by the Sub-Committees of the Commission
2008	8
2009	4
2010	0
2011	6
2012	8
2013	2
2014	2
2015	3

PART I

3.2 MEMBERSHIP

The composition of the membership of the Commission during the period 2008 to 2015 is outlined at *Appendix IV*.

The Executive Director, Human Resource Management, Judicial and Legal Service, Service Commissions Department served as Secretary to the Commission during the period.

PART II

3.3 THE APPOINTMENT OF JUDGES DURING THE PERIOD 2008-2015

3.3.1 Appointments as Justice of Appeal

Appointments as Justice of Appeal are normally made from the High Court Bench but the Commission may advise the President to appoint to the Court of Appeal an outstanding candidate from outside the Judiciary. Seniority between High Court Judges is taken into account, but is not the only or governing factor.

The weighting given to the criteria for selecting the two levels of judges differs to some extent. While integrity is of prime and equal importance in both cases, greater importance is attached to professional competence in appointments to the Court of Appeal.

3.3.2 Appointments as Justice of the High Court

Selection of persons to fill vacancies on the High Court Bench is made by the Commission after due consideration of the merits of experienced and talented members of the legal profession, both within and outside the Judicial and Legal Service, who have indicated their willingness to serve. In the exercise of its powers under section 104 of the Constitution as aforesaid, the Commission established and published in the Trinidad and Tobago Gazette of 13th April, 2000, a detailed statement of the criteria and procedures used and followed in the selection of persons for appointment as Puisne Judges of the High Court.

The criteria and procedures are:

- ◆ anyone who wishes to be considered for appointment must make a written application to the Commission;
 - ◆ anyone who is being considered for appointment will be interviewed by the Commission;
 - ◆ when the need arises the Commission will advertise in the daily press the existence of vacancies on the Bench and invite applications for appointment;
-

- ◆ the views of the President of the Law Association and those of the President of the Criminal Bar Association (where relevant) are sought with regard to any judicial appointment; and
- ◆ the Commission may also seek the views of judges and other attorneys before making an appointment.

The criteria used by the Commission in making judicial appointments are grouped under the following main areas:

- ◆ Integrity
- ◆ Professional competence
- ◆ Temperament
- ◆ Experience

3.4 Appointment of Judges during the period 2008 to 2015

In accordance with the provisions of section 104 (2) (d) (i) of the Constitution of the Republic of Trinidad and Tobago, His Excellency the President made appointments to the offices of Justice of Appeal and Puisne Judge during the period 2008 to 2015. Listed at *Appendix V* are the number of appointments made and other actions taken in respect of the offices of Justice of Appeal and Puisne Judge.

PART III

3.5 OTHER APPOINTMENTS, ACTING APPOINTMENTS & PROMOTIONS DURING THE PERIOD 2008 TO 2015

3.5.1 Appointments/Promotions during the period 2008 to 2015

During the years 2008 to 2015, the Commission fulfilled its constitutional responsibilities by way of making temporary and acting appointments, promotions and confirmed the appointments of officers in the Judicial and Legal Service.

The number of promotions, appointments, confirmations for these years can be seen at Item Nos. 1, 2 and 14 at *Appendix III*.

3.6 Consultation with the Prime Minister during the period 2008 to 2015

Sub-sections (2) and (3) of Section 111 of the Constitution of the Republic of Trinidad and Tobago provides that before any appointment is made by the Commission to the offices of Solicitor General, Chief Parliamentary Counsel, Director of Public Prosecutions, Registrar General or Chief State Solicitor, the Prime Minister must be consulted.

Within the years 2008 to 2015, the Prime Minister had no objection to acting appointments in the offices of Chief Parliamentary Counsel, Director of Public Prosecutions and Registrar General and Solicitor General and the Commission thereafter appointed officers to act in the offices.

PART IV

4.0 TRANSFERS

The Commission received three (3) requests [2009, 2010 and 2013] for transfer; however, on both occasions the Commission was unable to accede to the request.

In 2011 and 2015, the Commission transferred officers as a result of the re-alignment of Ministerial portfolios by Cabinet.

PART V

5.0 TERMINATION OF APPOINTMENT

No requests were made for the termination of the appointment of any officer in the Judicial and Legal Service during the period covered.

PART VI

6.0 DISCIPLINE

6.1 Complaints/Allegations of Misconduct

During the period 2008 to 2015, the Commission considered four (4) complaints against members of the Judicial and Legal Service and four (4) complaints against Court of Appeals members.

6.1.1 Court of Appeal

In two (2) complaints against a Court of Appeals member, the Commission dismissed the complaints as being without merit and requiring no further action on its part. In two (2) of the matters the Commission concluded that the complaints did not merit action available to the Commission under its Constitutional powers.

6.1.2 Members of the Judicial and Legal Service

In one matter against a member of the Judicial and Legal Service, the Commission dismissed the complaints as being without merit and requiring no further action on its part.

In one matter against a member of the Judicial and Legal Service, the Commission concluded that the matter raised was outside the jurisdiction of the Commission.

The Commission noted that one matter should be pursued in accordance with the Regulations. In that instance, the Commission invoked the provisions of Regulation 84B of the Public Service Commission Regulations, as adopted by the Judicial and Legal Service Commission which states that where the Commission becomes aware of an allegation of indiscipline or misconduct of an officer being a Head of Department, the Commission shall appoint an officer to investigate such allegation.

In two (2) of the matters, the Commission concluded that the complaints did not merit action available to the Commission under its Constitutional powers.

7.0 FREEDOM OF INFORMATION REQUESTS

The Freedom of Information Act, No. 26 of 1999, gives officers and members of the public the right of access to official documents and information held by public authorities (with exceptions). During the period 2008 to 2015, thirty-five (35) requests for information were submitted under the Freedom of Information Act, No. 26 of 1999. Each request, which was in the Service Commissions Department, was finalized.

The Table below gives a breakdown of the nature of Freedom of Information (FOI) requests received during the period.

Nature of Freedom of Information request	2008	2009	2010	2011	2012	2013	2014	2015	Total
Position on Seniority List									0
Information/Copy of Documents		6	3			2	4	3	18
Request for Information	2	3					1	3	9
Results/Comments / Scores from Interviews								4	4
Viewing of personal file		1							1
Viewing of staff reports		1						1	2
Copies of Order of Merit Lists									0
Totals	2	11	3	0	0	2	5	11	34

8.0 J&LSC IN THE YEAR 2016

8.1 Meetings

During the year 2016, the Commission met at the Hall of Justice on twelve (12) occasions and considered ninety eight (98) Notes, which were prepared by the Secretariat of the Commission in the Service Commissions Department. Eleven (11) Statutory Meetings were held once per month. In addition, one Special Meeting was held by the Commission to discuss issues/matters as they arose.

The Sub-Committees of the Commission met on three (3) occasions to conduct interviews of candidates for appointment to the Judicial and Legal Service. Additionally seventeen (17) Notes were circulated by way of round robin for the attention of Commission members between meetings.

In 2016, Minutes of all meetings of the Commission, the decisions taken and matters noted by round robin were recorded and duly confirmed by the Commission.

A statement showing the number of meetings held by the Commission and the nature of the matters considered during the period under review is set out in *Appendix VI*.

PART I

9.0 MEMBERSHIP

During the year 2016, the membership of the Commission comprised:

2016 January - June	The Honourable The Chief Justice Mr. Justice Ivor Archie	Chairman
	Dr. Marjorie Thorpe - Chairman, Public Service Commission	Member
	Mr. Justice Roger Hamel-Smith	Member
	Mr. Justice C.V. Humphrey Stollmeyer	Member
2016 July - December	The Honourable The Chief Justice Mr. Justice Ivor Archie	Chairman
	Mr. Justice Roger Hamel-Smith	Member
	Mr. Justice C.V. Humphrey Stollmeyer	Member
	Mrs. Maureen Manchouck - Chairman, Public Service Commission (Ag)	Member

The Executive Director, Human Resource Management, Judicial and Legal Service, Service Commissions Department served as Secretary to the Commission during the period.

PART II

10.0 THE APPOINTMENT OF JUDGES DURING THE PERIOD 2016

10.1 Appointments as Justice of the High Court

In the exercise of its powers under section 104 of the Constitution as aforesaid, and following the established and published criteria and procedures in the Trinidad and Tobago Gazette of 13th April, 2000, selection of persons to fill vacancies on the High Court Bench and the Court of Appeals continued to be made by the Commission during the period 2016.

Listed at *Appendix VI* is the number of appointments made and other actions taken in respect of the offices of Justice of Appeal and Puisne Judge.

10.2 Appointment of Judges in 2016

10.2.1 Court of Appeal

In 2016, the undermentioned persons were appointed as Justice of Appeal, Court of Appeal of the Supreme Court of the Judicature of Trinidad and Tobago:-

- ◆ Mr. Justice Peter A. Rajkumar; and
- ◆ Madam Justice Charmaine A.J. Pemberton

10.2.2 High Court

There were no appointments to the office of Puisne Judge of the High Court, Judiciary in the year 2016.

In accordance with the provisions of section 104 (2) (d) (ii) of the Constitution of the Republic of Trinidad and Tobago, His Excellency the President extended the temporary appointment of Mrs. Halcyon-Young as Puisne Judge of the High Court, Judiciary (Supreme Court) for assignment to the Family Court for a further period of six months from 1st June, 2016.

10.3 Advertisement

In 2016, the Commission invited applications for the under mentioned offices, from qualified nationals and members of Commonwealth Caribbean:-

- ◆ Judge of Court of Appeal of the Supreme Court of Judicature of Trinidad and Tobago
- ◆ Puisne Judge of the High Court, Judiciary (Supreme Court)

Seven (7) persons were interviewed for the office of Judge of the Court of Appeal of the Supreme Court of Judicature of Trinidad and Tobago. Interviews for these offices were conducted by the Commission in 2016.

Seventeen (17) persons were interviewed for the office of Puisne Judge of the High Court, Judiciary (Supreme Court). As at 31st December, 2016, the interviewing process for this office had not yet been finalized.

PART III

11.0 OTHER APPOINTMENTS, ACTING APPOINTMENTS & PROMOTIONS IN 2016

11.1 Appointments/Promotions made during the year 2016

During the year 2016, the Commission filled eleven (11) vacancies. A total of six (6) appointments and five (5) promotions were made to offices listed at *Appendix VII*.

11.2 Consultation with the Prime Minister in 2016

During the year 2016, the Commission sought and obtained the concurrence of the Prime Minister for acting appointments in the offices of Chief Parliamentary Counsel, Director of Public Prosecutions and Registrar General. The Commission has been unable to make any permanent appointments to any of these offices during the year 2016.

For the year 2016, eight (8) matters were sent to the Prime Minister for approval and two (2) matters were approved by the Prime Minister.

11.3 Policy for Order-of-Merit List

In 2016, the Commission discussed further its policy regarding the establishment of Order-of-Merit Lists for offices in the Judicial and Legal Service. The Commission noted that Order-of-Merit Lists were generally created for a period of two (2) years. The Commission held the view that to keep an Order-of-Merit List in existence for a period of two (2) years could prejudice the expectations of those persons who would have since become qualified for an office and, as such, exclude those persons who may wish to apply within the two year period.

It was in this regard that the Commission decided that:

- (i) Order-of-Merit Lists be established for a period of one (1) year with effect from the date of the Commission's decision;
 - (ii) The Order-of-Merit List would be subject to review by the Judicial and Legal Service Commission on a date to be determined by the Commission. In this connection, the matter should be placed before the Judicial and Legal Service Commission for its consideration three (3) months prior to the expiration of the List;
 - (iii) In appointing candidates from the Order-of-Merit List, where possible, the respective dates of their appointment should be so staggered to reflect their positions on the Order-of-Merit List.
-

11.4 Advertisement of Promotional Offices

During the year 2016, the Commission decided that the following promotional offices be advertised within the Judicial and Legal Service:

- ◆ Chief State Counsel , Group L2B, Inland Revenue Division, Finance
- ◆ Senior State Counsel, Group L3, Tobago House of Assembly
- ◆ Deputy Chief Magistrate, Group J2, Judiciary (Magistracy)
- ◆ State Counsel III, Group L5C, National Security
- ◆ Assistant Registrar and Deputy Marshal, Group J5, Judiciary (Supreme Court)

11.5 Establishment of Selection Panels

In 2016, the Commission agreed to the establishment of Selection Panels to assist in the recruitment and selection process for offices under its purview. The Commission decided that Retired Judges and Permanent Secretaries and Heads of Departments, who indicated an interest, would serve on the interview panels.

In 2016, the Panels conducted interviews for the under mentioned offices:-

- ◆ Parliamentary Counsel I, Group L6A
- ◆ State Counsel II, Group L6A, Statutory Authorities
- ◆ State Counsel I, Criminal Law Department, Ministry of the Attorney General and Legal Affairs

PART IV

11.6 Transfers

The Commission did not receive any request for transfer in 2016.

PART V

11.7 Termination of Appointment

No requests were made for the termination of the appointment of any officer in the Judicial and Legal Service during 2016.

PART VI

11.8 Discipline

There were no allegations of misconduct reported against members of the Judicial and Legal Service in the year 2016.

11.9 Complaints against members of the Judicial and Legal Service

During the year 2016, the Commission considered one (1) complaint against a member of the Judicial and Legal Service. The Commission sought the comments of the Head of Department in the matter before adjudicating.

12.0 FREEDOM OF INFORMATION REQUESTS

During the year 2016, the following requests for information were submitted to the Service Commissions Department under the Freedom of Information Act, No. 26 of 1999:-

Nature of Freedom of Information request	2016
Position on Seniority List	1
Information/Copy of Documents	7
Request for Information	1
Copies of Order of Merit Lists	2
Totals	11

Of the aforementioned requests, eight (8) were granted in full to the applicants. One (1) request was not granted as the information did not exist in the Service Commissions Department and two (2) requests were granted in part as the document was amended in accordance with Section 16 (2) of the Freedom of Information Act of 1999.

13.0 ACKNOWLEDGEMENTS

In conclusion, the Commission once again wishes to express its appreciation to the Director of Personnel Administration and to the officers of the Service Commissions Department, for their valuable assistance during the years under review.

NOTES



NOTES

LAWS OF TRINIDAD AND TOBAGO

The Constitution

CHAPTER 7

THE JUDICATURE

PART 1

Appointment of Judges

104. (1) The Judges, other than the Chief Justice, shall be appointed by the President, acting in accordance with the advice of the Judicial and Legal Service Commission.

(2) Where –

- (a) the office of any such Judge is vacant;
- (b) any such Judge is for any reason unable to perform the functions of his office;
- (c) any such Judge is acting as Chief Justice or a Puisne Judge is acting as a Justice of Appeal;
or
- (d) the Chief Justice advises the President that the state of business of the Court of Appeal or the High Court so requires.

the President, acting in accordance with the advice of the Judicial and Legal Service Commission –

- (i) may appoint a person to act in the office of Justice of Appeal or Puisne Judge, as the case may require;
- (ii) may, notwithstanding section 136, appoint a person who has held office as a Judge and who has attained the age of sixty-five to be temporarily a Puisne Judge for a fixed period of not more than two years.

Appendix I

- (3) The appointment of any person under subsection (2) to act in the office of Justice of Appeal or Puisne Judge shall continue to have effect until it is revoked by the President, acting in accordance with the advice of the Judicial and Legal Service Commission.

Part III

Judicial and Legal Service Commission

110. (1) There shall be a Judicial and Legal Service Commission for Trinidad and Tobago.
- (2) The members of the Judicial and Legal Service Commission shall be -
- (a) the Chief Justice, who shall be Chairman;
 - (b) the Chairman of the Public Service Commission;
 - (c) such other members (hereinafter called “the appointed members”) as may be appointed in accordance with subsection (3).
- (3) The appointed members shall be appointed by the President after consultation with the Prime Minister and the Leader of the Opposition as follows:
- (a) one from among persons who hold or have held office as a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeal from any such court;
 - (b) two from among persons with legal qualifications at least one of whom is not in active practice as such, after the President has consulted with such organisations, if any, as he thinks fit.
- (4) Subject to section 126 (3) (a) an appointed member shall hold office in accordance with section 136.

Appendix I

111. (1) Subject to the provisions of this section, power to appoint persons to hold or act in the offices to which this section applies, including power to make appointments on promotion and transfer and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices shall vest in the Judicial and Legal Service Commission.

(2) Before the Judicial and Legal Service Commission makes any appointment to the offices of Solicitor General, Chief Parliamentary Counsel, Director of Public Prosecutions, Registrar General or Chief State Solicitor it shall consult with the Prime Minister.

(3) A person shall not be appointed to any such office if the Prime Minister signifies to the Judicial and Legal Service Commission his objection to the appointment of that person to that office.

(4) This section applies to such public offices as may be prescribed, for appointment to which persons are required to possess legal qualifications.

Appendix II

**First and Second Schedules of the
Judicial and Legal Service Act
Chapter 6:01 of
the Laws of the Republic of Trinidad and Tobago
(as amended)**

FIRST SCHEDULE

LEGAL OFFICES

PART I

CIVIL LAW DEPARTMENT

Solicitor General
Deputy Solicitor General
Assistant Solicitor General
Senior State Counsel
State Counsel IV
State Counsel III
State Counsel II
State Counsel I
Chief State Solicitor
Deputy Chief State Solicitor
Assistant Chief State Solicitor
Senior State Solicitor
State Solicitor II
State Solicitor I
Registrar General
Deputy Registrar General
Senior Assistant Registrar General
Assistant Registrar General
Examiner of Title
Controller of the Intellectual Property Office
Deputy Controller of the Intellectual Property Office

PART II

CRIMINAL LAW DEPARTMENT

Director of Public Prosecutions
Deputy Director of Public Prosecutions
Assistant Director of Public Prosecutions
Senior State Counsel
State Counsel IV
State Counsel III
State Counsel II
State Counsel I

PART III

LEGISLATIVE DRAFTING DEPARTMENT

Chief Parliamentary Counsel
Deputy Chief Parliamentary Counsel
Assistant Chief Parliamentary Counsel
Senior Parliamentary Counsel
Parliamentary Counsel III
Parliamentary Counsel II
Parliamentary Counsel I

PART IV

THE LAW COMMISSION

Director of Law Revision
Commission Secretary
Senior Legal Research Officer
Legal Research Officer II
Legal Research Officer I
Assistant Legal Research Officer
Senior Parliamentary Counsel
Parliamentary Counsel II
Parliamentary Counsel I
Law Reform Officer

PART V

OTHER MINISTRIES AND DEPARTMENTS

Treasury Solicitor

Legal Adviser

Registrar, Environmental Commission

Senior State Counsel

State Counsel IV

State Counsel III

State Counsel II

State Counsel I

Registrar, Industrial Court

Head Legal Division, Office of the Ombudsman

Chief State Counsel, Inland Revenue Division

Assistant Chief State Counsel, Inland Revenue Division

SECOND SCHEDULE

JUDICIAL OFFICES

PART I	PART II
<ul style="list-style-type: none">▪ Chief Magistrate▪ Deputy Chief Magistrate▪ Senior Magistrate▪ Magistrate▪ Magistracy Registrar and Clerk of the Court	<ul style="list-style-type: none">▪ Master of the High Court▪ Registrar and Marshal▪ Deputy Registrar and Marshal▪ Assistant Registrar and Deputy Marshal

PART III

Administrative Secretary to the Chief Justice

PART IV

Registrar, Appeal Board

PART V

Registrar, Industrial Court

Assistant Registrar, Industrial Court

**STATISTICS ON MATTERS CONSIDERED BY THE JUDICIAL AND LEGAL
SERVICE COMMISSION DURING THE YEARS 2008 TO 2015**

	Actions	2008	2009	2010	2011	2012	2013	2014	2015
1.	Promotions	7	22	30	33	29	13	8	33
2.	Appointments	41	4	23	18	29	11	10	21
3.	Acting Appointments	86	118	217	318	168	202	187	336
4.	Temporary Appointments	6	12	3	11	10	15	15	11
5.	Transfer	0	0	0	3	0	0	0	1
6.	Appointment on Transfer	1	0	0	0	3	1	2	0
7.	Released for Appointment on Transfer	0	0	0	1	0	0	0	0
8.	Appointment on Secondment	0	0	5	11	5	4	3	0
9.	Released for Appointment on Secondment	3	0	0	4	4	0	1	2
10.	Amendment to Acting Appointment	0	0	4	9	7	13	3	2
11.	Cancellation of Permanent Appointment	5	0	4	4	7	5	2	3
12.	Cancellation of Promotion	0	0	0	0	2	0	3	0
13.	Cancellation of Acting Appointment	4	5	1	1	2	2	0	0
14.	Confirmations	14	28	35	54	29	13	20	6
15.	Complaints Against	0	1	0	0	0	0	0	3
16.	Determination of Seniority	0	0	0	0	0	0	0	0
17.	Noted comments of Chairman Tax Appeal Board	0	0	0	0	0	0	1	0
18.	Noted No Pay Leave on grounds of Public Policy	4	3	3	5	7	3	1	2
19.	Noted No Pay Leave for Private Reasons	1	0	8	4	2	0	4	1
20.	Noted grant of extension of No Pay Leave	3	4	0	5	4	0	2	2
21.	Noted Performance Appraisal of officer	0	0	0	0	1	0	0	0

	Actions	2008	2009	2010	2011	2012	2013	2014	2015
22.	Noted application for Judicial Review against JLSC	2	0	0	0	0	0	0	0
23.	Noted Status of Investigation of allegation of misconduct	1	0	2	5	2	0	0	0
24.	Noted creation of posts	0	1	0	1	0	0	0	0
25.	Noted Compulsory Retirement	5	4	2	4	2	5	4	5
26.	Noted Voluntary Retirement	1	4	4	1	6	1	1	0
27.	Permission to Retire	0	0	0	0	0	0	3	0
28.	Noted Resignation	3	6	8	10	3	4	6	2
29.	Noted Civil Appeal	0	0	11	0	0	0	0	1
30.	Policy Decision re: time limit for assumption of duty of officers	0	0	0	0	0	0	7	3
31.	Request to defer assumption of duty	3	0	1	1	0	0	1	0
32.	Request for Transfer	0	1	1	0	0	1	0	0
33.	Request for abatement of probationary period	0	1	0	0	0	0	0	0
34.	Request for extension of acting appointment	0	0	0	0	0	0	0	0
35.	Request for backdating of promotion	0	0	0	0	0	0	0	0
36.	Request for information under the FOIA 1999	1	5	0	0	0	0	3	2
37.	Representations	1	1	1	0	2	1	4	1

Appendix IV

Composition of the Judicial and Legal Service Commission
2008 - 2016

Year	Composition of the Commission	Office
2008	<ul style="list-style-type: none">▪ The Honourable The Chief Justice Mr. Justice Ivor Archie▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission▪ H.A.S. Wooding Esq. C.M.T., Q.C.▪ Madam Justice Jean Permanand▪ Mr. Justice Lionel Jones	Chairman (24.01.2008) Member Member Member Member
2009	<ul style="list-style-type: none">▪ The Honourable The Chief Justice Mr. Justice Ivor Archie▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission▪ H.A.S. Wooding Esq. C.M.T., Q.C.▪ Madam Justice Jean Permanand▪ Mr. Justice Lionel Jones	Chairman Member Member Member Member
2010	<ul style="list-style-type: none">▪ The Honourable The Chief Justice Mr. Justice Ivor Archie▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission▪ H.A.S. Wooding Esq. C.M.T., Q.C.▪ Madam Justice Jean Permanand▪ Mr. Justice Lionel Jones	Chairman Member Member Member Member
2011 January - March	<ul style="list-style-type: none">▪ The Honourable The Chief Justice Mr. Justice Ivor Archie▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission▪ H.A.S. Wooding Esq. C.M.T., Q.C.▪ Madam Justice Jean Permanand▪ Mr. Justice Lionel Jones	Chairman Member Member Member Member

Year	Composition of the Commission	Office
2011 April - December	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ H.A.S. Wooding Esq. C.M.T., Q.C. ▪ Madam Justice Jean Permanand ▪ Mr. Justice Roger Hamel-Smith 	Chairman Member Member Member Member
2012 January - February	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ H.A.S. Wooding Esq. C.M.T., Q.C. ▪ Madam Justice Jean Permanand ▪ Mr. Justice Roger Hamel-Smith 	Chairman Member Member Member Member
2012 March - April	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ H.A.S. Wooding Esq. C.M.T., Q.C. ▪ Madam Justice Jean Permanand ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member Member Member
2012 May - November	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ H.A.S. Wooding Esq. C.M.T., Q.C. ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member Member
2012 December	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member

Year	Composition of the Commission	Office
2013 January - May	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Christopher Thomas Esq., C.M.T. - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member
2013 June -	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Mrs. Zaida Rajnauth C.M.T. - Chairman, Public Service Commission (Acting) ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member
2013 July - December	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member
2014	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member Member
2015 January - March	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey ▪ Mr. David A.R. Patrick LL.M. 	Chairman Member Member Member Member

Year	Composition of the Commission	Office
2015 April - October	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Madam Justice Annestine Sealey 	Chairman Member Member Member
2015 November - December	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. Justice C.V. Humphrey Stollmeyer 	Chairman Member Member
2016 January - June	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Dr. Marjorie Thorpe - Chairman, Public Service Commission ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. Justice C.V. Humphrey Stollmeyer 	Chairman Member Member Member
2016 July - December	<ul style="list-style-type: none"> ▪ The Honourable The Chief Justice Mr. Justice Ivor Archie ▪ Mr. Justice Roger Hamel-Smith ▪ Mr. Justice C.V. Humphrey Stollmeyer ▪ Mrs. Maureen Manchouck - Chairman, Public Service Commission (Ag) 	Chairman Member Member Member

**STATISTICS ON MATTERS CONSIDERED
BY THE JUDICIAL AND LEGAL SERVICE COMMISSION IN 2016**

PARTICULARS	2016
No. of Regular Meetings	11
No. of Special Meetings	1
No. of Interviews conducted by Sub-Committees of the Commission	3
No. of Interviews conducted by the Commission	3
No. of Notes Considered at Meetings	98
No. of Notes Considered by Written Opinions	17
Judges	
Elevation to Court of Appeal	2
Appointment of Puisne Judge	0
Acting Appointment of Puisne Judge	0
Continued Acting of Puisne Judge	0
Extended for a further period of acting appointment of Puisne Judge	0
Extended for a further period of temporary appointment of Puisne Judge	1
Temporary Appointment of Puisne Judge	0
Request for Extension of Acting Appointment as Puisne Judge	0
Revocation of Acting Appointment of Puisne Judge	0
Application for Permanent Appointment as Puisne Judge	0

PARTICULARS	2016
Retirement	0
Resignation	0
Decision to Advertise	2
Representations	0
Complaints Against	0
Decision to Interview	2
Request to defer Appointment as Puisne Judge	0
Judicial and Legal Service	2016
Promotions	5
Appointments	6
Acting Appointments	166
Temporary Appointments	3
Transfer	1
Appointment on Transfer	3
Released for Appointment on Transfer	0
Appointment on Secondment	2
Released for Appointment on Secondment	4
Appointment on Transfer on Secondment	0
Amendment to Acting Appointment	11
Cancellation of Permanent Appointment	1

PARTICULARS	2016
Cancellation of Promotion	1
Cancellation of Acting Appointment	0
Confirmations	8
Complaints Against	1
Determination of Seniority	0
Noted comments of Chairman Tax Appeal Board	0
Noted No Pay Leave on grounds of Public Policy	0
Noted No Pay Leave for Private Reasons	0
Noted grant of extension of No Pay Leave	0
Noted Performance Appraisal of officer	0
Noted application for Judicial Review against JLSC	2
Noted Status of Investigation of allegation of misconduct	0
Noted creation of posts	0
Noted Compulsory Retirement	4
Noted Voluntary Retirement	2
Permission to Retire	0
Noted Resignation	3
Noted Civil Appeal	0
Policy Decision re: time limit for assumption of duty of officers	0
Request to defer assumption of duty	0
Request for Transfer	0

PARTICULARS	2016
Request for abatement of probationary period	0
Request for extension of acting appointment	0
Request for backdating of promotion	2
Request for information under the FOIA 1999	0
Representations	5

Appendix VII

Appointment and Promotions,

2016

Ministry/ Department	Office	Appointment	Promotion
Inland Revenue Division, Finance	Chief State Counsel, Group L2B	0	1
Judiciary (Magistracy)	Magistrate, Group J4	3	1
National Security	State Counsel III, Group L5C	0	1
Statutory Authorities Service Commissions Department	State Counsel II, Group L6A	0	1
Judiciary (Magistracy)	Deputy Chief Magistrate, Group J2	0	1
Legislative Drafting Department, Attorney General and Legal Affairs	Parliamentary Counsel I, Group L6A	3	0
TOTAL		6	5