



SAINT VINCENT AND THE GRENADINES

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GOVERNMENT NOTICES

No. 135

APPOINTMENTS

Ms. Solange Walters, as a Clerk, Treasury and Accounting Services, Ministry of Finance, Economic Planning, Sustainable Development and Information Technology, with effect from September 2nd, 2019.

PF 16501

Mr. Kristopher Plough, as a Building Assistant, Physical Planning Unit, Ministry of Housing, Informal Human Settlements, Lands and Surveys and Physical Planning, with effect from August 26th, 2019.

PF 16507

Ms. Joy Ann Butcher, as a Printing Officer, Government Printery, Office of the Prime Minister, with effect from August 12th, 2019.

PF 16521

Ms. Ashalé Latchman, as a Clerk/Typist, Commerce and Intellectual Property Office (CIPO), with effect from September 2nd, 2019.

PF 16502

Mr. Enos Ragguette, as a Bailiff, Family Court, with effect from August 26th, 2019.

PF 16514

Mrs. Cherolene Bowens-Fergus, as a Clerk/Typist, Ministry of Transport, Works, Urban Development, Local Government and Postal Service, with effect from September 9th, 2019.

PF 16500

Ms. Mandesa Williams, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16508

Ms. Karen Keizer, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 12603

Mrs. Samora Martin-Payne, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16516

Ms. Jevia La Borde, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16510

Ms. Andrénica Little, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16517

Ms. Kemisha Joslyn, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16518

Mr. Romaldo Joseph, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16509

Mr. Kamaal James, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16511

Mrs. Jeanette Jacobs, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16515

Ms. Gail Andrews, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 9496

Ms. Harvonique Jack, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16513

Ms. Leorol Gibson, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16519

Ms. Atisha Franklyn, as a Staff Nurse, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16512

Dr. Kyrle Walker, as a Medical Officer, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from August 16th, 2019.

PF 16117

Dr. Gamal Fitzpatrick, as a Medical Officer, Modern Medical Complex, Hospital Services, Ministry of Health, Wellness and the Environment, with effect from August 26th, 2019.

PF 16111

Mr. Ralph Williams, as an Environmental Health Officer, Ministry of Health, Wellness and the Environment, with effect from June 20th, 2019.

PF 14919

Mr. Yurian de Armas Mesa, as a Pharmacist, Polyclinic, Community Health Services, Ministry of Health, Wellness and the Environment, with effect from September 1st, 2019.

PF 16522

8th October, 2019.

No. 136

APPOINTMENTS ON PROMOTION

Mr. Elsworth Quashie, as a Computer Operator, Service Commissions Department, with effect from September 4th, 2019.

PF 10940

Ms. Cathleen Hamilton, as a Senior Clerk, Ministry of Transport, Works, Urban Development, Local Government and Postal Service, with effect from September 4th, 2019.

PF 11131

Mrs. Ann-Marie Branch, as a Senior Executive Officer, Service Commissions Department, with effect from August 28th, 2019.
PF 12769

Mr. Irvin Jackson, as a Senior Clerk, Treasury and Accounting Services, Ministry of Finance, Economic Planning, Sustainable Development and Information Technology, with effect from August 28th, 2019.

PF 13136

8th October, 2019.

No. 137

**POST OF DEPUTY PRINCIPAL -
BUCCAMENT BAY SECONDARY
SCHOOL
MINISTRY OF EDUCATION,
NATIONAL RECONCILIATION AND
INFORMATION**

Applications are invited from suitably qualified persons to fill the post of **DEPUTY PRINCIPAL** at the **Buccament Bay** Secondary School, Ministry of Education, National Reconciliation and Information.

QUALIFICATIONS AND EXPERIENCE:

Applicants should possess the following:

- A Bachelor's Degree from a recognized university;
- Professional Teaching qualification;
- At least ten (10) years teaching experience in a Secondary School.

LIST OF DUTIES:

The Deputy Principal, in addition to his/her normal teaching duties, will be required to assist the Principal with the smooth and efficient running of the school and be responsible for:-

- Working in close contact with the Principal and assisting with any other organizational and administrative duties, which the Principal might require to be done from time to time;
- Assisting the Heads and Subject Departments in the continual development of Curriculum. Helping with the professional development of teachers and acting as liaison between the Staff and the Principal;
- Assisting with the preparation of the agenda for staff meetings; helping in the preparation of orders for books and supplies and in the supervision of school furnishings;
- Monitoring daily Staff attendance and students' attendance;
- Helping in the preparation of timetables.

SALARY:

Salary is payable in the scale \$57,816.00 x \$3,336.00 - \$74,096.00 per annum in Grade D (Graduate).

CLOSING DATE FOR APPLICATIONS:

Applications, accompanied by proof of qualifications and two (2) recent testimonials, should be sent to the Chief Personnel Officer, Service Commissions Department, 2nd Floor, Ministerial Building, Halifax Street, **Kingstown, to reach her not later than October 11th, 2019.**

8th October, 2019.

No. 138

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

A Compendium Sentencing Guideline
of the Eastern Caribbean Supreme Court

Offences of Dishonesty

This compendium sentencing guideline will deal with offences of dishonesty, beginning with theft and robbery, and sections will be added to in time, to deal with burglary and other offences.

Applicability of Guideline

In sentencing for these offences, the Chief Justice has issued guidelines and the court must apply the relevant guidelines and sentence accordingly, unless to do so would not be in the interests of justice. It is only permissible to depart from the guidelines in exceptional circumstances, where such departure can be justified. Clear reasons for not applying the guideline must be given when passing sentence.

It is expected that every court will follow the steps below, with each relevant step being identified to the offender in public before the sentence is passed. Starting points and ranges apply to all adult offenders¹ whether they have pleaded guilty or been convicted after a trial. Credit for a guilty plea is taken into consideration only at Step 3.

¹ For persons below the age of 18, see the Practice Direction 8D on Sentencing Guidelines, no.4 of 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Step 1

Consider the seriousness of the offence. Find the starting point by consulting the guideline and the grid below. Then adjust the figure within the range for the aggravating and mitigating factors of the offence.

Step 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

Step 3

Adjust the figure on assessing discount for any plea of guilty, if applicable.

Step 4

Adjust the figure on assessing totality if sentencing for more than one offence.

Step 5

Give credit for time served on remand.

Step 6

Finally, consider ancillary orders, confiscation, compensation, etc, if applicable.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

THEFT – section 1²

Within the ECSC, in the nine member states and territories there are sometimes different words used to describe the dishonest appropriation of property belonging to others, (e.g. the words larceny or stealing are often used), and there are sometimes different maximum sentences. For the purposes of this guideline, the word 'theft' will be used generically, to embrace a wide variety of offences of dishonesty, including receiving stolen goods and offences involving fraud or deception, and whether as conspiracy or as substantive offences.

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A theft case requires an assessment of the seriousness of the offence and its consequences by reference to the harm caused. In assessing seriousness, this should include reference to the culpability of the offender.

To establish the starting point for the offence within the relevant range, there are four stages within Step 1.

FIRST STAGE

The first stage is to consider consequence by assessing the harm caused by the offence.

CONSEQUENCE may be demonstrated by the following, apart from value:

- Items stolen were of substantial value to the victim, regardless of monetary worth
- High level of inconvenience caused to the victim or others
- Consequential financial harm to victim or others, eg praedial larceny
- Emotional distress
- Fear or loss of confidence caused by the crime
- Risk of or actual injury to persons or damage to property
- Impact of theft on a business
- Damage to heritage assets

² As at 17 September 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Categories arising from consequence are as follows:

CONSEQUENCE – category 1 - highest

Very high value goods (above \$250000 in the High Court, above \$10000 in the Magistrates Court), or
Severe harm to the victim or others.

CONSEQUENCE - category 2 - high

High value goods (\$50000 to \$250000 in the High Court, \$5000 to \$10000 in the Magistrates Court), or
Substantial harm to the victim or others.

CONSEQUENCE - category 3 - medium

Medium value goods (\$10000 to \$50000 in the High Court, \$500 to \$5000 in the Magistrates Court), or
Significant harm to the victim or others.

CONSEQUENCE – category 4 - lesser

Low value goods (up to \$10000 in the High Court and up to \$500 in the Magistrates Court), or
Little or no harm to the victim or others.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to consider seriousness by assessing the culpability of the offender.

Levels of seriousness may be demonstrated by one or more of the following:

Seriousness – Level A (High)

- A leading role where offending is part of a group activity
- Involvement of others through coercion, intimidation or exploitation
- Breach of a high degree of trust
- Sophisticated nature of offence/significant planning
- Theft involving intimidation or the use or threat of force
- Looting
- Targeting of tourists
- Deliberately targeting victim on basis of vulnerability
- Theft involving breaking and entering

Seriousness – Level B (Medium)

- A significant role where offending is part of a group activity
- Some degree of planning involved
- Breach of some degree of trust
- All other cases where characteristics for levels A or C are not present

Seriousness – Level C (Lesser)

- Performed limited function under direction
- Involved through coercion, intimidation or exploitation
- Little or no planning
- Limited awareness or understanding of offence

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

This guideline applies to theft sentences both in the High Court and the Magistrates Court. Disparity in sentence owing to lower sentencing powers in the Magistrates court may arise for similar offending. If so, adjustment in applying the guideline is appropriate.

THIRD STAGE

Having determined the consequence and the level of seriousness find the starting point by consulting the grid below.

Maximum sentence is 'x'.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

	High Seriousness – level A	Medium Seriousness – level B	Lesser Seriousness – level C
Consequence – category 1	SP 75% x Range 60-90% x	SP 60% x Range 45-75% x	SP 50% x Range 35-65% x
Consequence – category 2	SP 50% x Range 35-65% x	SP 35% x Range 20-50% x	SP 20% x Range 10-30% x
Consequence – category 3	SP 35% x Range 20-50% x	SP 20% x Range 10-30% x	SP 10% x Range non-custodial - 20% x
Consequence – category 4	SP 10% x Range non-custodial – 20%	SP 5% x Range non-custodial – 15%	Non-custodial

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following non-exhaustive list of aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of the offence

- Stealing goods as a business
- Steps taken to prevent the victim reporting
- Offender motivated by intention to cause harm or out of revenge
- Offence committed over sustained period of time
- Attempts to conceal/dispose of evidence
- Blame wrongly placed on others
- Attempt to conceal identity

MITIGATING FACTORS of the offence

- Inappropriate degree of trust or responsibility if it helps to explain why the offence occurred
- Involved because of coercion, intimidation or exploitation
- Minor role in group offending
- Property restored

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender. These may include:

AGGRAVATING FACTORS of offender

- Previous convictions for theft offences
- Relevant convictions for other offences
- Offence committed whilst on bail

MITIGATING FACTORS of offender

- Good character
- Physical or mental disability or ill-health
- Remorse, particularly where evidenced by voluntary reparation to the victim
- Steps taken to address offending behavior
- Age and/or lack of maturity
- Offending motivated by genuinely desperate circumstances
- Assistance given to the authorities

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

³ See the requirements for assessing time on remand in *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 6

Finally, consider ancillary orders, confiscation, compensation, etc, if applicable.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

ROBBERY – section 2⁴

Within the ECSC, in the nine member states and territories there are different approaches to robbery, particularly with or without firearms, and there are often different maximum sentences. For the purposes of this guideline, the word ‘robbery’ will be used generically to cover all types, and whether as conspiracy or a substantives offence.

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A robbery case requires an assessment of the seriousness of the offence and its consequences by reference to the harm caused. In assessing seriousness, this should include reference to the culpability of the offender.

To establish the starting point for the offence within the relevant range, there are four stages within Step 1.

⁴ As at 17 September 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FIRST STAGE

The first stage is to consider consequence by assessing the harm caused by the offence.

CONSEQUENCE may be demonstrated by one or more of the following, apart from value of the items taken:

- Items stolen were of significant value to the victim, regardless of monetary worth
- High level of inconvenience caused to the victim or others
- Consequential financial harm to victim or others
- Emotional distress
- Offence involving home invasion
- Fear or loss of confidence caused by the offence
- Risk of or actual injury to persons or damage to property
- Impact of offence on a business

Categories arising from consequence are as follows:

CONSEQUENCE - category 1 - high

Serious physical and/or psychological harm caused to the victim
Serious detrimental effect on a business activity

CONSEQUENCE - category 2 - medium

Some physical and/or psychological harm caused to the victim
Some detrimental effect on a business activity

CONSEQUENCE - category 3 - lesser

No or minimal physical or psychological harm caused to the victim
No or minimal detrimental effect on a business activity

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to consider seriousness by assessing the culpability of the offender.

Levels of seriousness may be demonstrated by one or more of the following:

SERIOUSNESS – level A - high

- Use of any weapon to inflict significant injury
- Production of a firearm or imitation firearm to threaten violence
- Use of substantial force or violence in the commission of the offence
- Substantial duration of offence
- Substantial risk of serious harm or injury to the public
- A leading role where offending is a group activity
- Breach of a high degree of trust
- Sophisticated nature of offence/significant planning

SERIOUSNESS – level B - medium

- Production of a weapon other than a firearm or imitation firearm to threaten violence
- Use of significant force or violence in the commission of the offence
- Threat of violence by any weapon (but which is not produced)
- A significant role where offending is a group activity
- Some degree of planning involved
- Abuse of position of trust
- Targeting victim on basis of vulnerability due to personal circumstances
- Targeting tourists and visitors
- Other cases where characteristics for levels A or C are not present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SERIOUSNESS – level C - lesser

• Involved through coercion, intimidation or exploitation

• Little or no planning

• Limited awareness or understanding of offence

• Threat or use of minimal force

• No weapon nor threat of one

THIRD STAGE

Having determined the consequence and level of seriousness find the starting point by consulting the grid below.

Maximum sentence is 'x'⁵.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

	High Seriousness – level A	Medium Seriousness – level B	Lesser Seriousness – level C
Consequence – category 1	SP 75% x Range 60-90% x	SP 60% x Range 45-75% x	SP 30% x Range 15-45% x
Consequence – category 2	SP 60% x Range 45-75% x	SP 40% x Range 25-55% x	SP 20% x Range 5-35% x
Consequence – category 3	SP 45% x Range 30–60%	SP 20% x Range 5-35% x	SP 10% x Range non-custodial – 20%

⁵ Where the maximum sentence is life imprisonment, simply for the purposes of the calculation 'x' is to be treated as 30 years, (but please note that this does not have the effect of meaning a sentence where the maximum is life can never be more than 30 years).

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following non-exhaustive list of aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of the offence

- Steps taken to prevent the victim reporting
- Offence committed over sustained period of time
- Attempts to conceal/dispose of evidence
- Restraint, abduction or additional degradation of the victim
- Involving others through coercion, intimidation or exploitation
- Attempt to conceal identity (eg wearing a mask)
- Prevalence of the offence
- Offence motivated by greed or desire for luxury

MITIGATING FACTORS of the offence

- Minor role in group offending
- Property restored

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

AGGRAVATING FACTORS of offender

- Previous convictions for robbery offences
- Relevant convictions for other offences
- Offence committed whilst on bail
- Dangerousness

MITIGATING FACTORS of offender

- Good character
- Physical or mental disability or ill-health
- Remorse, particularly where evidenced by voluntary reparation to the victim
- Steps taken to address offending behavior
- Age and/or lack of maturity
- Offending motivated by genuinely desperate circumstances
- Assistance given to the authorities

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence. If appropriate, dangerousness should also be considered.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

STEP 6

Finally, consider ancillary and restraining orders, confiscation, compensation, etc, if applicable.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

⁶ See the requirements for assessing time on remand in *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

No. 139

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

A Sentencing Guideline for Drugs offences within the ECSC.

Within the ECSC, in the nine member states and territories there are different drugs offences, and there are often different maximum sentences. For the purposes of this guideline, the expression ‘drugs offence’ will be used to cover all types of trafficking, cultivation, and possession with an intent to supply, import or export, whether as conspiracy or a substantive offence.

Applicability of Guideline

In sentencing for these offences, the Chief Justice has issued guidelines¹ and the court must apply the relevant guidelines and sentence accordingly, unless to do so would not be in the interests of justice. It is only permissible to depart from the guidelines in exceptional circumstances, where such departure can be justified. Clear reasons for not applying the guideline must be given when passing sentence.

It is required that every court will follow the steps below, with each relevant step being identified to the offender in public before the sentence is passed. Starting points and ranges apply to all adult offenders² whether they have pleaded guilty or been convicted after a trial. Credit for a guilty plea is taken into consideration only at Step 3.

Step 1

Consider the seriousness of the offence. Find the starting point by consulting the guideline and the grid below. Then adjust the figure within the range for the aggravating and mitigating factors of the offence.

Step 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

¹ As at 17 September 2019.
² For persons below the age of 18, see the Practice Direction 8D on Sentencing Guidelines no. 4 of 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Step 3

Adjust the figure on assessing discount for any plea of guilty, if applicable.

Step 4

Adjust the figure on assessing totality if sentencing for more than one offence.

Step 5

Give credit for time served on remand.

Step 6

Finally, consider ancillary orders, confiscation, compensation, etc, if applicable.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

Constructing the Sentence

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A drugs case requires an assessment of the quantity by weight of the drug involved (assuming 100% purity, with adjustment permitted for lower purity and/or higher strength, if known), and the role played by a defendant.

To establish the starting point for the offence within the relevant range, there are four stages within Step 1.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FIRST STAGE

The first stage is to determine the offence category based on quantity.

Categories arising from quantity are as follows:

QUANTITY - category 1

Cocaine - 20 kg or more

Cannabis - 400 kg or more

QUANTITY - category 2

Cocaine - 5-20 kg

Cannabis – 50-400 kg

QUANTITY - category 3

Cocaine – 100g–5 kg

Cannabis – 1-50 kg

QUANTITY - category 4

Cocaine – up to 100 g

Cannabis – up to 1 kg

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to determine the role played by the defendant with reference to the non-exhaustive lists of factors below. It is open to a court to find that a defendant falls between two roles.

LEADING ROLE

- Directing or organising
- Buying and selling on a commercial scale
- Substantial links to, and influence on, others in a chain
- Close links to original source
- Expectation of substantial financial gain
- Uses business as cover
- Abuses a position of trust

SIGNIFICANT ROLE

- Operational or management function within a chain
- Involves others in the operation whether by pressure, influence, intimidation or reward, especially if those involved are children
- Motivated by financial or other advantage, whether or not operating alone
- Some awareness and understanding of scale of operation
- Selling drugs to school children or in prison

LESSER ROLE

- Performs a limited function under direction
- Involved by pressure, coercion, intimidation
- Involvement through youth, naivety or exploitation
- No influence on those above in a chain
- Very little, if any, awareness or understanding of the scale of operation
- If trafficking drugs solely for personal use (considering reasonableness of account in all the circumstances)

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

THIRD STAGE

Having determined the quantity and role find the starting point by consulting the grid below – applicable for both cocaine and cannabis.

Maximum sentence is ‘x’³.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

QUANTITY	Leading Role - A	Significant Role - B	Lesser Role - C
Category 1	SP 65% x Range 50-80% x	SP 50% x Range 35-65% x	SP 35% x Range 20-50% x
Category 2	SP 50% x Range 35-65% x	SP 35% x Range 20-50% x	SP 20% x Range 10-30% x
Category 3	SP 35% x Range 20-50% x	SP 20% x Range 10-30% x	SP 10% x Non-custodial - 20% x
Category 4	Non-custodial (high level)	Non-custodial (medium level)	Non-custodial (low level)

³ Where the maximum sentence is life imprisonment, simply for the purposes of the calculation ‘x’ is to be treated as 30 years, (but please note that this does not have the effect of meaning a sentence where the maximum is life can never be more than 30 years).

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following non-exhaustive list of aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of offence

- Sophisticated nature of concealment
- Attempts to avoid detection
- Attempts to conceal or dispose of evidence
- Exposure of others to more than usual danger, for example drugs cut with harmful substances
- Presence of weapon

MITIGATING FACTORS of offence

- Lack of sophistication as to nature of concealment
- Mistaken belief of the offender regarding the type of drug, taking into account the reasonableness of such belief in all the circumstances
- Dealing to support own habit

This guideline should be read in conjunction with Practice Directions 8 A-D numbers 1 to 4 of 2019

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

These may include:

AGGRAVATING FACTORS of offender

- Previous convictions for drug offences
- Relevant convictions for other offences
- Offence committed whilst on bail

MITIGATING FACTORS of offender

- Good character
- Physical or mental disability or ill-health
- Remorse
- If an addict, offender is taking steps towards rehabilitation
- Age and/or lack of maturity
- Offending motivated by genuinely desperate circumstances
- Assistance given to the authorities

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

STEP 6

Finally, consider ancillary orders, confiscation, compensation, etc, if applicable. Drugs and paraphernalia should be forfeited and destroyed. In addition, consideration should be given to the confiscation of vehicles, boats and other property used in the commission of the offence. It may be appropriate to commence an investigation into the proceeds of crime and/or civil recovery of assets.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

⁴ See *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

No. 140

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

A Compendium Sentencing Guideline
of the Eastern Caribbean Supreme Court

Sexual Offences

This compendium sentencing guideline will deal with sexual offences beginning with rape and unlawful sexual intercourse. In time, sections will be added to deal with indecent assault and other offences.

Applicability of Guideline

In sentencing for these offences, the Chief Justice has issued guidelines and the court must apply the relevant guidelines and sentence accordingly, unless to do so would not be in the interests of justice. It is only permissible to depart from the guidelines in exceptional circumstances, where such departure can be justified. Clear reasons for not applying the guideline must be given when passing sentence.

It is expected that every court will follow the steps below, with each relevant step being identified to the offender in public before the sentence is passed. Starting points and ranges apply to all adult offenders¹ whether they have pleaded guilty or been convicted after a trial. Credit for a guilty plea is taken into consideration only at Step 3.

Step 1
Consider the seriousness of the offence. Find the starting point by consulting the guideline and the grid below. Then adjust the figure within the range for the aggravating and mitigating factors of the offence.

Step 2
Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

¹ For persons below the age of 18, see the Practice Direction 8D on Sentencing Guidelines, no. 4 of 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Step 3

Adjust the figure on assessing discount for any plea of guilty, if applicable.

Step 4

Adjust the figure on assessing totality if sentencing for more than one offence.

Step 5

Give credit for time served on remand.

Step 6

Finally, consider ancillary orders, compensation, restraining orders, etc, if applicable.

Pass the Sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

RAPE - Section 1²

Within the ECSC, in the nine member states and territories there are different maximum sentences for the offence of rape.

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A rape case requires an assessment of the seriousness of the offence and its consequences by reference to the harm caused. In assessing seriousness, this should include reference to the culpability of the offender.

To establish the starting point for the offence within the relevant range, there are four stages within Step 1.

² As at 16 September 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FIRST STAGE

The first stage is to assess the evidence in order to establish the category of the offence by reference to the harm caused by the offence.

Categories arising from harm caused are as follows:

<p>Category 1 – Exceptional</p> <p>Extreme psychological or physical harm supported by evidence, (this can come from the victim)</p> <p>Extreme degradation/humiliation</p> <p>Use of a firearm or weapon</p> <p>Use of extreme force</p> <p>The extreme impact caused by a combination of category 2 factors may elevate to category 1</p> <p>Victim is a child under 10 years of age</p> <p>Victim is 65 years and over</p>
<p>Category 2 – High</p> <p>Serious psychological or physical harm supported by evidence, (this can come from victim)</p> <p>Significant degradation/humiliation</p> <p>Significant use of force</p> <p>Victim is a child under 13 years of age</p> <p>Pregnancy as a consequence of offence</p> <p>STI as a consequence of offence</p>
<p>Category 3 - Significant</p> <p>Category 1 and 2 factors not present</p>

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to assess the seriousness of the offence by reference to a non-exhaustive list of factors to establish the culpability of the offender.

Levels of seriousness may be indicated by one or more of the following:

Category 1 – Exceptional

- Abuse of position of trust
- Abduction
- Significant degree of planning, including grooming or enticement
- Group or gang attack
- Disparity of age
- Prolonged detention/sustained incident
- History of violence against the victim
- Use of violence or threats of violence to prevent reporting
- Recording of incident, and/or distribution, including uploading it to the internet
- Forced/uninvited entry into victim's home
- Use of drugs or alcohol on victim to facilitate the offence
- Offence motivated by, or demonstrated hostility to the victim based on their sexual orientation or transgender identity
- Commercial exploitation

Seriousness - Level B (Lower)

- None of the above present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

THIRD STAGE

Having determined the category and level of seriousness find the starting point by consulting the grid below.

Maximum sentence is 'x'³.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

	SERIOUSNESS Level A	SERIOUSNESS Level B
Category 1	Starting point 75% x Range 60% – 90%	Starting Point 65% x Range 50% - 80%
Category 2	Starting point 50% x Range 35% - 65%	Starting Point 40% x Range 25% - 55%
Category 3	Starting point 40% x Range 25% – 55%x	Starting Point 25% x Range 20% - 30%

³ Where the maximum sentence is life imprisonment, simply for the purposes of the calculation 'x' is to be treated as 30 years, (but please note that this does not have the effect of meaning a sentence where the maximum is life can never be more than 30 years).

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following list of non-exhaustive aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of the offence

- Victim is particularly vulnerable due to personal circumstances which can include mental or physical disability
- Offence committed in the presence of others e.g. relatives, children or partner of the victim
- Ejaculation
- Use of drug or alcohol by the offender

MITIGATING FACTORS of the offence

- Some initial consensual sexual activity
- No violence used beyond that inherent in the offence

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

AGGRAVATING FACTORS of offender

- Previous convictions for sexual offences
- Relevant convictions for other offences
- Offence committed whilst on bail
- Knowledge of infection with STI

MITIGATING FACTORS of offender

- Good character
- Genuine remorse
- Age and/or lack of maturity
- Physical or mental disability or ill-health

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence. If appropriate, dangerousness should also be considered.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

STEP 6

Finally, consider ancillary orders, compensation, restraining orders, etc, if applicable.

⁴ See the requirements for assessing time on remand in *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Pass the sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

UNLAWFUL SEXUAL INTERCOURSE – Section 2⁵

Within the ECSC, in the nine member states and territories the offence of unlawful sexual intercourse (USI) can be described in different language and have different maximum sentences. These offences span a wide range of criminality. At the lowest end of the sentencing range, non-custodial sentences or diversion from the criminal justice process may be appropriate. This may be particularly the case in consensual relationships between young people.

There are usually two categories of USI, each with different sentencing powers, which in this guideline will be divided between ‘USI’ and ‘aggravated USI’. USI is where the girl is a young person under 16, being usually 14 or 15 (13 in some States/Territories), often attracting a maximum sentence of ten years. Aggravated USI is where the girl is child under 13 (under 14 in some States/Territories), often attracting a maximum sentence of life imprisonment. A court will need to be sensitive to this difference, and in particular to how USI with a girl aged 13 can lead to very different sentences in the Member States and Territories depending on whether a person aged 13 is in the first or second category of USI.

⁵ As at 17 September 2019.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

USI – section 2

USI WITH A PERSON UNDER 16, (being 15 or 14, or 13 in some States/Territories)

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A case of unlawful sexual intercourse requires an assessment of the seriousness of the offence and its consequences by reference to the harm caused. In assessing seriousness, this should include reference to the culpability of the offender.

To establish the starting point for the offence within the relevant range, there are four stages within Step1.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FIRST STAGE

The first stage is to assess the evidence in order to establish the category of the offence by reference to the harm caused by the offence.

Categories arising from harm caused are as follows:

Category 1 – Exceptional

- Extreme psychological or physical harm supported by evidence, (this can come from the victim)
- Extreme degradation/humiliation
- The extreme impact caused by a combination of category 2 factors may elevate to category 1

Category 2 – High

- Significant psychological or physical harm supported by evidence, (this can come from the victim)
- Significant degradation/humiliation
- Significant use of force
- Pregnancy as a consequence of the offence
- STI as a consequence of the offence

Category 3 – Significant

- Category 1 and 2 factors not present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to consider seriousness by assessing the culpability of the offender.

Levels of seriousness may be indicated by one or more of the following:

Seriousness - Level A (High)

- Abuse of position of trust, especially in a familial relationship
- Abduction
- Significant degree of planning, including grooming or enticement
- Group or gang attack
- Disparity of age
- Prolonged detention/sustained incident
- Violence or threats of violence
- Steps taken to prevent reporting
- History of violence against the victim
- Steps taken to prevent reporting
- Recording of incident, and/or distribution, including uploading it to the internet
- Use of a weapon to frighten or injure
- Forced/uninvited entry into victim's home
- Use of drugs or alcohol on victim to facilitate the offence

Seriousness - Level B (Lesser)

- None of the above present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

THIRD STAGE

Having determined the category of harm and level of seriousness find the starting point by consulting the grid below.

Maximum sentence is 'x'⁶.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

	SERIOUSNESS Level A	SERIOUSNESS Level B
Category 1	Starting point 65% x Range 50% – 80%	Starting point 45% x Range 30% - 60%
Category 2	Starting point 45% x Range 30% - 60%	Starting point 20% x Range 5% - 35%
Category 3	Starting point 20% x Range 5% – 35%	Starting point Likely non-custodial

⁶ Where the maximum sentence is life imprisonment, simply for the purposes of the calculation 'x' is to be treated as 30 years, (but please note that this does not have the effect of meaning a sentence where the maximum is life can never be more than 30 years).

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following list of non-exhaustive aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of offence

- Victim is particularly vulnerable due to personal circumstances which can include mental or physical disability
- Offence in the presence of others, especially children
- Ejaculation

MITIGATING FACTORS of offence

- No violence
- Parties involved in a consensual relationship with little disparity in age

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

AGGRAVATING FACTORS of offender

Previous convictions for sexual offences

Relevant convictions for other offences

Offence committed whilst on bail

MITIGATING FACTORS of offender

Good character

Genuine remorse

Evidence of genuine attempt to address offending behaviour

Age and/or lack of maturity

Physical or mental disability or ill-health

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence. If appropriate, dangerousness should also be considered.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

STEP 6

Finally, consider ancillary orders, compensation, restraining orders, etc., if applicable.

⁷ See the requirements for assessing time on remand in *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Pass the sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

AGGRAVATED USI – section 2B

USI WITH A PERSON UNDER 13, (or under 14 in some States/Territories)

STEP 1

The first step in constructing a sentence is to establish the starting point for the offence.

A case of unlawful sexual intercourse requires an assessment of the seriousness of the offence and its consequences by reference to the harm caused. In assessing seriousness, this should include reference to the culpability of the offender.

To establish the starting point for the offence within the relevant range, there are four stages within Step 1.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FIRST STAGE

The first stage is to assess the evidence in order to establish the category of the offence, by reference to the harm caused by the offence. This should include an assessment of the evidence.

Categories arising from harm caused are as follows:

Category 1 – Exceptional

- Extreme psychological or physical harm supported by evidence, (this can come from the victim)
- Extreme degradation/humiliation
- The extreme impact caused by a combination of category 2 factors may elevate to category 1
- Victim is a child under 10 years of age

Category 2 – High

- Serious psychological or physical harm supported by evidence, (this can come from the victim)
- Significant degradation/humiliation
- Significant use of force
- Pregnancy as a consequence of the offence
- STI as a consequence of the offence

Category 3 – Significant

- Category 1 and 2 factors not present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

SECOND STAGE

The second stage is to consider seriousness by assessing the culpability of the offender.

Levels of seriousness may be indicated by one or more of the following:

Seriousness - Level A (High)

- Abuse of position of trust, especially in a familial relationship
- Abduction
- Significant degree of planning, including grooming or enticement
- Group or gang attack
- Disparity of age
- Prolonged detention/sustained incident
- Violence or threats of violence
- History of violence against the victim
- Steps taken to prevent reporting
- Recording of incident, and/or distribution, including uploading it to the internet
- Use of a weapon to frighten or injure
- Forced/uninvited entry into victim's home
- Use of drugs or alcohol on victim to facilitate the offence

Seriousness - Level B (Lesser)

- None of the above present

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

THIRD STAGE

Having determined the category of harm and level of seriousness find the starting point by consulting the grid below.

Maximum sentence is ‘x’⁸.

Percentages are approximations and may not divide neatly, so that some adjustment is permissible.

	<u>SERIOUSNESS Level A</u>	<u>SERIOUSNESS Level B</u>
<u>Category 1</u>	Starting point 65% x Range 50% – 80%	Starting point 40% x Range 25% - 55%
<u>Category 2</u>	Starting point 40% x Range 25% - 55%	Starting point 20% x Range 5% - 35%
<u>Category 3</u>	Starting point 20% x 5% – 35%	Starting point 5% x Range non-custodial – 15%

⁸ Where the maximum sentence is life imprisonment, simply for the purposes of the calculation ‘x’ is to be treated as 30 years, (but please note that this does not have the effect of meaning a sentence where the maximum is life can never be more than 30 years).

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

FOURTH STAGE

Having determined the starting point, consider the following list of non-exhaustive aggravating and mitigating factors of the offence and adjust upwards or downwards if required, taking care not to double-count factors considered in stages 1 and 2.

AGGRAVATING FACTORS of offence

- Victim is particularly vulnerable due to personal circumstances which can include mental or physical disability
- Offence in the presence of children
- Ejaculation

MITIGATING FACTORS of offence

- No violence
- Parties involved in a consensual relationship with little disparity in age

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

AGGRAVATING FACTORS of offender

- Previous convictions for sexual offences
- Relevant convictions for other offences
- Offence committed whilst on bail

MITIGATING FACTORS of offender

- Good character
- Genuine remorse
- Evidence of genuine attempt to address offending behaviour
- Age and/or lack of maturity
- Physical or mental disability or ill-health

STEP 3

Credit should be given for a guilty plea as appropriate. A reduction of one-third should be given for a guilty plea entered at the earliest practicable opportunity. Credit will usually reduce significantly the later the plea.

STEP 4

Adjust the figure on assessing totality if sentencing for more than one offence. If appropriate, dangerousness should also be considered.

STEP 5

Credit must be given for time spent on remand for the relevant offence, to be calculated with precision.

STEP 6

Finally, consider ancillary orders, compensation, restraining orders, etc., if applicable.

⁹ See the requirements for assessing time on remand in *Gomes v The State* 2015 UKPC 8, see para 12; *Shonovia Thomas v The Queen* Appeal no.6 of 2010; and *Romeo Da Costa Hall v The Queen* 2011 CCJ 6.

This guideline should be read in conjunction with Practice Directions 8 A-D, numbers 1 to 4 of 2019.

Pass the sentence

The court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

No. 132



VACANCY NOTICE

Applications are invited from suitably qualified persons to fill the position of **Regional Mediation Coordinator**, Eastern Caribbean Supreme Court Headquarters, Castries, Saint Lucia.

JOB DESCRIPTION

JOB TITLE: Regional Mediation Coordinator

REPORTS TO: Chief Justice

SUPERVISES: Mediation Assistant

A. DUTIES AND RESPONSIBILITIES:

The incumbent is required to perform the following duties:

1. Overall coordination and development of court-connected mediation programmes in all Member States and Territories.
2. Provide information and technical assistance to the Mediation Coordinator in each Member State and Territory.
3. Assist with Mediation replication in Member States and Territories and monitor programmes closely to avoid duplication of efforts.
4. Establish a system for monitoring Mediation in Member States and Territories to ensure that standards and the overall quality of the Mediation programme are maintained.

5. Monitor and evaluate the Mediation programme and make recommendations for improvements, after consultation with the Chief Justice.
6. Ensure enforcement of Regional Policy and harmonization across all Member States and Territories.
7. Collect data from all Mediation offices; maintain records and reports; and present periodical reports to the Chief Justice on the overall productivity and effectiveness of the Mediation programme.
8. Assist in the preparation of training and orientation courses for all Court personnel dealing with Mediation.
9. Ensure collection of mediation fees.
10. Liaises with High Court Offices in all Member States and Territories in relation to mediation activities.
11. Perform such other duties as may be assigned from time to time.

B. QUALIFICATIONS AND EXPERIENCE:

This post requires a Certification in Mediation and a Bachelor's Degree in a related field. Applicants should also have knowledge of the Law, Project Management, Monitoring and Evaluation, Training and Facilitation and proficiency in the use of technology including MS Office Suite; **plus** a minimum of two (2) years relevant leadership experience in a similar environment.

C. COMPETENCIES AND SKILLS:

The Officer's competencies and skills should include:

1. Excellent interpersonal relations.
2. Excellent oral and written communication skills.

3. Sound judgment and decision-making ability. No. 133
4. Good planning and organization skills.
5. Knowledge of and ability to interpret relevant laws.
6. Familiarity with the application of and use of technology.
7. Emotional intelligence.
8. Conflict Resolution skills.
9. Monitoring and Evaluation.
10. Project Management.
11. Analysis and Reporting.

D. REMUNERATION:

Salary shall be commensurate with the successful applicant's qualifications and experience.

Completed employment application form, together with a cover letter, curriculum vitae (CV), two [2] written reference letters and certified copies of documents pertaining to qualifications, should be addressed to:

The Secretary
Judicial and Legal Services Commission
2nd Floor, Heralding Rock Building
The Waterfront
P.O. Box 1093
Castries
Saint Lucia, West Indies.

To arrive no later than **Friday, 18th October, 2019.**

NB: Applications may also be submitted via email to jlsc@eccourts.org. Only the candidates with the best qualifications and experience will be shortlisted for interview. We are sorry but due to the volume of applications, only short-listed candidates will be contacted.

24th September, 2019.



VACANCY NOTICE

Applications are invited from suitably qualified persons for appointment to the post of **Judicial Research Assistant** within the **Eastern Caribbean Supreme Court**, Headquarters, Castries, Saint Lucia.

JOB DESCRIPTION

JOB TITLE: Judicial Research Assistant

REPORTS TO: Chief Registrar

SUPERVISES: MPP 2

A. DUTIES AND TASKS:

1. Reviews and summarizes evidence, procedural history and legal issues in relation to matters before the Court of Appeal and prepares bench memoranda.
2. Conducts legal research.
3. Prepares first drafts of judgments and orders for review by the Chief Justice and Justices of Appeal.
4. Reviews legal documents at the request of the Chief Justice and Justices of Appeal.
5. Prepares digests and records of proceedings at sittings of the Court of Appeal in Saint Lucia.
6. Reviews court documents in particular, digests and decisions, for completeness of format, citations, grammar, spelling, clarity and accuracy.
7. Headnotes and proofreads judgments in preparation for their delivery.
8. Performs such other duties as may be assigned by the Chief Registrar.

B. SKILLS, KNOWLEDGE AND ABILITIES:

1. Ability to proofread accurately.
2. Ability to prepare judgments for delivery.
3. Ability to review and summarize evidence, procedural history and legal issues in relation to matters before the Court of Appeal.
4. Ability to conduct research for the Chief Justice and Justices of Appeal.
5. Ability to prepare digests and records of proceedings at sittings of the Court of Appeal.
6. Ability to identify and analyze factual and legal issues relevant to the disposition of appeals.
7. Ability to formulate dispositions for consideration of the Chief Justice and Justices of Appeal.
8. Effective oral and written communication skills.
9. The applicant should have sound working knowledge and training in Research Methods, Legal Research and Analysis, Rules of the Supreme Court and Court of Appeal Rules, Protocol and IT applications for office operations.
10. The applicant should be called to the Bar in a Commonwealth Country or will be called to the Bar in a Commonwealth Country within a reasonable period after appointment.

C. QUALIFICATIONS AND EXPERIENCE:

Applicants should have the following qualifications:

- A Bachelor of Laws Degree; and

- A Legal Education Certificate or equivalent recognized qualification.

At least one (1) year of relevant prior working experience in a similar environment would be an asset.

D. REMUNERATION:

Salary will be commensurate with qualifications.

Completed employment application form, together with a cover letter, curriculum vitae (CV), two [2] written reference letters and certified copies of documents pertaining to qualifications, should be addressed to:

The Secretary
Judicial and Legal Services Commission
Eastern Caribbean Supreme Court
2nd Floor, Heraldine Rock Building
The Waterfront
P.O. Box 1093
Castries

Saint Lucia, West Indies.

To arrive no later than **Friday, 18th October, 2019.**

NB: Application forms may be downloaded at the Court's Website (www.eccourts.org). Applications may also be submitted via email to ilsc@eccourts.org. Incomplete applications will not be considered. Unsuitable candidates will not be acknowledged. Candidates meeting the minimum qualifications and experience may not be considered for an interview. Only the candidates with the best qualifications and experience will be shortlisted for interview.

24th September, 2019.

BY COMMAND

KATTIAN BARNWELL
Secretary to Cabinet
Prime Minister's Office

Prime Minister's Office
St. Vincent and the Grenadines.

8th October, 2019.

DEPARTMENTAL AND OTHER NOTICES

PHYSICAL PLANNING AND
DEVELOPMENT BOARD TOWN AND
COUNTRY PLANNING
ACT 1992

PUBLIC NOTICE

Notice is hereby given that an application has been made to the Physical Planning and Development Board by **DENNISTON WILSON**.

To construct an Addition to an existing Commercial Building at Chateaubelair.

A copy of the application and of the plans and other documents submitted with it may be inspected at the offices of the Physical Planning Unit, Ministry of Housing, Informal Human Settlements, Lands and Surveys, Physical Planning, Sharp Street, during the hours of 8:00 a.m. -12 noon and 1:00 p.m.- 4:15 p.m. Monday - Friday for a period of fourteen (14) days following the date of issue of the notice.

Any person wishing to make representation to the Board in connection with this application should do so in writing to the Secretary of the Board and within the above-mentioned period.

DORNET HULL
Secretary
Physical Planning & Development
Board.

PHYSICAL PLANNING AND
DEVELOPMENT BOARD TOWN AND
COUNTRY PLANNING
ACT 1992

PUBLIC NOTICE

Notice is hereby given that an application has been made to the Physical Planning and Development Board by **EILEEN O'GARRO**.

To construct an Addition to an existing Residential/Commercial Building (Shop) at Barrouallie.

A copy of the application and of the plans and other documents submitted with it may be inspected at the offices of the Physical Planning Unit, Ministry of Housing, Informal Human Settlements, Lands and Surveys, Physical Planning, Sharp Street, during the hours of 8:00 a.m. -12 noon and 1:00 p.m.- 4:15 p.m. Monday - Friday for a period of fourteen (14) days following the date of issue of the notice.

Any person wishing to make representation to the Board in connection with this application should do so in writing to the Secretary of the Board and within the above-mentioned period.

DORNET HULL
Secretary
Physical Planning & Development
Board.

PHYSICAL PLANNING AND
DEVELOPMENT BOARD TOWN AND
COUNTRY PLANNING
ACT 1992

PUBLIC NOTICE

Informal Human Settlements, Lands and Surveys, Physical Planning, Sharp Street, during the hours of 8:00 a.m. -12 noon and 1:00 p.m.- 4:15 p.m. Monday - Friday for a period of fourteen (14) days following the date of issue of the notice.

Any person wishing to make representation to the Board in connection with this application should do so in writing to the Secretary of the Board and within the above-mentioned period.

Notice is hereby given that an application has been made to the Physical Planning and Development Board by NEMESIS INC. To construct a New Hotel at Argyle.

A copy of the application and of the plans and other documents submitted with it may be inspected at the offices of the Physical Planning Unit, Ministry of Housing,

DORNET HULL

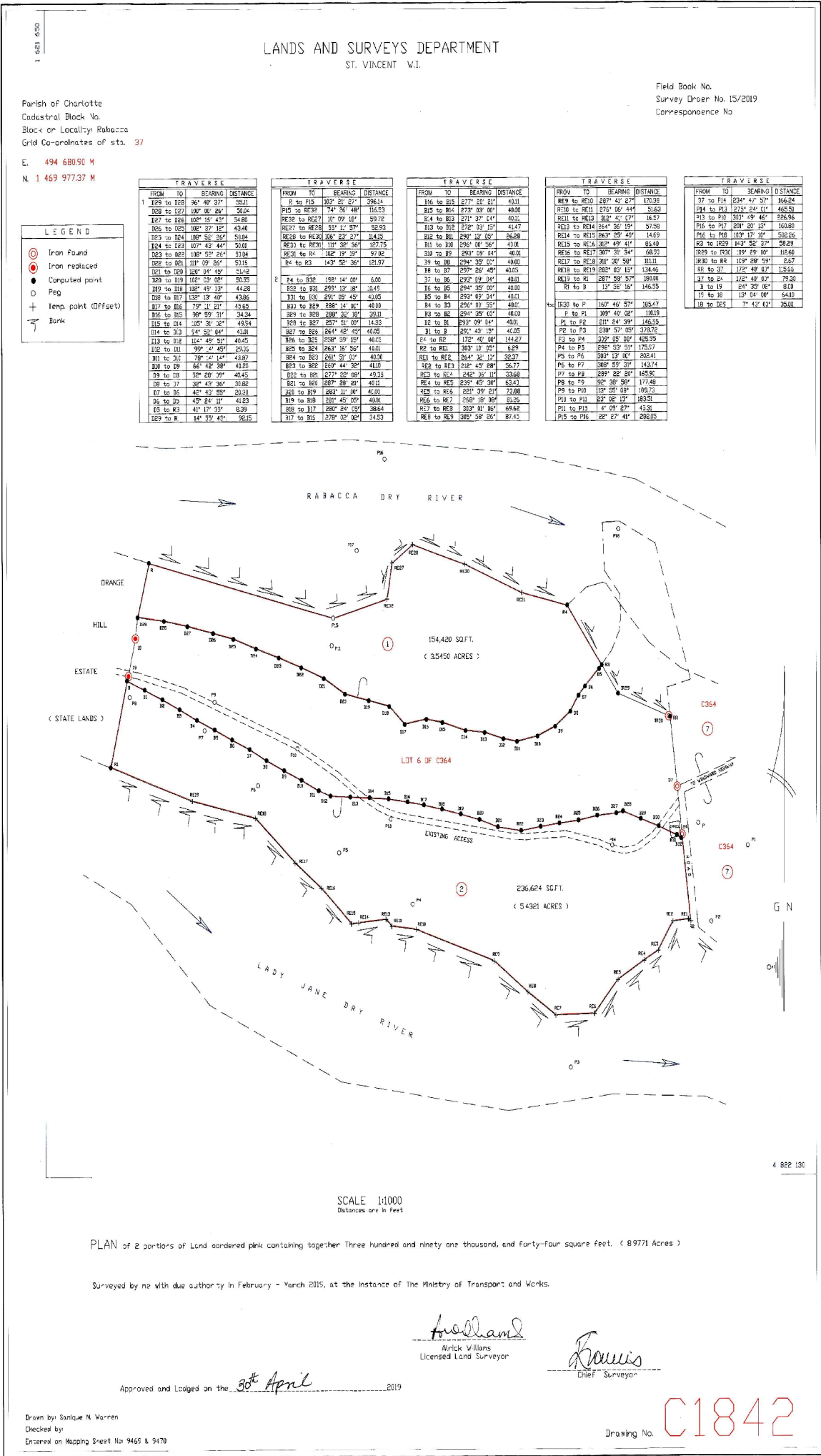
Secretary

Physical Planning & Development Board.

NOTICE

SURVEY PLAN FOR CROWN BOUNDARY AT RABACCA

In keeping with Section 8 of the Crown Lands Act, a copy of a registered Survey Plan C1842 depicting the boundary between Crown Land and Lot 6 on Plan C364 at Rabacca is hereby published. Any person who may consider himself aggrieved by this Plan may, without prejudice to any application to the Governor General, within two calendar months of this publication, apply by petition to a judge in chambers to review the survey. The petition must state fully the objections to the survey and the petitioner's claim and reasons for the application.



EASTERN CARIBBEAN SUPREME COURT
IN THE COURT OF APPEAL
SAINT VINCENT AND THE GRENADINES

COURT OF APPEAL SITTING

ALL PARTIES CONCERNED are hereby notified that the Court of Appeal will be sitting in the State commencing **Monday 14th October, 2019 at 9:00 o' clock** in the forenoon and continuing.

ANDREA YOUNG,
Registrar,
High Court.

NOTICE

The St. Vincent and the Grenadines Financial Services Authority hereby gives notice that the following International Business Companies are liable to be struck from the Register for being in breach of Section 68 (1) of the International Business Companies (Amendment and Consolidation) Act, Chapter 149 of the Revised Laws of Saint Vincent and the Grenadines, 2009.

Notice is hereby given to effect a change of Registered Agent to a person who holds a valid License in Saint Vincent and the Grenadines within Sixty (60) days of this notice.

Registration No.	Name of Company	Registered Agent
14274 IBC 2006	Liberene Limited	St. Vincent Trust Service Limited
16853 IBC 2008	Pharmaworld Limited	St. Vincent Trust Service Limited
25238 IBC 2018	QTrade Limited	Euro-Caribbean Trustees Ltd.

CARLA JAMES,
Registrar, International Business Companies.

NOTICE

The St. Vincent and the Grenadines Financial Services Authority hereby gives notice that the following International Business Companies have been struck from the Register pursuant to Section 172 (3) and (4) of the International Business Companies (Amendment and Consolidation) Act, Chapter 149 of the Revised Laws of Saint Vincent and the Grenadines, 2009:

1. Caliburn Limited	429 IBC	1997
2. Crabbe Holding Limited	8800 IBC	2001
3. Picassina Enterprises Ltd.	18356 IBC	2010
4. Hinton Corp.	20248 IBC	2012
5. Pelliron Universal Inc.	24467 IBC	2018
6. Navaro Corporation	25215 IBC	2018

CARLA JAMES,
Registrar, International Business Companies.

NEOTECH INC. (8549 IBC 2001)
(IN VOLUNTARY LIQUIDATION)

NOTICE IS HEREBY GIVEN that on 23rd August, 2019, a Shareholder's Resolution was passed to wind up NEOTECH INC. ("the Company") and to appoint Mr. G. Grahame Bollers of Regal Building, Lot 110 Middle Street, Kingstown, Saint Vincent and the Grenadines as Liquidator effective 25th September, 2019.

All Creditors of and Claimants against the Company are required to present their respective claims and demands immediately to the Liquidator so that he can collect in the Company's assets, convey and dispose of its properties, pay satisfy and discharge its liabilities and obligations and to do any other acts that may be required to liquidate its business and affairs. The following is required in respect of all claims:

- (a) Claims must be in writing and must include the name and address of the Claimant, the total amount of the claim, details of any document by reference to which the debt may be substantiated, particulars of how and when the debt was incurred, and particulars of any security held, the value of security and the date it was given.
- (b) Claims must reach the Liquidator no later than 28th October, 2019.
- (c) Claims should be mailed to:

Mr. G. Grahame Bollers
Liquidator of Neotech Inc.
C/o Regal Chambers
Regal Building 2nd Floor
P.O. Box 1674
Kingstown
St. Vincent and the Grenadines.

G. Grahame Bollers,
Liquidator of Neotech Inc. (In Voluntary Liquidation).

**THE INTERNATIONAL BUSINESS COMPANIES (AMENDMENT AND
CONSOLIDATION) ACT, CHAPTER 149 OF THE REVISED LAWS OF
SAINT VINCENT AND THE GRENADINES, 2009**

REGENT ASSET MANAGEMENT LIMITED (No.: 10509 IBC 2003)
(IN VOLUNTARY LIQUIDATION)

Pursuant to Section 167 (4) of the Act, Notice is hereby given that the aforementioned Company has passed the relevant resolutions as required by the Act and:

- 1. Is now in voluntary liquidation prior to being wound up and dissolved;
- 2. Commenced its dissolution on the 23rd September, 2019; AND
- 3. Has duly appointed Dr. Iur Michael Kranz, Industriering 14, 9491 Ruggell, Liechtenstein as liquidator.

DR. IUR MICHAEL KRANZ,
Liquidator.

**THE INTERNATIONAL BUSINESS COMPANIES (AMENDMENT AND
CONSOLIDATION) ACT, CHAPTER 149 OF THE REVISED LAWS OF
SAINT VINCENT AND THE GRENADINES, 2009**

**OPTIMA FINANCE LIMITED (No.: 324 IBC 1997)
(IN VOLUNTARY LIQUIDATION)**

Pursuant to Section 167 (4) of the Act, Notice is hereby given that the aforementioned Company has passed the relevant resolutions as required by the Act and:

1. Is now in voluntary liquidation prior to being wound up and dissolved;
2. Commenced its dissolution on the 25th September, 2019; AND
3. Has duly appointed ELSON Treuhand Anstalt, Städtle 35,9490 Vaduz as liquidator.

ELSON TREUHAND ANSTALT,
Liquidator.

**THE INTERNATIONAL BUSINESS COMPANIES (AMENDMENT AND
CONSOLIDATION) ACT, CHAPTER 149 OF THE REVISED LAWS OF
SAINT VINCENT AND THE GRENADINES, 2009**

**INTEGRAL CALCULUS LIMITED (No.: 7759 IBC 2001)
(IN VOLUNTARY LIQUIDATION)**

Pursuant to Section 167 (4) of the Act, Notice is hereby given that the aforementioned Company has passed the relevant resolutions as required by the Act and:

1. Is now in voluntary liquidation prior to being wound up and dissolved;
2. Commenced its dissolution on the 11th September, 2019; AND
3. Has duly appointed Gyor Levy, Bahnhofstrasse 7, P. O. Box 48, 9494 Schaan, Liechtenstein as liquidator.

GYOR LEVY,
Liquidator.

**THE INTERNATIONAL BUSINESS COMPANIES (AMENDMENT AND
CONSOLIDATION) ACT, CHAPTER 149 OF THE REVISED LAWS OF
SAINT VINCENT AND THE GRENADINES, 2009**

**LEODALE LIMITED (No.: 18963 IBC 2010)
(NOTICE OF COMPANY DISSOLUTION)**

Pursuant to Section 167 (8) of the International Business Companies (Amendment and Consolidation) Act, Chapter 149 of the Revised Laws of Saint Vincent and the Grenadines, 2009. Notice is hereby given that the aforementioned Company has been dissolved and struck off the register.

MARLENE MANSFELDT BERTL,
Liquidator.

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