

# SUPREME COURT OF BARBADOS

## Application for Appointment as Judge of the High Court

Closing Date for Applications:

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This form should be typewritten or handwritten clearly in **black** ink. If there is insufficient space on the form, please continue on a separate sheet. **You should complete all parts of this form, even if you have previously supplied some of the details requested.** This will help to ensure that our records are complete.

Please read the guidance notes before completing this Form.

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**Section A – Personal Details**

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Title [*indicate with an x*]    Mr. \_\_\_\_\_ Mrs. \_\_\_\_\_ Ms. \_\_\_\_\_ Other \_\_\_\_\_  
*[please state]*

Last Name: \_\_\_\_\_

All names: \_\_\_\_\_  
*[please underline the name  
by which you prefer to be known]*

Date of Birth: \_\_\_\_\_  
*[a copy of the Personal Details  
Page of Passport along with a  
certified copy of your Birth  
Certificate must be submitted  
with the Application Form]*

Decorations/Honours: \_\_\_\_\_

Business Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Home Address: \_\_\_\_\_

Telephone Number:            (h) \_\_\_\_\_ (m) \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Please indicate the address to  
be used for correspondence  
relating to this application:    Business \_\_\_\_\_ Home \_\_\_\_\_

Please indicate with an *x* your appropriate status:

Justice of Appeal \_\_\_\_\_  
Judge \_\_\_\_\_  
Master \_\_\_\_\_  
Magistrate \_\_\_\_\_  
Queens Counsel \_\_\_\_\_  
Barrister \_\_\_\_\_  
Attorney at Law \_\_\_\_\_  
Solicitor \_\_\_\_\_  
Other [please state] \_\_\_\_\_

Nationality/Nationalities: \_\_\_\_\_  
\_\_\_\_\_  
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Religion: \_\_\_\_\_

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**Section B – Educational and Professional History**

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*[Certified copies of certificates or official transcripts of all stated education qualifications must be submitted along with the Application Form]*

**[1] Further and/or Higher Education**

<b>Colleges and/or Universities Attended and Addresses</b>	<b>Dates Attended</b>	<b>Degrees/Diplomas/Certificates awarded (<i>Please state class, if any</i>)</b>

**[2] Professional/Legal Training**

<b>Institution[s] Attended and Address[es]</b>	<b>Dates Attended</b>	<b>Degrees/Diplomas/Certificates awarded (<i>Please state class, if any</i>)</b>

**[3] Admission to the Bar**

Date[s] and Place[s] of call: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Year Silk Taken [if applicable] \_\_\_\_\_

**[4] Other Training [if applicable], give details**


**[5] Professional Experience**

Please give details of your professional experience since being called to the Bar, **starting with the most recent**.

Please include dates, addresses [including where appropriate, the name of the Head of Chambers]. Please include under ‘Particulars’ whether the type of work done included litigation and/or litigation management.

Dates		Chambers, Firm or other organization and address	Particulars
From	To		

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**Section C – Judicial Experience**

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1. Do you now hold, or have you held in the past, any judicial appointment? [including temporary or part-time appointment] No  Yes  [Please state the position[s], date[s] of appointment and period[s] of service in the space below]

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2. If you currently hold a judicial position, please state the court[s] where you now preside and the duration of your appointment.

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3. Please state any location[s] where you have sat in the last 3 years and the court[s] over which you have presided during that time.

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4. If you hold or have held any judicial appointment, please describe the work you have done as a holder of judicial office, and the jurisdictions exercised.

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**Section D – General**

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**A. Character**

1. Have you ever been convicted of, or cautioned in relation to any criminal offence? No  Yes  [Please give details, including dates, below]

2. Have you ever been adjudged bankrupt, or made a composition with your creditors, or been sued to judgment for any debt, or are any such proceedings pending? No  Yes  [Please give details, including, dates below]

3. Have you ever had proceedings brought against you, or paid a penalty or made a composition in respect of failing to pay or any other default relative to any other form of tax or rates, or are there any such proceedings pending? No  Yes  [Please give details, including, dates below]

4. Have you ever had an action brought against you for professional negligence without the matter being dismissed, or are any such proceedings pending? If any such action has been brought or is pending against your firm in respect of a matter under your supervision, please answer 'yes'. No  Yes  [Please give details, including, dates below]

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5. Are you, or have you ever been subject to the disciplinary proceedings of the Bar in respect of complaints regarding a matter involving you personally or under your supervision, without the matter having been dismissed, or are any such proceedings pending? No  Yes  [Please give details, including dates, below]

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**(For persons who have not held judicial office)**

6. List in chronological order commencing with the most recent, the 5 cases that you consider to be the most important in your career. Give the name of each case, name of opposing Counsel, brief details of the nature of the matter and of final disposition. Please provide information by which any written judgments could be accessed.

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7. If you currently hold or have held judicial office, list the **5** most important cases over which you have presided. Indicate the name of each case, giving brief details of the nature of the matter, the names of Counsel who appeared and the final disposition of the case. Specifically indicate if the matter was appealed and the result in the appellate process. Provide information by which any written judgments could be accessed.

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8. Are you aware of anything in your private or professional life, which would be a source of embarrassment to yourself or the Judiciary of Barbados, if it became known in the event of your appointment as a High Court Judge? No  Yes  [Please give details below]

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**E. Consultation Referees**

Please include here the names, email addresses and contact numbers of up to three **persons, at least one of whom is or has been a member** of the judiciary and/or the legal profession who you consider will be able to comment on your qualities and experience. *[Please pay particular attention to the arrangements for consultation which are outlined in the Guide for Applicants.]*

NAME	STATUS	MAILING ADDRESS	EMAIL ADDRESS	TELEPHONE NUMBER

**F. Further Information**

Please provide any other information which you consider may be relevant to your application. It is important that you candidly assess your own suitability for appointment to the High Court Bench, against the criteria [legal knowledge and experience, skills and abilities, and personal qualities: these are described in more detail in the Guide]. You should provide examples of significant achievements to support your assessment. Continue on a separate sheet, if necessary.

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**G. Area of Law**

Please indicate the area or areas of law in which you have the most expertise and experience

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I \_\_\_\_\_ swear/affirm under the penalty of perjury that the information which I have given on this form is true to the best of my knowledge and belief. I understand that any misrepresentation may result in my disqualification even after appointment.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**SUPREME COURT OF BARBADOS**

**APPOINTMENT TO THE OFFICE OF  
JUDGE OF THE HIGH COURT**

**GUIDE FOR APPLICANTS**

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## PART 1

### INTRODUCTION

- 1.1 The purpose of this Guide is to assist applicants for the office of Judge of the High Court. It is arranged in four parts.

#### **Part 1**

This gives a brief outline of the contents of the Guide.

#### **Part 2**

This outlines the **eligibility requirements** and the **criteria** applicants must satisfy before the Judicial Appointments Committee will consider them for appointment. It also explains the **appointment procedure** and outlines how the Committee will obtain the comments of referees.

#### **Part 3**

This gives important advice on **making an application**.

#### **Part 4**

This contains **Annex A**: an outline of the **terms and conditions** of High Court Judges.

- 1.2 **Applicants are advised to ensure that they read and fully understand the contents of this Guide before they complete and submit their application form.**

## PART 2

### ELIGIBILITY REQUIREMENTS

- 2.1 To be eligible for appointment as a High Court Judge, an applicant

**[a] must either:**

**[i] be or have** been a Judge of a court of unlimited jurisdiction in civil and criminal matters in some part of the

Commonwealth or a court having jurisdiction in appeals from such a court; or

[ii] qualified to practise as an advocate in such a court, and has so practised, for a period of or periods amounting in the aggregate to not less than 10 years.

[b] must be in good health. In particular, he/she should have satisfactory sight and hearing [with technological assistance if required] and should also be able to sit and to concentrate for long periods of time.

[c] must be **a person of high integrity and** who conducts himself/herself at all times, both in his/her professional and personal lives, in a manner that will maintain public confidence in the standards of the judiciary.

2.2 The Judicial Appointments Committee will recommend for appointment the candidate who appears to it, to be best qualified, with reference to the criteria [see paragraph 3.1], regardless of gender, ethnic origin, marital status, sexual orientation, political affiliation, religion, or disability, except where the disability prevents the fulfillment of the physical requirements of the office.

2.3 If you are unsure whether or not you are eligible to apply, please communicate with the Secretary of the Judicial Appointments Committee, who will be able to assist you.

### **3. CRITERIA FOR APPOINTMENT**

3.1 The Judicial Appointments Committee will only recommend for appointment individuals who best satisfy the eligibility criteria and display the following attributes to the highest degree.

#### **Legal Knowledge and Experience**

##### Successful candidates will have attained

[a] A high level of understanding of the principles of law and jurisprudence.

[b] A comprehensive knowledge of the rules of evidence and of court practice and procedure.

## Skills and Abilities

[a] Sound judgment, being able to:

- exercise discretion effectively;
- apply knowledge and experience to make decisions which are in compliance with the law and appropriate to the circumstances of the matter in hand; and
- consider competing arguments and reason logically to a balanced conclusion.

[b] Intellectual and analytical ability, being able to:

- listen and concentrate for long periods of time, understand and assimilate facts and arguments, and recall such evidence and information speedily and accurately;
- apply legal principles to particular facts and to determine from a large body of information those issues and facts which are relevant and important and those which are not; **and**
- weigh relevant issues and matters of law in order to be able to formulate them for reasoned and coherent presentation.

[c] Decisiveness:

Having the ability to reach firm conclusions [often at speed], to think, decide and act independently of others, and to rely on their own judgment.

[d] Communication and listening skills:

Being able to communicate effectively with all types of court users including lay people [whether defendants, witnesses, members of a jury, litigants in person or children], giving instructions, explaining complex issues and giving decisions in judgments clearly and concisely, both orally and, where necessary, in writing.

[e] Authority and case management skills, being able to:

- command the respect of court users and maintain fair-minded discipline in the court and chambers without appearing pompous, arrogant or overbearing;
- promote the expeditious dispatch of litigation, preventing unnecessary prolixity, repetition and irrelevance whilst ensuring that all parties [whether represented or not, and including children] are able to present their case or their evidence as fully and fairly as possible; and
- **operate within an environment of measurable performance standards.**

[f] Keeping abreast of legal developments and court technology.

[g] **Applicants must be computer literate.**

### **Personal Qualities**

[a] Integrity:

- Having a history of honesty, discretion and plain dealing with professional colleagues, clients and the courts;
- Possessing independence of mind and moral courage, being prepared to take and maintain unpopular decisions when necessary: and
- Having the trust, confidence and respect of others.

[b] Fairness:

- Being open-minded and objective, with the ability to recognize any personal prejudices and to set them aside; and
- Being able to deal impartially with all matters which come before them and ensure that all those who appear before them have an opportunity for their cases to be clearly presented and considered as fully and dispassionately as possible.

[c] Understanding of people and society:

Having a knowledge and understanding of, and respect for people from all social backgrounds, being sensitive to the influence of different ethnic and cultural backgrounds on the attitudes and behaviour of people whom they encounter in the course of their work.

[d] Maturity and sound temperament:

- Displaying a maturity of attitude and approach; and
- Being firm and decisive while remaining patient, tolerant, good-humoured and even tempered.

[e] Courtesy and humanity:

- Being courteous and considerate to all court users and court staff; and
- Having and conveying understanding of, the needs and concerns of court users, and being sensitive and humane.

[f] Commitment:

A commitment to public service and to the proper and efficient administration of justice, which they pursued conscientiously, with energy and diligence and a due sense of responsibility.

#### **4. THE APPOINTMENT PROCEDURE**

##### **General**

- 4.1 Applications are welcome from all those who satisfy the published eligibility requirements.

##### **Confidentiality**

- 4.2 The Judicial Appointments Committee will treat all applications and supporting information as confidential until the consultation process when the persons consulted shall be notified of the candidates so that they may provide feedback if they so desire.

## Interviews

- 4.3 Selected applicants will be invited to an interview.

## Consultation

- 4.4 Persons to be consulted (referees) **may** include the Judges of the Supreme Court of Barbados, constituent Bar Associations, and persons nominated by the applicant. For applicants outside Barbados, consultation in the relevant territory will be with the Judiciary through the Chief Justice and with relevant professional Associations.
- 4.5 No single referee's view of an applicant is decisive.
- 4.6 You will be provided with the referee forms and guidelines for referees. You will be responsible for sending the form and guide to each of the three persons whom you would have listed at Part E of the application form. The forms should be distributed to the referees by the applicant but should be returned to the Secretary, the Judicial Appointments Committee directly and not through the applicant. Failure to comply with the instructions will result in the reference being rejected.

## Allegations of misconduct

- 4.7 The Judicial Appointments Committee will attach no weight to un-particularized allegations of misconduct. It will consider any specific allegations of misconduct in their full context, including the views of the applicant concerned. If a specific allegation of misconduct is made, the Judicial Appointments Committee **will send** details of the allegation to the applicant, to enable him or her to comment on the allegation.

**The Judicial Appointments Committee emphasizes that if consent is not given to reveal details of any allegations of misconduct to the applicant concerned, it will disregard the allegation.**

- 4.8 This applies only to specific allegations of misconduct; it does not apply to more general reservations expressed about an individual's professional abilities and qualities. For practical purposes, 'misconduct' refers to conduct which, if the allegations were substantiated, would be regarded by a professional Association as an infringement of the relevant principles of professional conduct; and/or might, prima facie, cause the Judicial and Legal Services Commission to consider whether

to initiate disciplinary proceedings, where the person concerned is a holder of a relevant judicial or legal office.

### **Assumption of Duty**

- 4.9** In the event of an appointment the candidate would be expected to take up the appointment as soon as possible, subject to a reasonable period being allowed for disengagement from existing obligations.

## **PART 3**

### **5. MAKING AN APPLICATION**

#### **Obtaining the Application Form**

- 5.1 Copies of the Application Form for appointment as High Court Judge can be obtained from the Secretary of the Judicial Appointments Committee and from the Court's website: [www](http://www).
- 5.2 Your signed application form may be hand delivered to the Office of the Judicial Appointments Committee, or sent by post, courier, or scanned and emailed provided that it gets to the Secretary of the Committee by the deadline date. If you do send your application by post, it must be post-marked on or before the deadline date.

#### **Acknowledgement of an Application**

- 5.4 Applicants will receive a receipt acknowledgement via email once their application is received by the Secretary, Judicial Appointments Committee on receipt of the applications. However, only suitably qualified applicants will receive a further notification indicating whether they have or have not been shortlisted for interview.

#### **Completing the Form**

- 5.5 Your application should be typed or completed clearly in black ink, with any additional information, attached to the back of the completed form. Please ensure that you sign and date the form.
- 5.6 An unsigned Application Form will not be accepted.

A copy of the Personal Details Page of Passport along with a certified copy of your Birth Certificate as well as certified copies of all relevant academic certificates or official transcripts should be submitted along with the Application Form.

#### **Your Address**

- 5.7 Please indicate clearly whether you prefer correspondence about your application to be sent to your home or business address. Please notify the Secretary of the Judicial Appointments Committee of any changes to the information supplied under this heading.

## **Names for Further Consultation**

- 5.8 The Judicial Appointments Committee invites you to provide the names and professional addresses of **three persons, at least one of whom is or has been a member** of the judiciary and/or the legal profession whom you consider will be able to comment upon your qualities and experience. The Judicial Appointments Committee will provide you with the referee form and guide which you will send to the persons named on the application form as referees. The consultation process is to enable the Judicial Appointments Committee to have the widest possible views on applicants. Only referee forms received directly from the referee will be considered.

## **Canvassing for Support**

- 5.9 It is not necessary or appropriate for applicants to approach those **persons** whom they name **as referees** to canvass support as what is sought is not a reference but information to enable an assessment to be made of their suitability for appointment. Likewise, it is unnecessary and inappropriate for referees to canvass support for particular applicants. However, applicants are advised that, as a matter of courtesy, they may feel free to inform their referees that they have been nominated.

## **Withdrawal**

- 5.10 You may withdraw your application for the position of High Court Judge at any time by writing to the Secretary of the Judicial Appointments Committee.

## **Health Issues**

- 5.11 If you are aware of any health matter which might adversely affect your performance in judicial office, **this should be stated** at the outset.

## **Contact Information**

- 5.12 All communication and enquiries in relation to your application should be forwarded under confidential cover to the Secretary of the Judicial Appointments Committee at the following address:

**The Secretary  
Judicial Appointments Committee**

**Bridgetown  
BARBADOS**

**Tel No.  
Fax:  
Email:**

Please note that all written communication should be submitted under confidential cover and hand delivered or sent by post, courier, or email.

## PART 4

### SUMMARY OF TERMS AND CONDITIONS FOR APPLICANTS FOR THE OFFICE OF JUDGE OF HIGH COURT

#### 1. General

Included below is a summary of the basic terms and conditions of service. Fuller details will be supplied to candidates who are offered appointment.

#### 2. Terms and Conditions

Salary	-	BDS\$161, 535.78 p.a.
Judicial Allowance (non-taxable and pensionable)	-	BDS\$29, 937.72 p.a.
Entertainment Allowance	-	BDS\$16, 578.84 p.a.
Transport Allowance	-	BDS\$11, 439.24 p.a. <b>OR</b> a car fully maintained by Government
Robing Allowance	-	BDS\$8, 500.00 payable once

#### 3. Tenure

Under section 84 of the Constitution, a Judge of the High Court shall hold office until age 65 but there is provision for that age to be extended to 67 on application by the Judge and approval by the Prime Minister.

#### 4. Vacation Leave

**42 days per annum.**

**The Supreme Court will be placed on vacation leave for such period as is determined by the Chief Justice. However, during such vacation of the Court, Judges must be on duty for such period as the Chief Justice determines.**

**5. Pension**

The appointment is pensionable in accordance with Section 4 and 6 of the *Judges (Remuneration and Pensions) Act, Cap.115A*.

**6. Code of Conduct**

A Judge of the High Court will be expected to conform to the Guide to Judicial Conduct 2006 **as may be amended from time to time**.