



Date: 12 May 2015
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Legal Fraternity and Judiciary Mark Retirement of Appeal Court Judge

Accolades honouring retiring stalwart of regional jurisprudence, Cayman Appeals Court Justice Elliott Mottley, reflected a legacy of regional service that “only a very few lawyers and judges can claim,” in judgments that have “enriched the law law books of Belize, the TCI and the Cayman Islands.”

Such distinctions were echoed in ceremonies held just prior to his departure last week (5th and 6th May), hosted respectively by the judiciary and members of the legal fraternity.

Justice Elliott Mottley, who commenced sitting on the Cayman Islands Court of Appeal in 2006, will continue to sit on the Turks & Caicos Court of Appeal, and will remain as a senior partner of the Barbadian firm that bears his name.

At a reception hosted Tuesday (5 May) by the Caymanian Bar Association and the Cayman Law Society, keynote speaker Mr. Colin McKie, QC, paid tribute. On Wednesday, in a special session of the Cayman Islands Court of Appeal, Chief Justice Anthony Smellie and President of the Cayman Court of Appeal, Sir John Chadwick, offered many accolades to Justice Mottley’s contribution to local case law and the wisdom he exercised in executing his responsibilities on the bench.

Briefly reviewing the highpoints of Justice Mottley’s career, the Chief Justice said “...it will be clear that Justice Mottley’s legacy will be one of regional service such as only a very few lawyers and judges can claim,” and added: “The law books of Belize, the TCI and the Cayman Islands are enriched by his judgments....”

Such a distinguished career, the Chief Justice said, shares a place of honour with such esteemed predecessors as Justices Georges, Kerr, Rowe and Zacca, adding: “No one is better placed than Justice Mottley himself to appreciate what high praise indeed it is to be placed in that company of such judges.”

The Chief Justice noted the presence at Wednesday’s function of not only a wide cross section from the legal fraternity but also many from the wider community. Speaking to the attendees, the Chief Justice said, “Your presence is an indication of the wide regard and respect with which Justice Mottley and his dear wife Amor are held within the community.”

In turn, Justice Mottley’s respect and support for colleagues was a noteworthy feature of his career, Mr. Smellie observed, adding: “...I feel sure that I can say that they [his colleagues on the bench], like all the rest of us within the judiciary and the judicial administration, feel deeply

enriched for having served with him as a colleague – and for having spent time with him as a friend.”

Expressing his gratitude and admiration for the service of Justice Mottley, Sir John Chadwick said that in the six-and-a-half years during which he sat with the retiring judge, Justice Mottley had never failed to accept an invitation to attend a session of the Court of Appeal.

Beyond such dedication and widely regarded brilliance as a lawyer, Sir John said, were Justice Mottley’s love of the law, and the wisdom and soundness of his judgments. This was due, Sir John said, to Justice Mottley’s “unparalleled experience,” garnered on various Courts of Appeal regionally, combined with his deep commitment to the law, knowledge and understanding of every judgment of the Privy Council and the strength of his research skills.

Sir John said that this resulted in judgments so generally sound that he, Sir John, would think “hard again” if he found himself disagreeing.

“He will be a great loss to this Court,” Sir John said.

At Tuesday night’s Bar Association reception in honour of Justice Mottley, Barrister Colin McKie paid tribute on behalf of the Cayman Islands Law Society and the Caymanian Bar Association.

Reflecting on Justice Mottley’s “long and distinguished career,” Mr. McKie noted “his contributions to the development of law across all of the Caribbean jurisdictions with which he has been associated.”

In Cayman, Justice Mottley sat on over 80 appeals, Mr. McKie said, “dealing with almost every facet of our laws.”

Selecting a few examples, Mr. McKie said that Justice Mottley had “delivered many important judgements, in particular on matters of criminal law and procedure, but also on many diverse matters of civil law.”

Given this impressive body of work, Mr. McKie said, “We are truly grateful for Justice of Appeal Mottley’s nine years of service on the Cayman Islands Court of Appeal, for his insight, erudition and wisdom. Advocates will long remember his good humour and patience.”

In a brief biographical sketch, Mr. McKie noted that upon being called to the bar of England and Wales at Middle Temple in November 1961, Justice Mottley was called to the bar in Barbados, where he established a thriving private practice. This soon coalesced with a political career, with Justice Mottley serving for seven years as MP for his home town Bridgetown.

In 1980, he was appointed QC, and became, Mr. McKie said, much in demand in Barbados and elsewhere in the Eastern Caribbean.

He was subsequently appointed to the post of Attorney General of Bermuda, a post he held until 1998, during which period he also “continued to represent the interests of the Crown in difficult cases in all courts,” Mr. McKie said.

Justice Mottley’s first judicial appointment was to the Court of Appeal of Belize, during which his “aptitude to appellate matters was readily recognised around the Caribbean,” Mr. McKie further noted. This was followed in 2002 by an appointment to the Court of Appeal of the TCI, and, in 2006, to the Cayman Islands Court of Appeal. In 2004, Justice Mottley had been appointed President of the Court of Appeal of Belize, a post he held until his 2010 resignation.

All speakers recognised the outstanding supporting role of Justice Mottley’s wife, Amor. “It will be sad not seeing Justice Mottley, but very sad not seeing Amor,” said Sir John.

In brief remarks at the end of Wednesday’s short court session in his honour, Justice Mottley in turn spoke to the meticulous attention to supporting reasons in Sir John’s judgments, and said that he hoped he would be able to model that and other attributes, despite cultural differences, as he continued to serve elsewhere.

He thanked the Chief Justice, the President of the Court of Appeal, Sir John Chadwick, the legal fraternities and the Director of Public Prosecutions, among others, for their support during his time of service here in Cayman. He expressed special appreciation to the Registrar of the Court of Appeal, Ms. Audrey Bodden and to the Court Marshal, Mr. Cloden Douglas, for their support over the years.

At the close of Wednesday’s court session, Ms. Bodden presented a gift to the retiring judge on behalf of the judiciary and the judicial administration.

Photos below:



688 The judiciary and the two legal fraternities honoured retiring Justice Mottley on Tuesday (5 May) at a reception hosted jointly by the Bar Association and the Law Society. From left, Chief Justice Smellie, Mrs. Amor Mottley (wife of Justice Mottley), Sir John Chadwick (President of the Court of Appeal), Justice Mottley, Mr. Stewart Mottley (who travelled to Cayman for the farewell ceremonies), and Barrister Colin McKie.



674: Barrister Colin McKie, right, speaking on behalf of the Caymanian Bar Association and the Cayman Islands Law Society at the 5 May reception honouring retiring Court of Appeal Judge Justice Elliott Mottley. At left is Mr. Alasdair Robertson, President of the Cayman Islands Law Society.



673: Governor Helen Kilpatrick joined in honouring retiring Justice Elliott Mottley at the legal association's reception on Tuesday (5 May). From left are Chief Justice Smellie, Mr. Stewart Mottley (who travelled to Cayman to attend the ceremony honouring his father), and Mr. Alasdair Robertson, President of the Cayman Islands Law Society.

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