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## Justice Angus Foster Retires

A pioneering judge of the Financial Services Division (FSD) of the Grand Court was recognised last week for his “significant contributions to the administration of justice.”

The event was a farewell ceremony hosted by HE Governor Helen Kilpatrick on Wednesday, 27 January, 2016, to thank retiring Justice Angus Foster for his service.

Along with five other judges, Justice Foster became a founding judge of the FSD in 2009, following his retirement from Walkers as a commercial lawyer and litigator.

The FSD is “a legacy to which Angus Foster can justly in large part lay claim as one of the pioneer judges,” the Chief Justice, the Hon Anthony Smellie, said at the farewell ceremony, as he reflected on the recognition that that court has achieved locally and internationally.

“It is not for me to extol the virtues of the FSD, but I think I can be allowed to assert that it has become an effective institution, one now widely recognised as a leading commercial court,” said the Chief Justice.

Chief Justice Smellie said that “ample proof” of that eminence was a letter received earlier in January from the Lord Chief Justice of England and Wales, Lord Thomas of Cwmgiedd. Lord Thomas invited Chief Justice Smellie to subscribe the FSD to membership as a founding member of a standing forum of leading international commercial courts. The objective of the forum includes the facilitation of international co-operation for the more effective resolution of cross-border cases and the creation of channels of on-line communication among commercial judges worldwide as a means of exchanging news of developments. It will also serve to create a database of materials that would be useful to the work of commercial judges.

As a testimony to Justice Foster’s erudition, many of his judgments are reported in the Cayman Islands Law Reports (CILR). Similarly, several of the cases in which he appeared as an attorney are recorded in the CILR.

In addition to Justice Angus’ role as a judge, he served as chairman of the FSD Users’ Committee and “single-handedly” edited the 2<sup>nd</sup> edition of the FSD Users’ Guide the Chief Justice said, adding, “I am pleased that he has agreed to continue to chair this important committee for at least one more year.”

The Chief Justice also noted that prior to Justice Foster’s appointment as a judge, he contributed significantly to local legal and judicial developments.

“As Chief Justice I will most fondly remember an initiative he took while head of litigation [at Walkers] to support the administration of justice,” Chief Justice Smellie said, noting that around 2000, following “the perennial judges’ plea” for more legal aid practitioners, Mr. Foster visited the Chief Justice and offered to set up a criminal practice office to take on legal aid cases.

That resulted in the opening of Walkers’ criminal practice office in the then McDonald Building next to the Town Hall. Although its operation was regarded as no longer sustainable after the 2004 Hurricane Ivan and the financial crisis of 2008, one of the former practitioners in that office, Mr. Lawrence Aiolfi, has since returned to practise at the criminal bar in Cayman.

In response to the accolades and expressions of appreciation, the retiring judge thanked the Governor for hosting the farewell ceremony and for her support.

He equally thanked the Chief Justice for his support, as well as for his remarks at the farewell ceremony. He paid tribute to all his judicial colleagues, as well as the complement of magistrates, for their industry in “churning out judgments case after case.”

Justice Foster further recognised the helpfulness of the court staff over the years, especially Mrs. Yasmin Ebanks, who serves as the FSD’s Listing Officer. He also paid tribute to the “professionalism and courtesy” of the barristers who have appeared before him, saying that they were “a great credit to the judicial system.”

Among barristers he specially admired, he said, was Mr. Ramon Alberga, the father of the Cayman bar.

“Ramon has been a great companion, lawyer, and role model,” Justice Foster said, reflecting on the enjoyment he experienced on the cases they jointly adjudicated.

Justice Foster’s wife Fiona’s supporting role to her husband was recognised during the night. “...we are here to celebrate retirement as a special milestone,” the Chief Justice said, “as a mark of appreciation for the contributions made by our friend and colleague, supported by a very caring and supportive wife.”

**Photograph below**



Court staff and judges and magistrates with retiring Justice Angus Foster: From left, Magistrate Kirsty-Ann Gunn, Acting Magistrate Eileen Nervik, Justice Ingrid Mangatal, Justice Richard Williams, Justice Andrew Jones, Listing Officer Yasmin Ebanks, Chief Justice Anthony Smellie, Registrar of the Court of Appeal Audrey Bodden, Justice Angus Foster, HE the Governor, Court Administrator Kevin McCormac, Justice Charles Quin, Acting Magistrate Grace Donalds, Personal Assistant Kimberly Pearson.



Attorneys flank retiring Justice Angus Foster, front, fifth from left. Father of the Cayman Bar Ramon Alberga is next to Justice Foster.

■ Ends