

**ADDRESS OF COLIN McKIE K.C. ON THE OCCASION OF THE OPENING
OF THE GRAND COURT ON 11 JANUARY 2023 GIVEN ON BEHALF OF
THE CAYMAN ISLANDS LAW REPORTS**

If it may please my Lady,

I am privileged to be able to support the motion to open the Grand Court for the year 2023, moved by Mr Attorney and seconded by the President of the Cayman Islands Legal Practitioners Association, and to provide these brief remarks.

Former Chief Justice Sir Anthony Smellie QC

It would be remiss of me not to take this opportunity to pay tribute to Sir Anthony's contribution to our jurisprudence. From his elevation to the Bench on 11 October 1993 to the end of the most recent 2021 volume of the Law Reports, 405 of Sir Anthony's judgments have been reported. That number will continue to grow until the Law Reports have published all judgments up to and including 25 October 2022, when Sir Anthony demitted office.

In addition to those reported judgments there are many more judgments that were not reported. I do not have those figures, not least because Sir Anthony had been on the Bench over eight years before I became a consulting editor to the Law Reports. Nevertheless, I would hazard that the number of his unreported judgments is measured in the thousands.

A full appreciation of the learning and wisdom of Sir Anthony's judgments must await another more appropriate occasion, but it is fair to say that they shine with his intellect, learning, wisdom, and experience.

Speaking as Secretary of the Grand Court Rules Committee, and thus strictly beyond the remit of the Law Reports, I also wish to take this opportunity

to recognise Sir Anthony’s Chairmanship of the Grand Court Rules Committee from 1997. He has brought great energy, experience, and foresight into the drafting of rules, practices, and procedures across all aspects of the work of the Grand Court. Time today does not afford me the opportunity to give a proper account of Sir Anthony’s tireless work on this essential aspect of the office of Chief Justice.

Publication of Law Reports in 2022 and 2023

As my Lady is aware, the preparation and publication of our Law Reports in 2020 and 2021 was much delayed. No-one would be surprised to know that the fundamental reason for those delays was COVID, which impacted upon every stage of the review, editing, preparation, printing, publication, and dispatch of the Law Reports. In 2022 everyone concerned in those processes made great efforts to clear the backlog. Although substantially cleared, publication of our reports in 2022 was still not as timely as had had been the case prior to the onset of COVID. Nevertheless, absent any unforeseen circumstances, the Editors are confident that by the end of this year publication timetables will have restored to that which prevailed in 2019 and earlier years.

Judgments delivered in 2022

Our courts delivered 205 judgments in 2022, as follows:

In the Grand Court –

- Financial Services Division: 112
- Civil Division: 39
- Criminal Division
(including appeals from the Summary Court): 24
- Family Division: 8

In the Court of Appeal:	20
In the Privy Council:	2
Total:	205

Appreciation of Judges, court clerks, administrators and court staff

We thank you and the Judges of the Grand Court, the President of the Court of Appeal and the Justices of Appeal, the Chief Magistrate and the Magistrates, for your unceasing dedication to administer justice in these Islands independently, fairly, and efficiently. Much of that involves long hours outside of court, such as preparing for hearings, writing judgments, and ensuring the efficient administration of our courts.

I wish to express our thanks to those people, based here and overseas, who have willingly given up their valuable time in 2022 to sit as Acting Judges of the Grand Court and as Acting Magistrates.

In the Grand Court they comprised – Marlene Carter; HH Roger Chapple; Aileen Downey; the Hon. Marva McDonald-Bishop; the Hon. Robin McMillan; Tim Owen KC, the Hon. Dale Palmer; Simon Russell Flint KC; Philip St John-Stevens; David Southey KC; Alistair Walters; the Hon. Frank Williams; and Michael Wood KC.

In the Summary Court they comprised – Suzanne Bothwell; Robert Jones; David McGrath; and Adam Roberts.

We also wish to express our gratitude to the Administrator, the Clerk of Court and her Deputies, and all the administrative, technical, security, and support staff at the Court House who, behind the scenes, work hard and diligently, to assist and serve the public and attorneys.

Closing

It now only remains for me to wish a happy, healthy, and prosperous New Year to you and all of our judges, magistrates, and clerks; to the entire administrative staff; to all members of the profession; and to the people of the Cayman Islands.

I have the honour and privilege to support Mr Attorney's motion this morning.

Colin McKie KC

11 January 2023