

# Should the Commonwealth Caribbean Abolish Appeals to the Privy Council?

Professor Leslie Thomas QC

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The Judicial Committee  
of the Privy Council





CARIBBEAN COURT OF JUSTICE

# The CCJ Controversy

"So long as we remain the 'subjects' of the British Crown with its Judicial Committee as the apex in the hierarchy of our legal system, it is to be expected that our constitutional discourse would reflect a cluster of values, intellectual orientations and practices that carry a distinct British cast...Our constitutional conversation is carried out in a 'foreign' voice. We are either silenced or are constrained to speak within the institutions and traditions of interpretation of the colonial constitutions that have been imposed on us."

Simon McIntosh

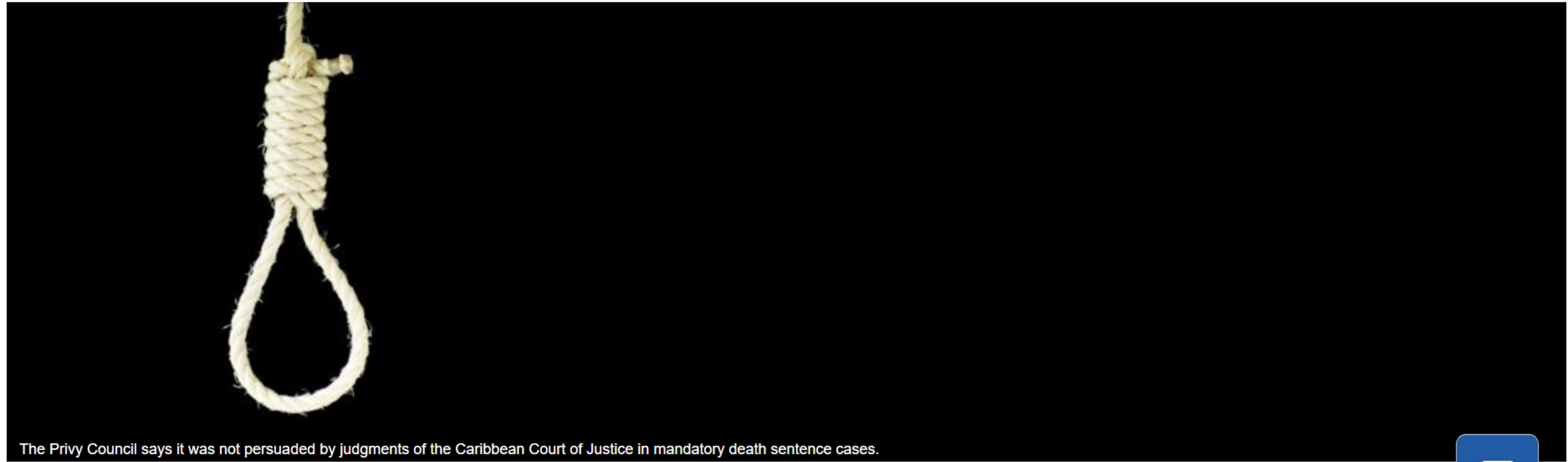
# Savings Clauses

## Privy Council upholds mandatory death sentence in T&T, 'not persuaded' by CCJ opinion

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The Privy Council says it was not persuaded by judgments of the Caribbean Court of Justice in mandatory death sentence cases.

The United Kingdom Privy Council has ruled that the mandatory death penalty in Trinidad and Tobago is not unconstitutional.



# Preambles

**W**E, the People of the United States,  
in order to form a more perfect  
Union, establish Justice, insure  
domestic Tranquility, provide for the com-  
mon Defence, promote the General Welfare,  
and secure the Blessings of Liberty to Our-  
selves and our Posterity, do ordain and estab-  
lish this Constitution for the United States of  
America.

## A R T I C L E I.

Sec. 1. ALL legislative powers herein granted shall be vested in a Congress of the United



# Conclusion

"The decolonisation process is enveloping the Caribbean region ... Perhaps it is time for Belize to take the next step in truly owning our independence. But it is a matter that the people of Belize must decide on."

**Henry Charles Usher,  
Minister for Constitutional and Political Reform, Belize**