



GOVERNMENT OF ANTIGUA AND BARBUDA

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17 August 2026

Dr Karen Brewer
Secretary General
Commonwealth Magistrates' and Judges' Association
Uganda House, 58-59 Trafalgar Square
London WC2N 5DX
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Dear Dr Brewer,

STATEMENT CONCERNING THE JUDICIARY OF ANTIGUA AND BARBUDA

I write concerning the statement issued by the Commonwealth Magistrates' and Judges' Association on 14 August 2026, entitled "The threats against the Judiciary in Antigua and Barbuda".

The Government of Antigua and Barbuda recognises the legitimate interest of the Association in protecting judicial independence throughout the Commonwealth. Antigua and Barbuda is fully committed to an independent and impartial judiciary, the security of tenure of judicial officers, the separation of powers, the Commonwealth Charter and the Commonwealth Latimer House Principles.

However, the Association's statement does not appear to take account of the complete official record, including the subsequent public clarification by Prime Minister Gaston Browne, his formal letter of 12 August to the Chief Justice of the Eastern Caribbean Supreme Court and his official response to the Joint Statement by the Caribbean Heads of Judiciary.

The Prime Minister's remarks of 10 August were made during a meeting of the National Security Council against the background of serious public concern about firearm violence, other violent crime and sentencing outcomes considered by many citizens to be unduly lenient. In 2024, Parliament substantially increased the penalties for specified firearm offences, including a maximum sentence of 15 years on conviction on indictment for unlawful possession of a firearm.

The Prime Minister has a constitutional and political duty to respond to legitimate public concern about crime, public safety and the effectiveness of the criminal justice system. Judicial independence protects judges from political direction, intimidation or retaliation. It does not place judicial decisions, sentencing practices or the administration of justice beyond reasoned public criticism or institutional review.

The Prime Minister's remarks did not direct the outcome of any case, seek to reopen a decided case or invite anyone to disregard an order of the court. No judicial decision or court order has been defied by the Government.

Because the language used gave rise to concern about possible executive action against a judicial officer, the Prime Minister moved promptly to remove any doubt. In his public statement, he declared unequivocally:

“To remove all doubt, no judge will be removed, reassigned, deported or otherwise dealt with by executive fiat. Questions concerning the tenure, assignment or conduct of a judicial officer are governed by the Constitution and the law, and those arrangements will be respected.”

That is the official and unambiguous position of the Government of Antigua and Barbuda. No measure has been taken and no executive measure is contemplated to remove, reassign, deport or discipline any judicial officer outside the procedures prescribed by law.

The clarification did not withdraw the Prime Minister’s concern about sentencing outcomes and institutional performance. It established the constitutional boundary within which those concerns will be pursued.

On 12 August, the Prime Minister wrote formally to Her Ladyship the Honourable Margaret Price Findlay, Chief Justice of the Eastern Caribbean Supreme Court. He proposed the immediate establishment of an independent committee to review sentencing for firearm and other serious violent offences, repeat offending and the wider operation of the criminal justice system in Antigua and Barbuda.

The proposed review would examine a defined body of sentencing data, determine whether there is any material divergence between legislative policy and sentencing outcomes, identify the reasons for any such divergence and recommend practical reforms. It would also consider the applicable sentencing guidelines, guilty pleas, aggravating and mitigating circumstances, repeat offending, delays, rehabilitation and coordination among the police, prosecutors, courts and correctional services.

The proposed review is not directed at any individual judge. It would neither reopen decided cases nor interfere with proceedings before the courts. Its purpose is to replace assertion with evidence and to identify whether legislative, administrative or judicial action may be required.

The Prime Minister suggested that the Honourable Mr Justice Adrian Saunders, former President of the Caribbean Court of Justice, be invited to chair the committee, subject to his availability and willingness. He also consulted the Right Honourable Sir Dennis Byron and the Honourable Mr Justice Godfrey Smith SC, the CARICOM High-Level Representative on Law and Criminal Justice. Both indicated their preparedness to assist, including by making available the considerable body of work already undertaken on criminal justice reform.

The CMJA statement refers to the right of appeal as an appropriate means of addressing dissatisfaction with a judicial decision. The Government agrees that an appeal is the proper means of challenging a sentence in an individual case. Antigua and Barbuda has provided the Director of Public Prosecutions with a statutory right of appeal against sentence since the Criminal Procedure (Amendment) Act 2004. Whether that power should be exercised in any case is a matter for the constitutionally independent Director of Public Prosecutions.

An appeal in an individual case cannot, however, determine whether there is a systemic pattern involving sentencing outcomes, repeat offending, the application of sentencing guidelines, delays, rehabilitation or the wider operation of the criminal justice system. That is why an independent and evidence-led review has been proposed.

On 13 August, the Prime Minister issued a comprehensive public response to the Caribbean Heads of Judiciary. In that response, he reaffirmed without qualification the importance of judicial independence, explained the existing right of appeal, recorded his letter to the Chief Justice and invited constructive engagement with the proposed review.

Having regard to the CMJA's judicial education mandate, the Government would also welcome an indication as to whether the Association could make available, or assist in mobilising, appropriate technical assistance for the Eastern Caribbean Supreme Court. Such assistance could address any institutional or professional-development needs identified by the proposed independent review, including sentencing practice, the application of sentencing guidelines, case management, criminal justice data and judicial education.

Any such engagement would, of course, be undertaken in consultation with, and under the authority of, the Chief Justice and the appropriate judicial institutions, with full respect for the independence of the judiciary. The Government would be prepared to facilitate that dialogue and to support any arrangements agreed between the CMJA and the judicial leadership.

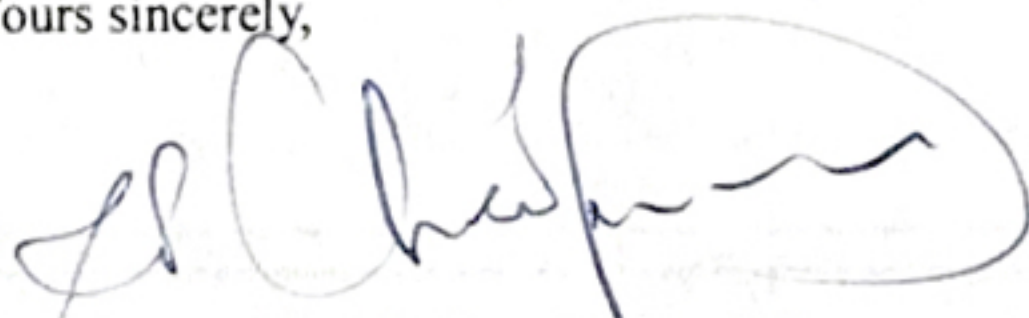
The Government is determined that its conduct should uphold the values expressed in the Commonwealth Charter and the Latimer House Principles. Those principles require respect among all three branches of government. They protect the judiciary from improper influence while permitting Parliament to legislate, the Executive to formulate policy and provide resources, and the public to engage in reasoned criticism of the administration of justice.

It is precisely because the Government respects those principles that the Prime Minister has ruled out executive action against any judicial officer and has instead pursued formal engagement with the Chief Justice and proposed an independent review involving distinguished Caribbean jurists.

In the interest of ensuring that the Association's members and the wider Commonwealth public have access to the complete record, I respectfully request that the CMJA publish or otherwise place this letter alongside its statement of 14 August and circulate them to its membership.

The Government of Antigua and Barbuda remains committed to judicial independence, constitutional government, public safety and constructive cooperation among all branches of the State. These principles are mutually reinforcing and must all be protected.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'E.P. Chet Greene', enclosed within a large, hand-drawn oval.

The Honourable E.P. Chet Greene, MP
Minister of Foreign Affairs, Trade and Immigration
Government of Antigua and Barbuda

cc: The Honourable Justice Lynne C. Leitch
President, Commonwealth Magistrates' and Judges' Association

Her Ladyship the Honourable Margaret Price Findlay
Chief Justice, Eastern Caribbean Supreme Court