



GOVERNMENT OF ANTIGUA AND BARBUDA
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Her Ladyship, the Honourable Madam Margaret Price Findlay
Chief Justice
Eastern Caribbean Supreme Court
P.O. Box 1093
Castries
Saint Lucia, West Indies

Dear Chief Justice,

**RE: PROPOSED ESTABLISHMENT OF AN INDEPENDENT COMMITTEE TO REVIEW
FIREARM SENTENCING, REPEAT OFFENDING AND CRIMINAL JUSTICE
COORDINATION**

I write following a recent meeting of the National Security Council and senior security and law-enforcement officials to raise a matter of grave and urgent national concern. I propose that an independent committee be constituted without delay to examine sentencing for firearm and other serious violent offences, repeat offending, and the operation of the wider criminal justice system in Antigua and Barbuda.

The regional evidence is sobering. The December 2025 joint report, *Pathway to Policy: Firearms Trafficking and Public Health in the Caribbean*, published by the Small Arms Survey, CARICOM IMPACS, the Caribbean Public Health Agency and the George Alleyne Chronic Disease Research Centre at The University of the West Indies, reports that the aggregate homicide rate across CARICOM Member States and Associate Members more than doubled in 2023–2024 when compared with the 2016–2019 baseline. It also estimates that firearms were used in 86 per cent of homicides in 2023–2024. Importantly, the report makes clear that national patterns vary and must be examined separately.

In Antigua and Barbuda, available published data place the homicide rate at approximately 2.4 per 100,000 in 2019, 10.8 in 2022, 10.7 in 2023 and 12.8 in 2024. The pattern is not a straight-line increase, but the level has remained materially above 2019. Current briefings from our security agencies also point to an unacceptable incidence of firearm-related violence.

Officials further advised that approximately 250 persons with previous convictions have subsequently been arrested and charged in relation to further serious offences. That figure is not advanced as a finding of guilt in any pending matter. It is, however, a powerful warning of a repeat-offending problem which the State must examine across the full criminal justice chain. It places a heavy burden on the police, erodes public confidence and demands a coordinated response from every responsible institution.

My Government has not been passive. Parliament has enacted legislation under which certain firearm offences carry maximum custodial penalties of up to fifteen years. Government has also continued to invest in policing, border protection, intelligence, prosecution capacity and rehabilitation. The public is entitled to expect that the legal and institutional framework as a whole will operate with equal seriousness and effectiveness.

Public concern has intensified where custodial sentences in some firearm and serious violent offence cases appear low when compared with statutory maxima and the gravity of the offending. A maximum sentence is not a mandatory sentence, and no responsible assessment can ignore the Eastern Caribbean Supreme Court Sentencing Guidelines, guilty plea discounts, aggravating and mitigating factors, antecedents, time spent on remand, the totality principle or appellate decisions. The proper response is not to trade generalisations. It is to subject the record to rigorous independent scrutiny and determine whether legislative policy, sentencing practice and criminal justice administration are operating coherently.

Let me be equally clear. Judicial independence does not require the elected Government to remain silent when sentencing outcomes give rise to grave public-safety concerns, nor does it relieve any arm of the State of accountability for the effective discharge of its responsibilities. My Government derives its authority from the people and commands a substantial majority in Parliament. That mandate imposes a duty to protect the country, uphold order and speak plainly when the public interest demands it. I will continue to discharge that duty.

Equally, constitutional government requires that concerns affecting judicial administration be pursued through the institutions and procedures established by the Constitution and the law. Where any question touches the tenure, assignment or conduct of a judicial officer, it must be addressed through those constitutionally prescribed arrangements. This proposal is therefore neither an apology for, nor a retreat from, the concerns I have expressed. It is the firm and constitutionally proper means of converting those concerns into an authoritative review and practical action.

To that end, I respectfully request that Your Ladyship appoint, or otherwise facilitate the constitution of, a committee of three suitably qualified and independent persons. Its immediate mandate should concern Antigua and Barbuda. If Your Ladyship and the relevant Member States and Territories consider a wider Eastern Caribbean Supreme Court review useful, the scope could be enlarged by agreement. The Antigua and Barbuda work should not await that broader decision.

In considering the form and leadership of the Committee, I have consulted the Right Honourable Sir Dennis Byron and the Honourable Mr Justice Godfrey Smith, SC, CARICOM High-Level Representative on Law and Criminal Justice. Both are prepared to assist the Committee, including by making available the considerable body of work already undertaken by the High-Level Representative, including the strategic plan, model legislation, policy papers and the outcomes of the dialogue between CARICOM Heads of Government and Heads of Judiciary. The Committee should draw on this work and avoid unnecessary duplication.

Against this background, I respectfully suggest that Your Ladyship invite the Honourable Mr Justice Adrian Saunders, former President of the Caribbean Court of Justice, to chair the Committee, subject to his willingness. His service in the Eastern Caribbean Supreme Court, including as acting Chief Justice, his later presidency of the Caribbean Court of Justice, and his role in co-facilitating the July 2025 dialogue give him the experience, regional standing and familiarity with the work already undertaken to lead this review.

I propose that the Committee's terms of reference require it to:

- collect and analyse sentencing outcomes for firearm and other serious violent offences over a defined five-year period, using anonymised and aggregated data where appropriate;
- assess those outcomes against the governing legislation, the Eastern Caribbean Supreme Court Sentencing Guidelines and relevant appellate decisions, including the operation of guilty plea discounts, aggravating and mitigating factors, antecedents, remand credit and totality;
- identify any material divergence between legislative policy and sentencing outcomes, and the legal, evidential or administrative reasons for it;
- examine the wider criminal justice chain, including charging and prosecution practice, the timely availability of criminal histories and pre-sentence information, bail and remand processes, prison release, supervision and rehabilitation;
- quantify repeat offending as far as reliable data permit and assess whether present arrangements adequately reduce the risk of reoffending; and
- recommend any legislative, guideline, procedural, data or inter-agency reforms required to protect the public while preserving judicial independence and the separation of powers.

The timetable must reflect the urgency. I would welcome Your Ladyship's initial response by 20 August 2026. I propose that the membership and terms of reference be settled by 31 August 2026, that the Committee provide interim observations within thirty days of its appointment, and that it submit a final report within ninety days. My Government will designate a senior focal point and provide the data, logistical support and access to relevant agencies reasonably required for the work.

The people of Antigua and Barbuda are entitled to expect their elected Government, the Judiciary and law-enforcement agencies to meet this challenge with urgency, discipline and unity of purpose. My Government will continue to respect the independence of the Judiciary, just as it will continue to discharge its democratic mandate to protect the public. I trust that Your Ladyship will give this proposal urgent consideration.

Please accept, Your Ladyship, the assurances of my highest consideration and continued respect.

Yours sincerely,



The Right Honourable Gaston Browne
Prime Minister of Antigua and Barbuda