

**IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(CIVIL)**

GRENADA

CLAIM NO. GDAHCV2025/0003

**IN THE MATTER OF THE WEST INDIES ASSOCIATED
STATES SUPREME COURT (GRENADA) ACT CAP 336 OF THE 2010
REVISED LAWS OF GRENADA**

AND

**IN THE MATTER OF THE COUNCIL OF LEGAL EDUCATION
ACT CAP 71 OF THE 2010 REVISED LAWS OF GRENADA**

AND

**IN THE MATTER OF AN APPLICATION OF WAYNE HAZEL JONATHON PATRICE TO
BE ADMITTED TO PRACTICE AS AN ATTORNEY AT LAW OF THE SUPREME COURT
OF GRENADA AND THE WEST INDIES ASSOCIATED STATES**

Before:

The Hon. Justice Raulston L.A Glasgow

High Court Judge

Appearances:

Mr. George Prime for the Applicant

2025: April 7th

REASONS FOR DECISION

[1] **GLASGOW J:** The applicant (“Mr. Patrice”), a Grenadian national, applied to be admitted to the practice of law in Grenada as an attorney – at – law. On the date of hearing of the application, I refused Mr. Patrice’s application and promised to provide reasons for so doing. In Mr. Patrice’s initial affidavit in support of his application, more particularly at paragraph 8 thereof, he cites sections 77(2) and 78 of the West Indies Associated States Supreme Court (Grenada) Act, Cap 336 of the Laws of Grenada (“Cap.336”) and section 17(2)(a) of the Legal Profession Act, Cap. 167A of the Laws of Grenada (“LPA”) as the statutory platform for his request to be admitted to the practice of law in Grenada. On the date of hearing, an “Amended” Affidavit was filed by Mr. Patrice, citing section 17(2)(a) of the LPA as the sole statutory basis for his request for admission. At the hearing, counsel for the

applicant, Mr. George Prime proceeded on the basis of section 17(2) of the LPA. I believe that counsel did so with good reason, since Mr. Patrice's application does not state or show how he meets any of the criteria of sections 77(2) and 78 of Cap. 336 or indeed how he meets any of the requisites of Cap. 336.

Sections 77(2) and 78 of Cap 336

- [2] Section 77(2) of Cap. 336 addresses, as it says plainly, "[E]very person applying to be admitted as a barrister or solicitor under the provisions of this Act..." That articulation clearly references the stipulations set out in section 77(1) of Cap.336 and elsewhere in Cap 336¹. The relevant parts of Section 77 (1) with respect to qualifications for admission read –

"Subject to the provisions of subsection (2) a Judge of the High Court may admit—

(a) any member of the English, Scottish, Northern Ireland or Canadian Bar to practise as a barrister of the Court; and

(b) any person who has been admitted as a solicitor or writer in any of the Superior Courts in England, Scotland or Northern Ireland to practise as a solicitor of the Court..."

- [3] More significantly, section 78 of Cap 336 has no bearing on the requirements to be met by an applicant to be called to the bar of Grenada. Section 78 of Cap.336 is addressed to the Registrar of the Court and it tasks the Registrar with keeping the book named the Court Roll. The Registrar must, pursuant to section 78, enroll on the Court Roll, *"the name of every person admitted to practise as a barrister or solicitor of the Court, with the date of his or her admission, and every such person shall be entitled to a certificate of enrolment under the seal of the Court."*

- [4] As I have stated above, none of those sections apply to Mr. Patrice's application. But even if one were to look elsewhere in Cap. 336², the same result returns; his application does not expose that it meets any of the requirements of Cap. 336.

Section 17 of the LPA

¹ Part V of Cap.336 deals with the qualifications of persons who wish to be admitted by reason of (1) articles of clerkship or (2) certain degrees along with articles of clerkship

² See **In The Matter Of An Application By Sana Christyl Mark To Be Admitted To Practice As An Attorney At Law Of The Supreme Court Of Grenada And Of The West Indies Associated States** GDAHCV 2023/0585 for Actie J's exposition on the qualifications required by sections 85 et seq of Cap 336.

[5] With respect to section 17(1) and (2) of the LPA, those sections read –

“Admission to practise and enrolment

17. (1) Subject to the provisions of this Act, a person who makes an application to the Supreme Court, and satisfies the Supreme Court that he—

(a) is of good character; and either—

(i) holds the qualifications prescribed by law, or

(ii) is a person in respect of whom an Order has been made under section 18;

(b) has paid the prescribed fees under the provisions of the Stamp Act, Chapter 309, in respect of such admission;

(c) has filed in the office of the Registrar an affidavit of his identity, and stating that he has paid the prescribed fee; and

(d) has deposited with the Registrar for inspection by the Court, his certificate, with respect to his qualifications prescribed by law, shall be eligible to be admitted by the Court to practise as an attorney-at-law in Grenada.

(2) Notwithstanding the provisions of this Act or any other written law to the contrary, a national of Grenada who makes an application to the Court and satisfies the Court that—

(a) he has the qualifications which would allow him to practise law in any country having a sufficiently analogous system of laws as Grenada; and

(b) he has obtained a certificate from the head of chambers of an attorney-at-law of not less than ten years standing, practising in Grenada to the effect that the national has undergone an attachment to those chambers for a continuous period of not less than six months relating to the practise of law, is deemed to hold the qualifications prescribed by law and is entitled, subject to fulfilling the conditions under subsection (1), to be admitted by the Court to practise as an attorney-at-law in Grenada.

[6] In this jurisdiction section 17 of the LPA, and in particular section 17(2), has already received judicial commentary. More recently, in the case of **In The Matter Of An Application By Dianne Hadeed To Be Admitted To Practice As An Attorney At Law Of The Supreme Court Of Grenada And Of The West Indies Associated States**³, her Ladyship Agnes Actie, quoting from **In The Matter Of An Application**

³ GDAHCV2022/0263

By Joseph Ewart Layne To Be Admitted To Practice As An Attorney-At-Law Of The Supreme Court Of Grenada And The West Indies Associated States⁴,
observed that section 17 (1) of the LPA -

“...clearly envisages that there are two limbs to the admission process:-

1. The academic and professional education requirement, and
2. The requirement that the Applicant be of good character.”⁵

[7] With respect to section 17(2) which is at the center of this discourse, her Ladyship Actie explained accurately that

“Section 17(2) of the Legal Profession Act, provides an additional gateway, other than a Certificate in Legal Education, to Grenadian nationals to be admitted to practice as an Attorney-at-law. An applicant seeking admittance under Section 17(2)(a) has to demonstrate that the qualifications which would allow him to practise law in any country which has a suitably parallel system of laws as Grenada subject to fulfilling the conditions under subsection (1).”⁶

[8] In order to meet the academic and professional qualifications required by section 17 (1), Mr. Practice and indeed any applicant, must satisfy the court that they possess the academic and professional requirements set out in the law to fulfill the terms of the LPA in that section which read “...holds the qualifications prescribed by law...”. In this regard, the only specific academic and professional qualifications prescribed by law for the purposes of section 17(1) of the LPA are those academic and professional qualifications set out in Parts IV and V of Cap 336, those set out in the LPA itself, or elsewhere in the laws of Grenada.

[9] There are no specified qualifications in the LPA itself. However, the words “qualifications prescribed by law” in section 17(1) of the LPA are defined in section 2 of the LPA to mean “the qualifications set out in the Agreement”. Section 2 of the LPA states that the “Agreement”, “has the meaning assigned to it under the Council of Legal Education Act, Chapter 71.” In turn, the Schedule to the Council of Legal Education Act, Cap 71 of the laws of Grenada (“Cap.71”) stipulates that a person who holds a Legal Education Certificate pursuant to that Act is deemed to possess the professional qualifications to practise law in Grenada. In a word, a person who

⁴ GDAHCVAP2013/0036

⁵ Ibid at paragraph 10

⁶ Ibid at paragraph 13

possesses a Legal Education Certificate pursuant to Cap. 71 meets the qualification requirements of section 17(1) of the LPA.

[10] Mr. Patrice has presented two documents to support his application to be admitted to the practice of law in Grenada, a Master of Laws degree from the Leeds Beckett University and a Legal Practice Course Certificate from the same University. It is immediately apparent that Mr. Patrice does not possess part of the qualification requirements of section 17 (1) of the LPA to be called to practise law in Grenada; he does not possess a Legal Education Certificate. One must have resort to Cap 336 or elsewhere in the LPA, specifically section 17(2) of the LPA, to see if the qualifications that Mr. Patrice has presented meet the requisites of the law. As I have stated above, my review of Parts IV and V of Cap.336 indicates that none of the material presented by Mr. Patrice meets the requirements of Cap 336.

[11] I would add that I have considered the affidavit and “amended” affidavit filed by Dr. Dawn DeCoteau which states at paragraph 6 that she is aware that Mr. Patrice has been employed in the office of Mr. George Prime, who appears as counsel presenting Mr. Patrice’s application. Mr. Patrice also states in an “amended” affidavit in support of his application that he serves as a trainee solicitor in Mr. Prime’s office. Neither Dr. De Coteau’s statement at paragraph 6 of her affidavit nor Mr. Patrice’s assertion at paragraph 7 of his “amended” affidavit take matters very far since section 17(2) (b) requires a certificate “from the head of chambers of an attorney-at-law of not less than ten years standing, practising in Grenada to the effect that the national has undergone an attachment to those chambers for a continuous period of not less than six months relating to the practise of law.” This certificate has not been presented. In any event, even if the affidavit material sufficed, none of it assists Mr. Patrice in overcoming the difficulty that, like I have stated previously, his qualifications and working experience do not meet the requirements of either Part IV or V of Cap 336.

[12] That then leaves section 17(2) of the LPA. Justice Actie’s erudition on what is required to meet the requirements of this subsection has been recited above. If I may reiterate what are the constituent elements of that subsection again, please permit me to do so. The applicant who relies on section 17(2) **must satisfy the court** –

- (1) that he or she is a Grenadian national;
- (2) that whatever qualifications he or she presents in support of the application to be called to the bar of Grenada allows him or her to practise law in a country having sufficiently analogous system of laws as Grenada (17(2)(a);

(3) he has obtained a certificate from the head of chambers of an attorney-at-law of not less than ten years standing, practising in Grenada to the effect that the national has undergone an attachment to those chambers for a continuous period of not less than six months relating to the practise of law (17(2)(b)).

[13] All I have before me are the two documents presented by Mr. Patrice which I have described above. I have also, again considered paragraph 6 of the affidavits filed by Dr. DeCoteau and paragraph 7 of Mr. Patrice's "amended" affidavit. I have already expressed above my concerns that these affidavit statements do not rise to the level of a certification of attachment to chambers as envisaged by section 17(2)(b) of the LPA. But even if I accord the highest credence to those statements and assume that Mr. Patrice was attached to those chambers in a capacity required by section 17(2)(b) of the LPA, his application would fail because he has presented no evidence that the qualifications that he has presented meet the requirements of section 17(2)(a).

[14] Mr. Patrice, and by extension any applicant who wishes to utilize section 17 (2)(a) of the LPA, cannot just present the two documents presented by Mr. Patrice, without more. Mr. Patrice, must, in addition to attaching copies of his qualifications, present information and material on which the court can draw the inference and be satisfied that, as the subsection mandates, those qualifications allow Mr. Patrice to practice in another jurisdiction and that jurisdiction is one that is governed by a legal system that is sufficiently analogous to Grenada's legal system. To repeat, merely presenting those certificates is not sufficient to meet the requirements of the section. These requirements stipulated by parliament are mandatory and cannot be simply assumed or ignored.

[15] Before parting from this ruling, although it is evidently not necessary to dispose of this application, I offer some thoughts on the language of section 17(2) which includes the words "is deemed to hold the qualifications prescribed by law and is entitled, **subject to fulfilling the conditions under subsection (1)**, to be admitted by the Court to practise as an attorney-at-law in Grenada." (Bold emphasis mine).

[16] As elucidated by Justice Actie in the **Hadeed** application, section 17(2) of the LPA creates a gateway for persons who are Grenadians who – (1) wish to be admitted to be admitted to the practice of law in Grenada; and (2) do not meet the qualification requirements adumbrated in either Part IV or V of Cap. 336 or section 17(1) of the LPA. Notwithstanding that they lack the qualifying criteria in those statutes, once those Grenadian nationals satisfy the court that they meet the criteria set out in

section 17(2) (a) and (b) of the LPA, they are deemed to hold the qualifications required by the law to be admitted to the practice of law in Grenada. Those persons are, in essence, deemed to have conformed with the requirements of section 17(1)(a)(i) so that where section 17(2) speaks of “**subject to fulfilling the conditions under subsection (1)**”, the only conditions in subsection 17(1) that logically would be applicable to an applicant pursuant to section 17(2) are sections 17(1)(b), 17(1)(c) and 17(1)(d).

[17] For the above reasons, I find that Mr. Patrice’s application does not satisfy the requirements of section 17(2) of the LPA and his application is thus refused.

Raulston L.A. Glasgow
High Court Judge

BY THE COURT

REGISTRAR