

**THE EASTERN CARIBBEAN SUPREME COURT
FEDERATION OF SAINT CHRISTOPHER AND NEVIS
SAINT CHRISTOPHER CIRCUIT**

**IN THE HIGH COURT OF JUSTICE
(CIVIL)**

A. D. 2022

CLAIM NUMBER: SKBHCV 2020/0056

BETWEEN:

CORRINE BELLE

Claimant

AND

DANNY ISLES

1st Defendant

**THE ATTORNEY GENERAL OF
ST. CHRISTOPHER & NEVIS**

2nd Defendant

APPEARANCES:

Mrs. Natasha Grey-Brookes for the Claimant

Mrs. Eshe Hendrickson Johnson and Mrs. Rivi Lake for the Defendants

2022: October, 5th
December, 13

JUDGMENT

- [1] **WALLACE, J. (Ag):** The claimant (Miss Belle) asserts that on 21st April, 2018, she was informed that a search was being conducted by members of the Royal Saint Christopher and Nevis Police Force at premises at Alley, Sandy Point, which she claimed she once occupied with her children. When she arrived at the premises she saw police officers, including the first named defendant (Officer Isles), and informed them that she was there to collect her grandchildren. She claims she was taken inside the house and shown an item that appeared to be a firearm. She was then arrested, along with other persons, and detained at the police station and

charged with possession of firearm, ammunition and cannabis. She was later remanded to prison until 8th May 2018 when she was released on bail. She made several appearances at the Magistrate's Court in relation to the charges that were brought against her until the matter was dismissed and she was released in October 2019.

- [2] By Claim Form filed on the 6th April 2020, Miss Belle seeks the following relief:
- (a) A declaration that her arrest and detention was unlawful;
 - (b) Special Damages in the amount of \$21,242.50
 - (c) Damages for wrongful arrest
 - (d) Damages for wrongful detention and/or false imprisonment
 - (e) Damages for malicious prosecution
 - (f) Exemplary Damages
 - (g) Aggravated Damages
 - (h) Damages for pain and suffering and loss of amenities
 - (i) Interest pursuant to Section 27 of the Eastern Caribbean Supreme Court Act 1975 (No. 17 of 1975).
 - (j) Such further or other reliefs as may be just; and
 - (k) Costs

The Pleadings

- [3] Miss Belle avers in her Statement of Claim that on or about 21st day of April 2018 she was informed that police was carrying out a search at her home and as a result she ventured there. When she got to the house she informed the police that she was there to collect her grandchildren. She was taken inside the premises and handcuffed by an officer and Officer Isles informed her that he had something to show her. She was taken to the living room and shown an item which appeared to be a firearm and she was asked what the item was and she responded that she did not know what it was.

- [4] She was arrested and taken to Sandy Point Police Station and detained in a cell for two nights and was told that she is being arrested for suspicion of possession of firearm possession of ammunition and possession of cannabis. The cell was unlit, hot and emitted a foul smell. She was forced to sleep on a cardboard box inside the cell with no bedding. The ventilation was poor and it was extremely distressing for her to remain caged in a cell.
- [5] On the 23rd of April 2018 she was charged for possession of firearm and possession of ammunition on warrants in the First Instance and had to spend a number of days as Dieppe Bay Police Station. She was then remanded to her Majesty's Prison and incarcerated until she was released on bail in May 2018.
- [6] As required, Miss Belle had to appear before the Magistrate on a number of occasions. On the 4th of October 2019 the Magistrate dismissed the charges against her.
- [7] Miss Belle avers that, her arrest, detention and/ or false imprisonment was malicious, wrongful and unlawful in that there was no reasonable cause for the initial arrest and detention as she was not present at the home when the police came on the scene. Additionally, there was no probable cause to charge her with possession of firearm and possession of ammunition as no firearm was found on her or even the bedroom that she occupied. She states that Officer Isles acted with malice towards her.
- [8] Miss Belle pleaded particulars of loss and damage occasioned by the wrongful arrest, charge, detention and malicious prosecution by Officer Isles to include loss of liberty, rights and privileges, embarrassment, humiliation and loss of reputation from the arrest and detention which was broadcasted on social media, as well as suspension from her job. She claims she also suffered emotional trauma from the situation, legal expenses associated with bail application and representation at the trial.

- [9] In his defence Officer Isles admits that police officers executed a search warrant at the premises of Miss Belle on the day in question. When the police arrived at the premises, Miss Belle was not at home. When Miss Belle arrived at the premises the police had only secured the outside perimeters. Miss Belle informed the police officers that she was the owner of the house. She was then allowed to enter the house before the police executed the search warrant. He denied that she said she was there to collect her grandchildren. Prior to her arrival the police had asked one of the occupants to contact someone to remove the children from the premises before the search was executed.
- [10] Officer Isles avers that there were 11 persons, including Miss Belle, in the house at the time of the search. They were handcuffed to ensure the safety of the police officers while on the premises. While executing the warrant a firearm and five rounds of ammunition were found under a cushion of a chair in Ms. Belle's living room.
- [11] In response to Miss Belle's claim regarding the condition of the cell at the police station, the defendants admit that there was no bedding but that the cell in which Miss Belle was place at the Dieppe Bay Police station was cleaned once per day and there is a light and an opening at the entrance door, among other things, that allow for air and light to pass through freely. In relation to her spending a number of days at the police station and remand the defendants plead that Miss Belle made an application for bail at the Magistrate's Court but during the bail hearing she changed Counsel and the matter was adjourned to give her an opportunity to get new Counsel. As a result, she was remanded to prison.
- [12] The defendants deny that Miss Belle was unlawfully arrested, charged and detained. They also deny that she was prosecuted maliciously or without reasonable and probable cause. They state that they are unable to speak to whether Miss Belle suffered embarrassment, humiliation, loss as alleged or any

damage, or that any injury or damage suffered by her was occasioned by or resulted from the prosecution of the said charge against her as alleged.

The Evidence

- [13] Miss Belle gave evidence in support of her case. She called no witnesses. She states that at the time of the search she was not living at the house but was staying with her boyfriend at Fig Tree. After the gun and ammunition were found, she was taken in a bus along with others who were in the house to the Sandy Point Police Station where she was questioned, photographed and placed in a cell with two (2) of her daughters. She spent two (2) nights there before being transferred to Dieppe Bay Police Station where she spent a further two (2) nights before being taken to court for bail. She was then remanded to Her Majesty's Prison where she was placed in a cell. She was there for a further two (2) weeks and was released when she got bailed on the 8th May 2018. She was suspended from her job with half pay between April 21st 2018 and October 2019 when the charges against her were dismissed.
- [14] On cross-examination she admitted that her home has been searched on other occasions but nothing illegal was ever found. She stated that while she was living with her boyfriend, she would visit the premises on special occasions but would not sleep there. She denied that when she got to the house she told the officers that it was her house and that everything there was hers. She said when she arrived at the premises the search had already commenced and the police already found what they were searching for. Counsel for the defendants suggested to her that she changed lawyers during the case at Magistrate's Court and that was the reason she was remanded. She said as far as she was aware of only one lawyer being retained to represent 5 of them who were charged.
- [15] Officer Isles was one of two witnesses on behalf of the defendants. His witness statement mirrored the defence. He states that some officers went to the rear of the

yard to secure the premises. While approaching the front door he smelt something emanating from the house which he suspected to be cannabis. He knocked on the door and shouted "Police!" He was on the inside of the premises where 10 occupants were found when he heard a commotion outside. He looked out and saw Miss Belle standing by the gate. He met her at the front door and showed her the search warrant and reads it to her. Thereafter, on searching the premises, a quantity of vegetable material suspected to be cannabis was found and it was while searching a wooden chair in the living room that a firearm was also found. He asked each of the occupants, including Miss Belle, who the firearm belonged to. None of them responded. Based on where the firearm was found, each of the occupants would have had access to the space so they were told they would be arrested for possession of firearm and ammunition.

- [16] On cross-examination Officer Isles could not say whether Miss Belle's name was on the search warrant. When shown the search warrant, he confirmed that Miss Belle's name was not on it. He agreed that he did not check to see whether she was still living there when the search warrant was being prepared. He indicated that he referenced Miss Belle in the Witness Statement as being one of the persons living at the premises because he met her there previously on separate occasions. He confirmed that Miss Belle's name was not included in the statement he gave on 25th April 2018 in the related criminal matter. However, the warrant required only one name and it covers everyone found at the stated premises at the time. He denied that the search began before Miss Belle came upon the premises. He agreed that the premises were secured while Miss Belle was on the outside. Counsel for Miss Belle suggested to him that Miss Belle did not say "this is my place and everything in there is mine". Instead, what Miss Belle stated was that she was there to collect her grandchildren. He denied that suggestion. He agreed that the statement he gave on the 25th April 2018 in the criminal matter did not make any reference to Miss Belle saying that the premises was hers and everything in there was also hers. He agreed that this would have been important to state in a charge of possession of a firearm. He rejected counsel for Miss Belle's suggestion that when the items were

found Miss Belle was still outside the premises. He confirmed he has been a police officer for 10 years. The arrest was based on illegal findings and Miss Belle was one of the persons in close proximity.

- [17] The other witness for the defendants was Superintendent Travis Rogers. On cross-examination he confirmed that from his reading of the file Miss Belle had no fingerprints on the firearm. He agreed that Miss Belle came to the premises after they were secured on the day in question. He did observe a number of persons in the premises before her arrival. There was music and the smell of cannabis. He knew that Miss Belle was associated with the property because of previous searches conducted by the police. He admitted that it was previous searches that led him to believe that she occupied the premises on the day in question. He was not aware that at the time she was living with her boyfriend at Fig Tree. He rejected the suggestion of counsel for Miss Belle that he was not being truthful when he said in his witness statement that Miss Belle stated, "this is my place everything in there is mine".

Issues

- [18] The court is called upon to consider the following issues:
1. Whether there was wrongful and/or unlawful arrest and/or false imprisonment of Miss Belle.
 2. Whether the claim of malicious prosecution has been proven by Miss Belle.

Submissions

- [19] The submissions on behalf of Miss Belle are along the following lines:
- (a) Firstly, there was no reasonable or probable cause for Miss Belle's arrest and charge. Consequently, if there was no reasonable or probable cause for the arrest and charge, the institution of the proceedings was based on malice. Possession in law was outlined in **DPP v Brookes**¹ by Diplock J: "In the ordinary

¹ (1974) 21 WIR 411 at 415

use of the word 'possession', one has in one's possession whatever is, to one's knowledge, physically in one's custody, or under one's physical control."

(b) Secondly, relying on **Everette Davis v The Attorney General of St. Christopher and Nevis**² the court must make a determination as to what were the facts that the police relied on in making a decision as to whether to arrest and detain Miss Belle and then consider whether a reasonable man, taken to know the law and having the information as the officer would believe that the basis of the arrest and detention was reasonable.

(c) Thirdly, in order for Miss Belle to establish her claim for malicious prosecution she must establish four elements:

- (i) That the law was set in motion against her on a criminal charge;
- (ii) She was acquitted on the said charge;
- (iii) That the prosecutor lacked reasonable and probable cause for instituting the proceedings; and
- (iv) That the prosecution was activated by malice in instituting the proceedings.

Based on the evidence of the defendants, there was no reasonable or probable cause for Miss Belle's arrest and charge. Consequently, if there was no reasonable or probable cause for the arrest and charge, and the court should find that the institution of the proceedings was based on malice.

(d) Fourthly, if the court so finds that the prosecution was without an honest motive and there was absence of reasonable and probable cause, Miss Belle would be entitled to damages as she was not only suspended from her job, but she also suffered injury to her reputation and livelihood.

[20] On behalf of the defendants the following are the salient aspects of their submissions:

²SKBHCV2013/0220

- (a) Firstly, the relevant question is whether there were reasonable grounds for the arrest. There was a reasonable suspicion that Miss Belle had committed an offence. In this instant matter, cannabis, firearm and ammunition were found in Miss Belle's house, all of which were included in the search warrant executed by members of the police force. This amounts to good cause to arrest and charge her.
- (b) Secondly, in order for an arrest to be lawful at common law an arresting officer must satisfy himself that there exists a reasonable suspicion of guilt³. The court must determine what were the facts relied on by the police in deciding to arrest and detain the claimant and then make a determination as to whether a reasonable man, who has knowledge of the law and possessed with such information would believe that the basis of the arrest and detention was reasonable.
- (c) Thirdly, the absence of reasonable and probable cause is a question to be determined by the Judge. The burden of proving it lies on the claimant that there was reasonable and probable cause to arrest. The defendants contend that Miss Belle was lawfully arrested and charged and that the matter be dismissed.
- (d) Fourthly, regarding the question of whether the prosecution was actuated by malice, it is for Miss Belle to prove that the prosecutor set the law in motion without reasonable and probable cause and that in setting the law in motion the prosecutor was actuated by malice. The defendants contend that Miss Belle failed to show that the prosecution was actuated by ill-will or spite. The court therefore must be satisfied that the objective of the prosecution was not to meet the ends of justice.

The Law

³ [1944] 1 All ER 326

Whether there was a wrongful arrest and/or false imprisonment of the Miss Belle.

- [21] Section 5(1)(f) of the Constitution of Saint Christopher and Nevis authorizes the arrest of a person upon reasonable suspicion of him having committed, or being about to commit, a criminal offence under any law. The Police Act Cap. 19.07, also confers powers of arrest. This piece of legislation similarly provides that a police officer may, without warrant, arrest a person whom he reasonably suspects of having committed an offence. The pertinent Sections of the Police Act for the purpose of the case at bar are to be found at Sections 6 and 7.
- [22] Section 6 (1) of the Act provides that a police officer may, without a warrant, arrest a person whom he 'reasonably suspects of having committed an offence'.
- [23] Section 7 provides:
- "A police officer shall have all such rights, powers, authorities, privileges and immunities and be liable to such duties and responsibilities as any constable duly appointed has or is subject to either at common law or by virtue of any enactment".
- [24] Notwithstanding this power, the common law has long recognised the torts of wrongful arrest and detention and provided remedies to citizens where these have been committed by agents of the state. The onus is on the defendants to show that there were reasonable grounds for the arrest⁴. The term "reasonable and probable cause" has been defined in **Hicks v Faulknes**⁵ by Hawkins J as follows:
- "I should define "reasonable and probable cause" to be an honest belief in the guilt of the accused based on a full conviction, founded on reasonable grounds, of the existence of a state of circumstances which, assuming to be true, would reasonably lead an ordinary prudent and cautious man,

⁴ *Infra*, note 5.

⁵ [1878] 8 QBD 167 at 171

placed in the position of the accuser, to the conclusion that the person charges was properly guilty of the crime imputed."

[25] There must be first, an honest belief of the accuser in the guilt of the accused; secondly, such belief must be based on an honest conviction of the existence of the circumstances which led the accuser to that conclusion; thirdly, such mentioned belief must be based upon reasonable grounds – by this I mean such grounds as would lead any fairly cautious man in the defendant's situation so to believe; fourthly, the circumstances so believed and relied on by the accuser must be such as amount to reasonable ground for belief in the guilt of the accused.⁶

[26] Ramdhani, J in **Everette Davis**⁷ considered the test to be applied when considering whether there is reasonable and probable cause:

"...[T]he test as to whether there is reasonable and probable cause is both subjective and objective...The perceived facts must be such as to allow the reasonable third person and actually cause the officer in question to suspect that the person has committed or is about to commit a crime. It does not matter if the information available to the police leads equally or more to a view that the person may be innocent of the offence, once it leads reasonably to a conclusion that he may have committed, or is about to commit the offence, that is sufficient ground to arrest. The reasonable police officer is assumed to know the law and possessed of the information in the possession of the arresting officer and would have believed that the Claimant was guilty of the offence for which he was arrested. The term 'reasonable suspicion' relates to the existence of facts at the time. It does not relate to a perception on the state of the law."

[27] The absence of reasonable and probable cause is a question to be determined by the judge. The burden of proving it lies on the claimant. The court must determine what were the facts relied on by the police in deciding to arrest and detain Miss Belle

⁶ Ibid.

⁷ Note 2, paragraph 12.

and then determine whether a reasonable man, taken to know the law and possessed with such information, would believe that the basis of the arrest and detention was reasonable.

[28] The evidence of Officer Isles, if believed, is capable of satisfying the subjective test as to whether there was reasonable and probable cause for Miss Belle's arrest. His evidence is that as far as he was aware, Miss Belle lived at the premises. Both Officer Isles and Superintendent Rogers gave evidence that on prior occasions they had cause to search the premises and Miss Belle was identified as one of the residents. She was seen there on several previous occasions and on her own evidence continued to "visit" the premises even during the period she was living with her boyfriend at Fig Tree. Moreover, while she was not there when the police first arrived, she came upon the premises at the time the search was to commence and asked to enter. She was permitted to enter and thereafter the gun was found. According to Officer Isles he honestly held the belief that once Miss Belle had access to the firearm (which he based on the fact that she resides there), and that was sufficient for him to have reasonable and probable cause. I find that at the time of making the arrest, Officer Isles honestly believed that Miss Belle had committed the offences of being in possession of firearm, possession of ammunition and possession of cannabis.

[29] However, that is not the end of the matter. The Court is also called upon to apply the objective test. Learned counsel for Miss Belle sought to establish by her cross-examination of Officer Isles, that given his experience and length of service as a police officer, he ought to know what evidence is required to ground an arrest and charge for "possession" in those circumstances. Therefore, it was on this basis that learned Counsel for Miss Belle sought to argue that there was no evidence that Miss Belle had knowledge, physical custody or control of the items found that would give rise to reasonable suspicion and probable cause for her arrest and charge for the offences in question.

- [30] The Court notes the inconsistencies in Miss Belle's Statement of Claim and that of the evidence she gave at trial. She avers in her pleaded case under the particulars of the alleged wrongful arrest and unlawful detention⁸ that "[n]o firearm or ammunition was found on the Claimant's person or **even in her bedroom that she occupied**" (My emphasis). This, as well as the several references to the premises as her "home"⁹ I find to be an admission by her that she lived in the house or at least can be considered as an occupant of the house. As learned counsel for the defendants submitted, it was at trial Miss Belle retracted this association with the premises by saying that she did not live in the house nor was she an occupant there as at the time of the search she lived with her boyfriend.
- [31] Even if the court was to believe Miss Belle that she was not living at the premises at the time the firearm and other illegal items were found, then if Officer Isles honestly, but mistakenly, believed that as one of the occupiers of the premises she exercised the requisite elements to establish "possession", would that mistaken belief mean that he did not have reasonable grounds for suspicion? I share the view of Ward J in **Elcardo James v Anthony & The Attorney General of Saint Christopher & Nevis**¹⁰ that *"mere mistake of fact does not in itself negate reasonable suspicion. Rather, the reasonableness of the grounds for the arrest must be assessed based on all the surrounding circumstances."*
- [32] The requirement that the suspicion must be founded on reasonable grounds is critical in determining whether the arrest and subsequent detention/imprisonment was lawful. The court must remind itself that this is not a requirement to establish guilt but rather merely reasonable suspicion.
- [33] In **Delvin Benjamin v Carla Wallace and the Attorney General of St. Christopher and Nevis**¹¹ Ventose J found for the defendants on the issue of

⁸ Statement of Claim, paragraph 13 (c)

⁹ Ibid, paragraph 4.

¹⁰ CLAIM NO. SKBHCV2019/0274, at Paragraph 22, Unreported,

¹¹ SKBHCV2015/0187

whether the police had *reasonable and probable cause* and noted that "*the Claimant had provided no evidence to show that the police officer did not have reasonable cause to arrest and detain him 29th October 2013 and that the evidence of the Defendants show the following as bases for having reasonable and probable cause for the arrest and detention of the Claimant (1) cannabis was found on the premises where the Claimant lived; (2) cannabis was found on an empty lot next to the Claimant's house; and (3) firearms were found yards from the cannabis found on the empty lot and any third party would have such reasonable and probable cause*".

[34] Having weighed the evidence relating to what grounded Officer Isles' suspicion I am drawn to the conclusion that the reasonable man would believe that Miss Belle was associated with the property because of previous searches conducted by the police and her presence at the premises on the day in question would have led a reasonable man to believe that she continued to occupy the premises at the time of the search and finding of the firearm and five rounds of ammunition and cannabis. This was not a public space. Miss Belle was known to Officer Isles to be one of the owners/occupiers of the premises. From the evidence that I accept, this is the basis on which she was granted entry to the premises. Therefore, at the time of her arrest there was reasonable suspicion and probable cause.

[35] With the matter of reasonable suspicion being established, Miss Belle has not advanced any evidence which contradicts the reasonable suspicion. I therefore find that the claim for unlawful arrest has not been made out.

[36] In relation to false imprisonment, the court having held that at the time Miss Belle's arrest there was reasonable suspicion of her having committed the offence, it follows that her claim for false imprisonment cannot succeed. There is no allegation that after being arrested Miss Belle was not taken before the Magistrate within a reasonable time of her initial detention. In fact, Miss Belle's evidence is that she was taken before the Magistrate a couple days later and remanded in custody. While there was dispute as to whether she was offered bail at that initial hearing, and if so,

the reason why she was unable to take up bail, there is no allegation that the remand was because of any actions or omissions by Officer Isles. I find that she was remanded by lawful authority deriving from order issued by the Magistrate.

Whether the Claim of Malicious Prosecution has been Proven by the Claimant.

[37] The locus classicus on the tort of malicious prosecution in West Indian jurisprudence, **Wills v Voisin**,¹² established that in an action for malicious prosecution the claimant must prove the following ingredients:

- (a) That he was prosecuted by the defendant, that is, the law was set in motion on a criminal charge;
- (b) That the prosecution was determined in his favour;
- (c) That it was without reasonable and probable cause; and
- (d) That it was malicious.

[38] Each of the four ingredients must be proved.

[39] The term "malice" as used here denotes that the party is actuated by improper motives, that is, a motive other than a desire to secure the ends of justice.

[40] In **Cecil Kennedy the Donna Morris and the Attorney General of Trinidad and Tobago**¹³ Sharma CJ referenced the learning to be found in Halsbury Laws of England stating:

"The grounds for the prosecutors believe therefore depends more on a reasonable belief in the existence of the facts to justify prosecution rather than the actual existence of such facts. The following passage from Halsbury laws is instructive in this regard: ***"The presence of reasonable and probable cause for prosecution does not depend upon the actual existence, but upon a reasonable belief held in good faith in the existence of such facts as would justify a prosecution. It is not required for any prosecutor that he must have tested every possible relevant facts before he takes action;***

¹² (1968) 6 WIR 50 per Wooding CJ at p. 57 C-D

¹³ Unreported, Civil Appeal 87 of 2004

His duty is not to ascertain whether there is a defense but whether there is a reasonable and probable cause for prosecution". The belief in the existence of such facts as would justify a prosecution or the belief in the accused guilt may arise out of the collection the recollection of the prosecutor if he has always found his memory trustworthy or out of information furnished to him by others and accepted by him as true."

- [41] In her particulars of malice, Miss Belle pleads that (1) there was no evidence existing to warrant her arrest or charge (2) The charges were laid recklessly and was an abuse of the power of the State. The malicious prosecution of her by Officer Isles could have been avoided as the officer knew fully well there was no evidence to satisfy the elements of charges which dealt with possession of firearm and possession of ammunition as it relates to her.
- [42] The defendants submit that Miss Belle has not pleaded any grounds or adduced any evidence on which a finding of malice can rest. Further that the particulars pleaded above do not amount to improper motive. Miss Belle has not shown that the prosecution was done to embarrass and shame her.
- [43] While the court is of the considered view that a failure to take steps which it would be elementary for any reasonable person to take before instituting proceedings might in some circumstances serve evidentially as a pointer towards deliberate misuse of the court's process, sloppiness of itself is very different from malice.
- [44] Having observed the witnesses as they gave evidence there is no reason to doubt that Officer Isles believed, rightly or wrongly, that there were sufficient grounds to prosecute, or that the object of charging Miss Belle, along with the others at the premises, was to place the matter before the magistrate for the court to decide the question of her guilt.

[45] Even if one can objectively decide that Officer Isles lacked reasonable and probable cause to prosecute Miss Belle, there was no basis to hold that he acted with malice¹⁴. The mere fact that the prosecution was determined in Miss Belle's favour, does not point inescapably to the conclusion that the prosecution was actuated by malice. Ineptitude on the part of the prosecutor or sheer sloppiness on the part of police investigators, cannot in and of themselves ground a claim for malicious prosecution.¹⁵

[46] The court therefore finds that Miss Belle has failed to discharge her burden of proving malice. The claim based on malicious prosecution therefore fails.

[47] Having regard to the foregoing reasons, on a balance of probability, it is ordered and directed as follows:

(1) The claimant's claim for wrongful arrest, false imprisonment, malicious prosecution and reliefs sought stands dismissed.

(2) Prescribed Costs to the defendants in accordance with the CPR 2000 (as amended).

Yvette Wallace
High Court Judge (Ag.)



BY THE COURT


Registrar (18)

¹⁴ *Sandra Juman v The Attorney General of Trinidad and Tobago and another* [2017] UKPC 3 at paragraph 19.

¹⁵ Per Innocent J in *Hasani Herbert v AG of Anguilla*.