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THE NEW TODAY

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"The Pen Is Always Mightier"

VOL. 15 NO. 05 ***Week Ending Fri., DECEMBER 02, 2022***

"SUKIE" – A REPEATED OFFENDER

"Sukie" – picked up by local police for indecent assault

Controversial Dominica entertainer 36-year old Shane "Sukie Burn Brain" Edwards is once again in trouble with the law but not in his homeland.

Known by others as "Sukie", the artiste was arrested in Grenada last weekend and charged by police with one count of Indecent Assault.

Several Dominicans are not surprised at the arrest with many describing the entertainer as a time bomb when it comes to running into trouble with the law.

One Dominican told ***THE NEW TODAY*** that "Sukie" is considered as a "repeated" offender and is not considered as "a favourite" in the country.

"He is challenged with good discipline and regularly in trouble with the law. Members of the public tried and continue to try to assist him to be a good citizen but he is not showing sign of coming around," he said.

The Dominican also pointed to allegations surrounding Sukie of sexual misconduct on a visit to neighbouring St. Vincent and the Grenadines.

"There was a report where Sukie went to SVG and did the same thing as in Grenada with a 15 year old but for some strange reason was given a slap on the hand and there was no charge filed," he remarked.

According to the Dominican resident, many have always been fearful that he will cause embarrassment to the country.

Sukie was also arrested in Dominica and charged with battery on a female and threat and was remanded in custody for the alleged offence.

However, he was given bail after a month in the lock up.

His trial for the offence of threat and battery is scheduled for a hearing in the Roseau Magistrate court on Tuesday.

Since his release in October, the artist has performed at many events around the Caribbean region.

The entertainer travelled to Grenada over the weekend to perform alongside other artistes but was picked up by Police on Friday night following a criminal complaint from a guest who was staying at the same hotel with him.

Sukie was charged on Saturday, was denied bail and could not perform at the show.

He appeared before Chief Magistrate Teddy St Louis on Monday but was again denied bail and sent to the Richmond Hill prison on Remand.

Under Grenada's Criminal Code, the charge of "indecent assault" is a summary offence that carries a maximum prison sentence of 5 years.

Ariza Credit Union

FAREWELL TO TWO ARIZA LEADERS!

LUCIA LIVINGSTON-ANDALL
Chief Executive Officer

Sis. Lucia Livingston-Andall has led the Credit Union admirably for the last 25 years, serving under 11 Presidents and enabling significant milestones to be celebrated along the way. She served as General Manager of the Grenada Public Service Co-operative Credit Union from September 1997 to 30th December 2016, and CEO of the rebranded organization to Ariza Credit Union from January 2017 to 30th September 2022.

Throughout her leadership, the Credit Union continued pushing the envelope, breaking barriers, and taking bold initiatives to better serve our growing membership.

Sis. Livingston-Andall embodies the credo of the Co-operative movement of "people helping people." She has been instrumental in helping transform members' lives by being available to advise, counsel and assist members in their financial affairs.

We thank and salute you, Sis. Lucia Livingston-Andall for 25 years of unwavering service, and for putting the Credit Union on a sound course for the 21st Century and beyond.

We wish you God's richest blessings as you start the next chapter in your life's journey.

HAPPY RETIREMENT!

FLORENCE WILLIAMS
Executive Manager: Loans & Credit Administration

Sis. Florence Williams has played an integral role in the development of the Credit Union for the last 16 years.

As Executive Manager of the Loans & Credit Administration, Mrs Williams led several initiatives, including: the revision of the department's organizational structure and relocation to a new building, software upgrades, development and launch of new loan products, updating of policies and procedures which includes the computerization of member data and management of the delinquency portfolio.

She has championed the daily Morning Rally, where employees get together at the start of the workday to share uplifting words, participating from time to time in friendly competitive exercises and giving thanks for the many blessings in their lives.

We thank and salute you, Sis. Florence Williams for 16 years of dedicated service, and for your care and concern for members and employees.

We wish you God's richest blessings as you start the next chapter in your life's journey.

HAPPY RETIREMENT!

Claudette Joseph: "The public service as we inherited it is almost decimated"

Sen. Joseph – The Public Service was operating on autopilot under the NNP regime

Attorney General and Minister of Legal Affairs, Senator Claudette Joseph has said that the incoming National Democratic Congress (NDC) administration has inherited a serious Human Resource deficit within the Public Service that was left behind by the outgoing New National Party (NNP) administration of Dr. Keith Mitchell.

"The public service as we inherited it is almost decimated," said Sen. Joseph as she reported on the early days in office of the new Dickon Mitchell-led government.

She said that many public officers who worked in the service several years ago will definitely not be able to recognise it at the moment.

'We found a Public Service with a large percentage of unestablished workers – now these are people who were brought into the service oftentimes with just a letter and nothing more, not a letter issued by the Public Service Commission, a letter maybe by a PS or a Minister and nothing more," she said.

According to Minister Joseph, the task ahead for the new NDC government "is to build on what we found and to return the public service to the prestige that it once had or attracted, the best, brightest Grenadians."

She pointed out that some of the employees in the public service have been in their position for 15 and 20 years while there are others who have been "almost serving out the full 26-and two-thirds years which would qualify them for pension and still being unestablished and working for the same salary that they started off with at the beginning."

The female government minister disclosed that in most cases these workers do not even get a salary more than $1500.00 a month.

In addition, she said that some workers in the public service are in acting positions and holding a lower post in the service while others are known to be acting in higher positions but not getting the remuneration that goes with the job title.

Sen. Joseph also alluded to another category of public servants who are engaged through various forms of contract to do all kinds of work in the service.

She said the reality of the situation is that NDC has inherited a public service in which "our patriots in the Public Service, our Brothers and sisters in the Public Service are being demoralised, no prospect for promotion, confirmation for pension and therefore the country was not getting the best out of our public workers."

She cited the case of some "critical departments" in the service such as the Supreme Court and the offices that serve the Judicial system which were completely ignored by the former NNP regime.

According to Minister Joseph, the area of court reporting was badly affected as the unit which required a staff of about 10 persons had only "one certified court reporter."

She said that persons who filed appeals in their matters before the court, especially those against their convictions and sentences would actually serve out the whole term in prison before their appeal is heard as one person cannot prepare all the transcript for the numerous appeal hearings.

She added that even persons with Civil matters before the court are forced to wait several years for their matters to be heard.

'We inherited about 135 cases in that state waiting on appeal (and) no end in sight," she said.

The senior government minister painted a similar situation existing in other operations of government like the Ministry of Agriculture where all of the top positions are vacant such as the post of Director of Research, Chief Land Use Officer, Chief Extension Officer, Chief Agronomist, Chief Forestry Officer as well as several other junior positions.

She highlighted the situation within the Department of Consumer Affairs that was established in 2018 by the former NNP regime and virtually all the positions that were created just remained vacant.

"We recently got Cabinet approval to fill those positions," she said.

According to Minister Joseph, the human resource deficit within the public service also impacted within the Ministry of Education especially in the primary schools where it was discovered that 18 of the 56 schools are without Guidance Counsellors and that only 29% of schools had Truancy Officers and only 2 School Feeding officers employed to service the entire country.

She indicated that provisions were made in the budget to hire sufficient School Feeding Officers but for some inexplicable reason the workers were never employed by the Keith Mitchell-led government.

The Minister also touched on the Department of Labour, stating that of the 22 positions that existed only three were filled and the rest remained vacant for years including the post of Deputy Labour Commissioner.

She said the last person to hold the position of Deputy Labour Commissioner is the current Minister of State for Agriculture, Senator Adrian "Persuader" Thomas who resigned from the position in 2013.

Minister Joseph charged that to a large extent "our country was operating on autopilot."

Within the past month, the government has appointed Valerie Thomas as the new Labour Commissioner to replace Reginald Lord who was acting in the position for three months, as the holder of the position Cyrus Griffith who had reached retirement age but was kept on the job on a monthly basis was terminated following regime change.

Byron Campbell defends SAEP implementation rate

In the face of criticisms about the slow rate of implementation of projects under the Climate Smart Agriculture and Rural Enterprise Programme (SAEP) by senior government minister Claudette Joseph, the head of the outfit Byron Campbell has come out in defence of its performance in recent years.

Speaking to ***THE NEW TODAY***, Campbell admitted that there has been only a 37% implementation rate of projects as stated by the island's Attorney General and Minister of Legal Affairs under his tenure but the reason for the low success is due to the impact of the coronavirus pandemic over a two-year period in the country.

He felt that Sen. Joseph should have gone further than just make a blanket statement on the low implementation rate and put into proper context the reasons for the low implementation rate of projects.

"It is unfair to the project to make such a statement without providing no context for it. Personally I was disappointed. I heard it (the statement from the minister) but I made no comment (at the time).

"We lost over two-and-a-half years of implementation time due to the Covid so our staff could not implement. There was no contact (with people) and that's the fundamental reason for this. It's not for non-performance – slow implementation rate yes but that is a fact.

"This is not infrastructure – bridges and walls that we are building – we are interfacing with people, working with people in rural communities and if there is a Covid, there is a lockdown - it means that we were unable simple.

Campbell also pointed to a mid-term review conducted by one of the major funding agencies which reported that due to the years of Covid "the project was unable to do its implementation."

"That's the fundamental reason – no other reason and I make no other excuse for it. It is something beyond the capability and competences of the staff," he remarked.

According to Campbell, there is "a young professional staff in place" at SAEP and he has confidence in them.

"The project has done very well. We have trained hundreds of persons in CVQ, we have been able to employ more than the project projected in this area. We have trained over 400 to 500 young people also in small business Development. We have provided hundreds of grants in small businesses," he said.

"We have touched so much lives throughout the island. The impact this has made with young people in Grenada is just amazing – so nobody is reporting that," he added.

Referring to SAEP as a very large project with a budget of US$14 million , Campbell disclosed that they are currently looking at getting an extension of the project because of the way in which it was affected by Covid.

The head of the project stressed that he is very much committed to reaching the targets that were set from the onset of the programme.

He said: "We do have a lot of targets to meet in the short-term and I have a staff of over 30 young people – and they are working hard at it – I can tell you that – (am) very proud of them."

In addition, he said that SAEP has also been affected by the kind of co-operation given by various government ministries and departments during the period.

"That is a fact also. We do hope that we can get more of that," he remarked.

Campbell pointed to the existence of Memorandum of Understandings (MOU) in place to execute projects with the Ministry of Carriacou & Petite Martinique Affairs, Ministry of Fisheries and Agriculture, and the Ministry of Gender Affairs.

He said that all of these ministries play an important role in the execution of the projects.

"We work (through MOU's) with TAMCC, NEWLO, the Grenada National Training Agency, GIDC is one of the implementing partners in which the project provides over $7.8 million where a Resource Centre is operating in Seamoon with Business Development officers. It is quite an extensive project," he said.

Byron Campbell – the main driver behind the operations of SAEP

SAEP is a six (6) year Programme (2018-2024) funded by the International Fund for Agriculture Development (IFAD), Caribbean

(Continue on page 9)

GRENADA:

Claim No. GDAHPB2022/0449

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

IN THE ESTATE OF AMY CARTER nee BHOLA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT OF LETTERS OF ADMINISTRATION

TAKE NOTICE that an application for a Grant of Letters of Administration has been filed by Travis Carter of 24 Edward Jeffreys Avenue, Markham, Ontario, L6E 1G2 in the Dominion of Canada, the lawful son of the deceased and one of the persons entitled to share in her estate, the deceased having died intestate on the 26th day of January, 2020 at Markham Stouffville Hospital, Markham Site, 381 Church Street, Markham, Ontario, Canada.

Any person having an objection to the Application for Grant of Letters of Administration shall file an objection within 14 days of the publication of this Notice.

Dated the 30th day of November, 2022

Evette John
Law Office of Evette John
Attorneys-at-Law for the Application

Filed by Law Office of Evette John, Chambers, Cherry Hill, St. George, Attorneys-at-Law Tel./ Fax. No. 473-440-8273, E-mail: evettejohn@gmail.com

The Court Office is at Church Street in the parish of St. George, Tel 473-440-2030/0870, Fax. 473-440-6695. The Office is open at 8.00 a.m. to 4.00 p.m Mondays to Fridays except on Pubic Holidays

Case Number :GDAHPB2022/0448

FILED
HIGH COURT
GRENADA

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

Submitted Date:29/11/2022 11:44

GRENADA
CLAIM NO. GDAHPB2022/0448

Filed Date:29/11/2022 11:44

Fees Paid:12.00

IN THE ESTATE OF JOHN ROBERT KENNEISON
LATE OF BELAIR IN THE ISLAND OF CARRIACOU IN THE STATE OF GRENADA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT OF LETTERS OF ADMINISTRATION

TAKE NOTICE that an application has been filed by **PATRICIA MAY BROWN (ALSO CALLED PAT BROWN)** of Flat 11, Beomonds, Heriot Road, Chertsey, Surrey KT16 9BX, England in the United Kingdom, a Retired Secretary for a Grant of Letters of Administration in the estate of the above-named deceased to the applicant who is the sister of the deceased, the deceased having died intestate on the 18th day of February, 2022.

Any person having an objection to the Grant of Letters of Administration to the applicant shall file an objection within 14 days of the publication of this Notice.

Dated this 29th day of November, 2022

Rena L. Banfield
Renwick & Payne
Solicitors for the Applicant

Filed by Renwick & Payne, EBA House Corner of Lucas and Church Street, St. George's, Grenada - Legal Practitioners for the Applicant. Tel: 1-473-440-2479, Fax: 1-473 440-1489, Email: renwickpaynelaw@gmail.com.

THE NEW TODAY

THE NEW TODAY *is published by Impact Printers G'da Limited, located at Marian, St. George's*

P. O. Box 1970, St. George's

Tel: 435-9363

Email: impactprinters1957@gmail.com
newtoday.gnd@gmail.com
website: www.thenewtodaygrenada.com
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EDITORIAL

A breath of fresh air!!!

The appointment of a new 5-member Public Service Commission (PSC) is seen in some quarters as a positive step for promoting the campaign promise of new Prime Minister Dickon Mitchell to help advance a transformation agenda in Grenada, Carriacou & Petite Martinique.

THE NEW TODAY is confident that the relationship between the newly appointed body headed by female attorney-at-law Debra St Bernard will not be as toxic as what existed between the new rulers and the previous outfit headed by former Cabinet Secretary, Beryl Isaac.

There was a certain level of distrust between the newly elected administration and Isaac who was perceived to be an ally and too close for comfort to the defeated New National Party (NNP) regime of former Prime Minister Dr. Keith Mitchell.

The former PSC head brought all of this on herself by the manner in which she was shifted in less than one week from sitting in the Cabinet Room on Monday and by the following week was in charge of the commission.

At the onset of the life of the new Congress government, the word on the ground was that Isaac was pushing back on a number of simple things that were sent down from the Botanical Gardens for ratification by the PSC in terms of changing of the guard in the appointment and transfer of some persons within the public service.

This was very insensitive on her part as any new government should be given a certain amount of latitude to put in place some trusted persons in key positions.

A new Prime Minister should not face resistance by any PSC if he prefers a particular person to work closely with him as Commissioner of Police in his capacity as Minister of National Security.

A PSC should never be seen as impeding the efforts of a new government to bring about certain changes that will become necessary as it seeks to carry out the mandate of the electorate, as well as endeavour to consolidate and settle down in the administration of the affairs of the people.

Over the years, the very PSC as a body has allowed itself to become prostituted by politicians especially those of the former NNP regime.

The deterioration in the service especially the clear deficit in Human Resource capacity has been allowed to take place by the commission for years.

The situation is quite alarming as the PSC has facilitated the very unhealthy state in which Grenada now has more Permanent Secretaries than government ministries and departments.

In recent times, the previous administration was allowed to appoint several new persons to serve in positions as Permanent Secretary just as soon as one fell from grace.

The newly elected members of the commission will have to address this unfortunate situation that was allowed to become a fixture in the service.

It became common practice for a full ministry to be cut into two parts in order to facilitate a new appointee as a Permanent Secretary.

The taxpayers were not getting value for money but a raw deal from the appointment of someone as a Permanent Secretary to look after a staff of only seven or eight persons like in the area of Transportation.

The Debra St Bernard-led Commission will have to come up with solutions on whether to revert some of the persons acting as Permanent Secretary to their substantive positions as the system is too over-loaded with them.

THE NEW TODAY is also suggesting that a fresh look be taken at the qualifications required by the PSC to give consideration to persons to hold positions in the service especially to run the government ministries.

There is a feeling that too much emphasis is being placed on academic qualifications like acquiring a Master's degree to be considered for the top job in a ministry rather than the ability of the person to operate successfully at such a high level.

The new head of the Commission, Debra St Bernard is not only a very pragmatic person but also a breath of fresh air and will not operate as another Beryl Isaac and will be very independent and deliberate in her thinking and approach to things.

The Dickon Mitchell government will be up for a rude awakening if it believes that it can just send anything that is lacking in substance and intent to the new commission under her watch for ratification.

THE NEW TODAY would also like to make some passing remarks on the questionable approach by some of the new NDC elected Members of Parliament to continue to use the same Parliamentary offices that were once occupied by their rivals in the defeated NNP administration.

It was the usual practice of the NNP to look for office spaces to use that belonged to their own supporters as part of the "eat ah food mentality" that became so prevalent under their watch in office.

Are these NDC MPs saying to their own supporters that not one of them has suitable accommodation within their own respective constituencies that can be used as an office for the Member of Parliament?'

Case Number :GDAHPB2022/0421

FILED
HIGH COURT
GRENADA

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(PROBATE

Submitted Date:09/11/2022 12:44

Filed Date:09/11/2022 12:44

Fees Paid:12.00

IN THE ESTATE OF ANTHONY JOSEPH (ALSO KNOWN AS ANTHONY GEORGE, OF PLAINS, ST. PATRICK'S, DECEASED

TAKE NOTICE that an application has been filed by Sandra Trotman of Plains, St. Patrick's Grenada for a Grant of Probate to the Applicant who is the Daughter of the deceased, the deceased having died testate on the 24th day of September 2022.

Any person having an objection to the grant of Probate to the Applicant shall file an objection within 14 days of the publication of this Notice.

Dated this 28th day of October 2022

Filed by:

Camerhogne Chambers
Attorneys-at-Law for the Applicant

Address for service:
Camerhogne Chambers
Lucas Street
St. George's
Grenada

Case Number :GDAHPB2022/0437

FILED
HIGH COURT
GRENADA

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(PROBATE

Submitted Date:18/11/2022 10:41

Filed Date:18/11/2022 10:41

Fees Paid:12.00

IN THE ESTATE OF JOHN JOSEPH LATE OF RIVER ROAD, ST.GEORGE, DECEASED.

TAKE NOTICE that an application has been filed by Kashon Noel of River Road, St. George, Grenada for a Grant of Letters of Administration to the Applicant who is the son of the deceased, the deceased having died intestate on the 16th day of June 2021.

Any person having an objection to the grant of Letters of Administration to the Applicant shall file an objection within 14 days of the publication of this Notice.

Dated this 14th day of November 2022

Filed by:

Camerhogne Chambers
C. Peter David
Attorneys-at-Law for the Applicant

Address for service:
Camerhogne Chambers
Lucas Street
St. George's
Grenada

SHOULD GRENADA'S OPPOSITION NNP OFFER A STATEMENT ON PENSIONS PAYMENT?

The 'position and display' of the New National Party (NNP) on the constitutional entitlement of State pensions for qualified public officers (including judges) is well-established.

The central statutes surrounding the protracted controversies on the manner of payment of "pension benefits" to those officers are the 1958 Pensions Laws, the 1983 Pensions (Disqualification) Act and the 1985 Confirmation of Validity Act.

A robust attack on the constitutional protection of the benefits was launched by the Herbert Blaize's NNP-administration, with the enforcement of the 1987 Public Service Re-organisation Act to attend to an urgent need for the fiscal viability of the Government.

Chief Justice Sir Vincent Floissac ruled against the 'desperate and ignorant' move by the Government in a Civil Appeal brought by affected officer, Mr. Galway Donovan, claiming rights on the grounds of sections 84(8) and 83(13) of the 1974 Constitution; those sections provide for the role of the Public Service Commission in the appointment and regulation (including dismissal) of public officers.

The evading of the constitutional provisions regarding retiring officers was 'exacerbated and exceeded' with the leadership of NNP under Dr. Keith Mitchell, which led to serious demoralisation in the Public Service, several industrial protests, and different court cases typical of Mr. Irvin McQueen in 1997/1998 and Hermilyn Armstrong in 2012 and for which the rulings went against the Government with heavy cost on the State.

Review the articles, "Convoluted Article On The Pensions (Disqualification) Act" circulated in 2017 and "Was The Pensions (Disqualification) Act Necessary?" in 2019, which reacted to the legal rationales presented by Attorneys Lawrence A. Joseph and Joseph E. Layne for the 'application and relevance' of the 1983 Disqualification Act and 1985 Validity Act, with special reference to Justice Price Findlay's 2012 judgement on the Hermilyn Armstrong's case.

Armstrong who was retired from the Public Service in 2009 and paid a monthly pension by the National Insurance Scheme in accordance with the 1983 National Insurance Act and Cap. 233 (Pensions Act) of the 1990 Revised Laws of Grenada, sought redress through section 101 of the Constitution claiming rights under section 92.

Armstrong stands out as the first to test the constitutionality of Cap. 233 with respect to section 18 which reflects the 1983 Disqualification Act; the other retired public officers were reluctant, sluggish and timid to do so, but on legal principles benefitted from the 'limited' Judgement.

Both of the internet-circulated commentaries, as well as the 2018 "Grenada's Pensions Dispute Echoing Send The Fool Farther On!", highlight the background and the intrigues concerning the struggles of public officers for pension benefits, due to the 'erroneous and abusive' exercise of Executive powers.

Keith Mitchell eventually was cornered and put in a dilemma on his resolute devotion to observe by whim and fancy, the pension benefits to retiring public officers, as furthermore provided for under sections 92 and 93 of the Constitution.

This harsh reality for him as the Prime Minister and he already gearing-up the citizens for elections, happened with the release of the March 2022 Justice Raulston Glasgow judgement declaring for the reinstatement of the 1958 Pensions Laws, notwithstanding the 1985 Validity Act.

The Judgement came because of a 'far-reaching' case brought by the major trade unions representing the officers and supported by some measure of pro-bono legal services, on the constitutionally correct statutes for dealing with the pensions.

The Ruling was not only a hard pill to swallow but the time of its release shaken Keith and he had to go on the back foot.

The past article "Near Elections Pin Mitchell from Appealing Public Officers Pensions", expresses that had Glasgow's judgement been favourable to him, Mitchell would have taken credit for the pertinent advices and actions undertaken by his Administration on the 'tough' issue and that if elections were not imminent, he would have appealed the Judgement.

Dr. Mitchell delivered a 'sober' national address on 26 April 2022 outlining the decision not to appeal the Judgement and to set up a broad-based advisory committee for the Government to have actionable recommendations within three months to honour it.

Earlier in April at a political rally, Dr. Mitchell pledged that the NNP is confident that "through visionary and mature leadership and through dialogue and reasonableness" the pension issue will be fixed with a "solution that will satisfy the workers and the people of Grenada", and he also informed that the payment is estimated to be more than one billion dollars from the Consolidated Fund.

The 26th April Address revealed an adjusted figure of $465 million to be found for the Court Ruling, with the fiscal obligation afterward to be "on average, about $120 million each year, for at least the next 37 years" without considering inflation.

However, the proven track record of Mitchell on State pensions has most likely condemned and cost his party the June 2022 elections. In fact, to win the elections the 'new' National Democratic Congress (NDC) capitalised and relied on the vexing issues facing public officers and campaigned on a Transformation Agenda which included the regularisation of all workers and a review of the pay and grade structure within the Public Service, as well as the return of docked salaries and the payment of pensions to public officers.

In keeping with its manifesto to "honour the Constitution and the ruling of the High Court on the payment of pensions", a press release by the Government Information Service (GIS) on 15 November 2022 announced the successful payment by the NDC administration of the retroactive pension and gratuity by 30 November 2022, within which the 15th of November saw the first tranche of payments made to over three hundred retirees, in the amount of $44.1 million, and with the Ministry of Finance anticipating a payout in total of $75 million to five hundred and twenty-five eligible retirees.

The ambitious and "not easy" feat by the NDC on meeting the Judgement is radically different from the 'policy and pattern' of the NNP, and the consequential incidents regarding the different approaches would form political debates but which must be analysed within 'sound' context.

Economist Laurel T. Bain published on the Internet a document dated 23 May 2022 on "Financing the Payment of Pension and Gratuity", and commented in The New Today E-paper that the payment of the Court's judgement is "a huge fiscal cost, but there could be positive outcomes that should be maximised".

Similarly, Economist Richard W. Duncan produced "An economic analysis of the restoration of public sector employees' pensions", which appears in the New Today's June 17, 2022 edition, explaining that the restoration of the 1958 Pensions Laws "presents an opportunity to right an historic wrong and at the same time usher in a transformative era for the upliftment of Grenada's economy and society" for embracing.

Whilst the NDC may have just realised the 'complexity and enormity' posed by the situation which has arisen from the controversies about the manner of the payment of pension benefits to public officers, and has been virtually echoing the 'sentiments and uneasiness' of the NNP and preaching the same tune on resolving the matter, would Mitchell's NNP embrace and cooperate with Dickon's NDC in reforming the Constitution to effect the pension reforms being touted?

What are the findings of NNP's Pension Strategy Committee on the Court Ruling established in April, as well as the various models proposed by the International Monetary Fund (IMF) and the World Bank on the issue?

Contained on the NowGrenada website is the article, "1958 pension law as is, can do irreparable damage to economy", relating the contribution of the Attorney General and Minister for Labour and Legal Affairs, Claudette Joseph, to the Government's request of $60 million to pay the retroactive pensions in the Supplementary Appropriation Bill debated in October 2022 in the Parliament.

Joseph acknowledged that "As not to do severe damage, perhaps even irreparable damage to the economy, in the long run, we must work out a pension plan going forward that is sustainable" and that without changing the current pension format, the payment "will be a really hefty sum that the IMF and everybody else has already warned is not sustainable going forward".

Then during the Special Press Conference on 16 November about the Pension and Gratuity payment, Prime Minister Dickon Mitchell stressed, "The constitution guarantees public servants the right to a pension, but if the State does not have the money to pay the pension, then there is a constitutional right that exists on paper and not in reality", and reharshed that pension reform and saving the National Insurance Scheme will be about difficult decisions but have to be done nonetheless.

What have been the impressions of Dr. Keith Mitchell as a former Prime Minister and Minister of Finance about the emotional expressions by the "oldest retiree", Ms. Bernadette Theresa Jeremiah, to the current Prime Minister and Minister of Finance Dickon Mitchell on 16 November 2022, when receiving with tears of 'joy, happiness and thankfulness', the symbolic cheque for the outstanding substantial pensions from since 2004, as reported by the GIS.

Is there any remorse about what was allowed to be developed about the pension benefits, especially in reflection of the misfortune of many retired officers who have died without enjoying retirement due to sickness, poverty and agony over the issue?

Is there still the conviction that what was done is patriotic in the national good, and/or is consistent with global direction and conditions?

In attempting to address the pension issue "through legal amendments and agreements with trade unions", was any attention given by the NNP-administration to respond to sections 46 and 47 of the 1983 NIS Act for treating Public Officers and Employees of Public Bodies as insured persons, which has been raised at least by Chief Justice Dennis Byron in the 1998 Judgement of Irvine McQueen's case; and if not, why?

Both the NDC and the NNP are resting on the concept and intention of the 1979-1983 People's Revolutionary Government for all Government workers to receive pension benefits from the NIS (National Insurance Scheme) and not to earn two pensions in parallel, from the contributory NIS and the non-contributory 1958 Pensions Laws!

J. K. Roberts

Editors Note: The "new" National Democratic Congress campaigned on a Transformation Agenda which did not include the return of docked salaries to public officers.

GRENADA

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
PROBATE

IN THE ESTATE OF EDGAR LUCAS JOHN ALSO KNOWN AS EDGAR ST. BERNARD LATE OF WOODLANDS ST. GEORGE GRENADA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by **JENNIFER GREENE** of Perseverance in the parish of Saint George in the State of Grenada and **ANN GILBERT** of the Limes Grand Anse in the parish of Saint George in the State of Grenada for a Grant of Probate of the Will of the abovenamed deceased who died on the 6th day of August 2022 without revoking a Will bearing the date of 11th day of January 2013 wherein the applicant is named sole executor.

Any person having an objection to the grant of Probate to the application shall file an objection within 14 days of the publication of this Notice.

Dated the 21st day of November 2022

Duncan Phillip & Associates

GOVERNMENT OF GRENADA

MINISTRY OF ECONOMIC DEVELOPMENT, PLANNING, TOURISM, ICT, CREATIVE ECONOMY, AGRICULTURE AND LANDS, FISHERIES & COOPERATIVES

INVITATION TO TENDER

Provision of Security Services at designated tourism attraction sites

1. The Government of Grenada, Ministry of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives invites interested suppliers to submit a proposal for the provision of security services, at **one or more of** the following tourist attraction sites:

Site	Location
Fort George	St. George's
Camerhogne Park	Grand Anse, St. George
Fort Matthew	Morne Jaloux, St. George
Grand Etang National Park	Grand Etang, St. George
Bathway and Levera Beaches	Bathway, St. Patrick

2. In accordance with the Public Procurement Act, the process of selecting a suitable supplier will be conducted by open competitive tendering.

3. The invitation is open to all qualified and interested suppliers, and the lowest evaluated tender will be awarded a contract to provide the required services.

Tenderers are allowed to tender for one or more of the above sites.

4. Qualified and interested suppliers may obtain further information and tender documents during office hours at the address given below.

5. Completed tenders must be delivered in a sealed envelope marked **"Tender for Security Services"** to the address below on or ***before 9th December, 2022 at 12:00 noon***. Electronic Tenders will not be accepted.

6. Tenders will be opened immediately after the deadline date and time specified above or any deadline date and time specified later. Tenders will be publicly opened in the presence of the Tenderers' designated representatives who choose to attend at the address below.

7. Late tenders will be rejected.

8. The addresses referred to above are:

A. **Address for obtaining further information and tender documents**

Ms. Nola Bartholomew
Senior Administrative Officer
Ministry of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives
Ministerial Complex
St. George's

B. **Address for Submission of Tenders**

The Permanent Secretary *w.r.f* Economic Development, Planning, Tourism and Creative Economy
Ministry of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives
Ministerial Complex
St. George's

C. **Address for Opening of Tenders.**

Department of Tourism Conference Room
Ministerial Complex
St. George's

Kim Frederick
Permanent Secretary *w.r.f*
Economic Development, Planning, Tourism and Creative Economy
Ministry of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives

NAWASA cuts off Phillip Telesford

Grenada's Minister of Social and Community Development and Housing, Phillip Telesford has been left embarrassed following the decision taken by the state-owned National Water & Sewerage Authority (NAWASA) to cut off the flow of water to his Parliamentary office at La Borie in his St George South-east constituency.

Speaking to ***THE NEW TODAY*** on Tuesday, the senior government minister said he became aware of the issue during Monday's sitting of Cabinet when he received a call from his office.

He said as far as he understands the bill from NAWASA should go directly to Parliament and not to his office for payment.

"…We haven't seen any bill. We are still trying to make sense of it to be honest with you," he said.

"I don't even know what to say because to be honest with you, I learnt (about) it and I don't even have enough information as to how much the bill was – I haven't seen any bill," he added.

The senior government minister went on to say: "I called the Landlord and the Landlord was stumped when she learnt that herself. I thought it was just pretty discourteous in my view and that at least a call should be made because it is Parliament that is handling the bill.

According to Minister Telesford, he had a very hectic schedule after the Cabinet session as he was occupied with "a lot of matters" and had to wait until he got home at night to have a conversation with one of the employees in his office to find out what actually happened.

He said that even the employee was also baffled at what NAWASA had done to disconnect the water from his Parliamentary office.

Phillip Telesford – the Member of Parliament for St George South-east

Prior to the change of government on June 23 when Congress defeated the then ruling New National Party (NNP) of former Prime Minister Dr. Keith Mitchell, the operations of the Parliamentary offices on the island were run by a private company, CJ's which was owned by a cousin of the defeated Grenadian leader.

These offices have now been put back under the control of Parliament since the regime change with the Clerk of Parliament having oversight over them.

Asked if Parliament should be blamed for the issue with Nawasa, Minister Telesford said: "I don't even know where the problem is … I really don't know."

The government minister later called back ***THE NEW TODAY*** after speaking with the Clerk of Parliament to report that the situation was being sorted out and that NAWASA will be restoring water later in the day to his Parliamentary office.

He said that he understood the problem stemmed from the fact that the NAWASA account for his office is in the name of a particular individual and not the name of the Constituency.

However, this differed with the version given by the General Manager of the water utility, Christopher Husbands who said he only got back to work this morning after his 6-week vacation and was not aware of the issue.

Husbands promised to look into the matter as NAWASA would have a letter on file indicating that the particular account numbers in the name of private individuals are associated with the offices of Members of Parliament and that the company does not easily cut off the water supply quickly of customers.

Minister Telesford is using the same building that was used by his predecessor, former Minister of Finance Gregory Bowen whom he defeated to win the constituency in the June 23 general elections.

Lost Policy

Mr. Ryan Hall has made sworn declaration that the Antillean Life Insurance Co. Ltd. Policy Number NGL: 001127 on **his** life is lost and has made application for a duplicate policy.

NOTICE is hereby given that unless an objection is raised within one (1) month of the date hereof, the duplicate contract will be issued.

Antillean Life Insurance Co. Ltd.
P.O. Box 303
Chester House,
Young Street,
St. George's

November 1, 2022

The Middle East crisis!!!

I heard that the Ambassador of Palestine would be presenting credentials to the Government of Grenada. My reaction was - how could this be when there is no state or country of Palestine? Palestine is a large land mass which includes Jordan, Israel, Gaza and the Negev.

In 1917 Turkey surrendered on behalf of the Ottoman Empire. Palestine became a mandate under British rule. The British Government on Nov 2nd 1917 issued the Balfour Declaration. This supported the establishment in Palestine of a National home for the Jewish people.

There was international agreement on the amount of land - the whole area of Israel as ruled by King David. However when the UN established the state of Israel in 1948 only one tenth of this land was given to her.

Meanwhile, the British established Jordan which became independent in 1946. When Israel became independent in 1948 the Arab Palestinians in Israel were told by Jordan to leave and in 3 weeks they would sweep all the Jews into the sea.

They, Jordan and Egypt, expected to win but the Jews are God's people, scattered because of disobedience to God. But He promised to bring them back to their land (Ezekiel 37) and has supported them with many miraculous victories over their enemies.

The Palestinian Arabs whose families originated there were given Israeli citizenship and equal rights back in the year 1900 A D. Jerusalem had 90 percent Jewish inhabitants and 10 percent Arabs mainly Palestinian Arabs who were nomadic by choice and wandered up and down the land freely, but not settled.

When Zionists from U S and other lands encouraged Jews to come to Palestine and settle these people would often work for the Jews as they planted and made the desert bloom again, as God foretold.

After the Second World War the definition of refugee changed to those Palestinians who had lived for 2 years in the land of Israel, not those whose families lived there a long time there and then came huge Refugee camps.

Jordan would not receive back refugees from TransJordan. At this time the major Western media bias against the Jews. How was this possible? Well for one a very rich man had control over most of the newspapers.

When the Palestinians instigated violence against the Jews, if the Jews retaliated to protect their land, invariably it is reported as though the Jews started it though the Palestinians in effect have 90 percent of the land allocated to Israel they begrudge the Jews even this small amount of land.

Along with my WHY did Britain give so much land to Jordan is my WHY was Jordan given control over the Temple Mount? The Jews are not supposed to worship at the Wailing Wall, but it is the holy site for Jews and Christians. WHY are the Jews oppressed in their own tiny piece of land?

I do wish to mention Jesus did not live in Palestine, He lived in Israel and preached first to the lost tribes of Israel. Paul and Peter were appointed to preach to the Gentiles.

The name Palestine came much later. Then in 70 AD the temple was destroyed without leaving one stone and the Jews all thrown out by the Romans. All the Christians went safely to Petra.

So my big concern is that people should not be in agreement with Hamas whose aim is still to make all the Jews disappear. Not forgetting too that in the end 'At the name of Jesus every knee shall bow ". Because only Jesus died for our sins, no one else.

Supporter of Israel

Rise above nonsense!!!

This is a real SHAME on the STATE of GRENADA, as the PM Dickon Mitchell has openly stated that he has "no intention of paying back the (defrauded/stolen) money" by the Government of Grenada.

As a Nation, are we really stooping that low and being that petty to be re-stealing money originally fleeced/stolen from unsuspecting victims?

DO THE RIGHT THING PM DICKON MITCHELL. Rise above these Low-Life Ways of them Shady, Corrupt and the Thieving days under the most corrupt and evil Keith C. Mitchell-led NNP government and their reputation of corruption that so badly tainted our proud Nation.

Dickon Mitchell - you ran on a “Platform for CHANGE” … NOT Business as Usual!! CHANGE!!

We are better than this: Our Culture and Our History should be on a foundation of Respect, not one known as Scamming, Cheating and Looting Foreign Investors etc.

After reading & trying to even understand this news article, I am questioning if the current PM Dickon Mitchell has any more Ethics and Integrity and Moral Fiber than the former slippery and shady PM Keith Mitchell?

DICKON MITCHELL, BY YOUR LATEST COMMENTS & YOUR ACTIONS - It Surely Appears NOT To Be!!!! Greed & Deception do not reflect who You or We Are!!!

Please do not stoop to Wallow in the Sh*t of all the old Corruption, but shape a clean new start – that is really needed for Grenada.

Wanna be selfish Politicians talk of change & focusing on fighting evil Corruption and in turning things around, yet new PM Dickon Mitchell stooping to just acting “Underhanded & being Sleazy “ in these predicaments.

We Must Be Better!! WE ARE BETTER THAN THAT. WE ARE GRENADA!!

Time to Rise Above all of them Slippery, Slimy Thieving Days of the former Dictatorship of NNP and Keith Mitchell and their old Days & old Evil Ways.

PM DICKON MITCHELL - I refer you to your remarks: here they speak doing it like real snakes - speaking volumes about this fraud, instead of being damn Man Enough to find Remedy plus Solutions & fighting Corruption.

Rise above Sleazy and the old Business as Usual Ways. We thought you were above that and why You were Voted in for Change.

Please don't prove us to be so wrong!!! Alarming!!! The wrong vibes of Business as Usual are coming to be & settling in. It is a very chilling thought indeed.

Michael Wilson
GRENADA SCRUTINY

BOBBY'S BAR BECKONS!!!

Almost a decade ago, a shrewd young man with a clear and distinct vision returned to his homeland Grenada after his sojourn in America. Upon his arrival, he had a brief stint blending fruit juices and punches. It was during this period that he discovered his penchant for mixing drinks.

Being the ever prudent gentleman, he quickly began his quest for the ideal location to realise his dream of operating a Bar. Luckily, he found an EXCELLENT spot. Situated right in the middle of HALIFAX STREET downtown St George, upstairs the former DEGALE SUPERMARKET you will find BOBBY'S BAR reflecting the name of the owner, the ever -popular BOBBY!!!

The real name is actually THE LOOKOUT BAR, aptly named by the owner because it offers a verandah with chairs where you can enjoy a panoramic view of the entire HALIFAX STREET and when you venture within you instantly recognise that this is a bar with a difference.

It features a pool table, if you fancy a game or two to help you unwind after a hard day's work. If SPORTS is your thing, feel free to perch on a stool and enjoy the luxury of watching your favourite player on the large TV overhead.

BOBBY has also partnered with the NLA and offers a range of slot machines where you can take your chances at winning a few extra bucks. The well-stocked bar includes a wide array of beverages aimed at satisfying just about any taste bud.

The beers and stouts are always 'BEASTLY COLD' and because of the ambience and the ideal location it is a favourite spot for tourists who love to sit and enjoy their drinks while viewing the entire area from the verandah.

This humble and eloquent proprietor oversees his business with a keen eye and is always venturing from behind the counter to enquire whether his patrons are comfortable.

Don't be fooled by his youthful appearance and humble demeanour, because he has ZERO TOLERANCE for any form of disruptive behaviour and would not hesitate to walk the offending individual out.

This is one of the reasons why his bar is so popular, especially with the ladies. They feel SAFE!! Given that there are washrooms which are ALWAYS clean and tidy with plumbing that ACTUALLY WORKS coupled with the fact that there is a hand basin and soap available along with a mirror.

It is a cool place to have a quiet sip and chat with that special someone or to hang with colleagues and friends for an after work lime.

I myself discovered BOBBY'S by chance a few years ago and it has become my favourite place to be when I am in need of some time out. For the past two years, I opted to celebrate my birthday there. Believe me, it is a decision I will NEVER regret!!

The few friends who were there with me were all in agreement that we actually couldn't have picked a better venue. The atmosphere and the celebratory drink offered so generously by the owner all helped to make my birthday special.

So, there's a thought for your next birthday! So next time you're in town, perhaps after you've done your shopping in Foodland, which by the way, is just two doors away, come upstairs to BOBBY'S, rest your legs, relax while you sip on something cold and let the cares of the day roll away.

Listen to some DECENT music as you enjoy the view from the verandah of the LOOKOUT BAR better known as BOBBY'S. Trust me, as you look down on the hustle and bustle of HALIFAX STREET you will realize that you've been lucky enough to find yourself smack dab right in the middle of 'AN OASIS IN THE DESERT!!!".

BOBBY'S BAR BECKONS. SEE YOU THERE!!!

Patricia Gairy

REGISTRAR OFFICE FILED 3:49 PM JUN 21 2021 K.A GRENADA

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE

GRENADA
CLAIM NO.: GDAHCV2021/0281
BETWEEN:

IN THE MATTER OF THE POSSESSORY TITLES ACT
AND
IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE OF LAND

JANE ROBERTS **APPLICANT**

APPLICATION FOR DECLARATION OF POSSESSORY TITLE NOTICE

WHEREAS the Applicant Jane Roberts of Sauteurs in the parish of St. Patrick in the State of Grenada, Retiree, by her application filed in the High Court on the 21st day of June 2021 claims to have acquired title by more than twelve years adverse possession the land described in the Schedule to this **NOTICE** and has applied to the Court for a declaration of Possessory Title.

NOW ALL persons claiming interest in the same land are required to enter an Appearance in the Registry in person or by his or his Legal Practitioner within two months from the date of the last publication of this **Notice** which is being published twice in the Newspaper

SCHEDULE

ALL that lot piece or parcel of land situate at Sauteurs in the parish of St. Patrick in the State of Grenada containing by admeasurement **Four Thousand Two Hundred and Eight Square Feet (4,208 Sq. Ft)** English Statute Measure and abutted and bounded as follows: on one side by an Allowed Road on the second side by lands of Helen Leid on the third side by an Old Canal and on the fourth or remaining side by lands now or formerly owned by Victoria Adams as Shown on the Plan drawn by Fred L. Belfon, Licensed Land Surveyor which said Plan is marked "JR" and attached to the Applicant's Affidavit Sworn and filed herein.

DEPUTY REGISTRAR
REGISTRAR
SUPREME COURT
OF GRENADA

"Stew Man" is considering going to Privy Council against Lotto

Attorney-at-law Ruggles Ferguson is contemplating filing an appeal to the Privy Council in London in a case brought by small businessman Jerome "Stew Man" De Roche against the state-run Grenada National Lottery Authority (GNLA).

Just over a week ago, the Court of Appeal overturned a decision given by high court judge, Justice Agnes Actie in favour of "Stew Man "who claimed to have won the jackpot prize of EC$ 540, 000.00 in one of its money games.

In speaking to ***THE NEW TODAY***, Attorney Ferguson said that the Justices of Appeal ruled against De Roche on the grounds that certain aspects of the evidence that the judge took into consideration in arriving at her ruling "was basically not part of his original case."

"It was in his Witness statement but it was not pleaded as part of his original claim. That is what it comes down to", he said.

"We are considering a further appeal but with these things it is means. The next stage is the Privy Council," he added.

According to Ferguson, he has to read the judgement more intensively and thoroughly before advising his client on the next step forward in the case.

"We have to go through the Appeal judgment and consider how to approach it," he remarked.

"The points that they (Lottery Authority and its lawyer Leslie Haynes, KC of Barbados) raised in the Court of Appeal, they never raised those points in the high court so they didn't object to nothing but when they go to Appeal now they raised these points," he said.

Ferguson indicated that the other side had enough time to raise the objection as the Witness Statement was filed 18 months before the trial and not once did the defendants object to it.

He stated that never once did the Lottery Authority and its legal representative at the trial "cross-examined him (Stew Man) or challenged the evidence (but) the judge ruled against them now and they go to the Court of Appeal and argued that the Case pleaded originally by (De Roche) in his Witness Statement did not reflect additional stuff which he did not pleaded.

"Of course the strong ground (in the Appeal before the Privy Council) is that you're supposed to raise these things as soon as they arise or at least cross examine him."

"So it's kind of unique from that standpoint and therefore we're looking at what the further possibilities are."

In his statement of claim filed on October 12, 2018, De Roche told the high court that on November3, 2017 he purchased a Super 6 Lotto ticket from an agent of the National Lotteries Authority at Parris Pharmacy in Grenville, St Andrew for a draw on the same date but the draw instead took place on the following day and the winning prize of $540,000.00 was announced.

According to Stew Man, he visited the Lotteries Authority's outlet in St. George's and recognised that the numbers drawn for the Saturday draw were the exact numbers he had played and presented his ticket but was informed by the Lotteries Authority's agent that the Friday ticket was invalid as the draw was cancelled.

Upon further enquiries, De Roche said he discovered that the information given by the agent was misleading, but by then he had lost his ticket.

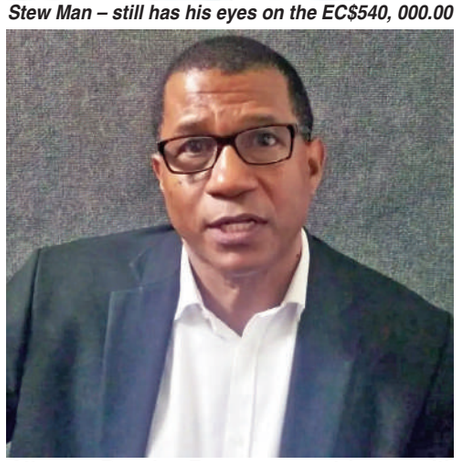
He then contacted the Lotteries Authority through its manager who informed him that it would not be able to consider his claim without producing the winning ticket before the expiration of three months.

Closer to expiration of the three-month period, De Roche returned to the Lotteries Authority to again claim his prize money but they refused to pay him the winning sum of$540,000.00.

The Lotteries Authority in its defence filed on November 12, 2018 denied that it is in breach of contract.

It advanced the argument that the lottery ticket is a bearer instrument and constitutes the only proof of a bet and the terms of the contract are endorsed at the back of the lottery ticket.

Stew Man – still has his eyes on the EC$540, 000.00



Attorney Ruggles Ferguson – not happy with the ruling from the Court of Appeal

Position	**Advisor for Climate & Outreach**
Employer	The German Development Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, (GIZ) GmbH; Program "G-CREWS "
Place and Schedule	Full time; Project office in Grenada, occasional regional or international missions
Duration	January 2023 until December 2024, with possibility for extension
Duties	▪ Supporting the Government of Grenada to integrate the water sector into Grenada's climate agenda ▪ Support the Government of Grenada in sharing the project's lessons learnt with the CARICOM and OECS region and initiating concept note development ▪ Assist in the operation of a Community of Practice (CoP) within the Caribbean Community (CARICOM) region on climate resilience in the water sector
Profile requirements	**Qualifications** ▪ Masters/MSc related to water, environment, or climate **Professional Experience and required competences** ▪ At least 5 years of professional working experience in public advisory services or in the private sector, ideally with a focus on water or climate resilience ▪ First-hand experience in project implementation and multi-stakeholder coordination across various sectors in the CARICOM or OECS region ▪ Technical comprehension and experiences in working with UNFCCC-related processes ▪ Experience with stakeholder coordination and knowledge management systems in the CARICOM region or OECS region; ▪ Previous work experiences with International Climate Initiative and/ or Green Climate Fund processes would be an asset; ▪ Experience with public awareness-raising activities would be an asset **Languages, applications and other competences** ▪ Excellent organizational skills ▪ Excellent communication and networking skills ▪ very good working knowledge of ITC technologies (related software, phone, fax, email, the internet) and computer applications (e.g. MS Office) ▪ Ability to work in a team ▪ Valid driver's license or willingness to acquire one ▪ willingness to upskill as required by the tasks to be performed – corresponding measures are agreed with management ▪ Candidate must be a Citizen of Grenada or be allowed to work in Grenada.
Application Information	
Documentation	▪ CV (max. 2 pages) and Motivation letter ▪ All in PDF & in English, max size 4MB
How to apply	Applications are received only via e-mail by **02.12.2022** to the following address: HRCaribbean@giz.de Reference "Advisor for Climate & Outreach"
Please note	• **Incomplete credentials will be discarded** • **Please do not forget the Reference Subject of the e-mail** • **Due to the high volume of applications received, we will be in contact with the applicants who fulfill the requirement and the required documentation. All documents will be dealt with strict confidentiality. We appreciate your understanding.**

Lost Policy

Mr. Clint John has made sworn declaration that the Antillean Life Insurance Co. Ltd. Policy Number NGL: 000847 on **his** life is lost and has made application for a duplicate policy.

NOTICE is hereby given that unless an objection is raised within one (1) month of the date hereof, the duplicate contract will be issued.

Antillean Life Insurance Co. Ltd.
P.O. Box 303
Chester House,
Young Street,
St. George's

October 10, 2022

NDC government steps in to help Inter Caribbean

The 5-month old Grenada government of new Prime Minister Dickon Mitchell is apparently coming to the aid of Inter Caribbean which is under severe public criticisms in recent weeks for its service mainly between the Maurice Bishop International Airport at Point Salines and the Grantley Adams International Airport in Barbados.

A top civil aviation official told ***THE NEW TODAY*** that the National Democratic Congress (NDC) administration will be helping to subsidise the Grenada/Barbados route by helping the airline to introduce a new 5-seater ATR plane instead of the existing 30-seater that is deemed to be slow and noisy.

He said that Inter will be bringing a different but much more modern plane into service similar to what Liat and Caribbean Airlines use to provide a service among the islands of the Eastern Caribbean.

Inter Caribbean started operating in the Eastern Caribbean during the Coronavirus Pandemic in 2020 when air service was stopped by Liat and Caribbean Airlines.

Tourism and Civil Aviation Minister Lennox Andrew could not be reached for comment on the issue.

According to the civil aviation industry official, the problem with Inter Caribbean is its unreliability and the fact that the aircraft being used "is too small, too slow and too old."

He was optimistic that the introduction of the 50-seater plane on the Barbados/Grenada route will hopefully "help the situation in terms of reliability and so on."

Last week a number of passengers were left stranded allegedly as the aircraft was affected by maintenance issues.

Some locals were forced to miss their Visa appointments with the U.S embassy in Barbados.

Several persons have been complaining of not being able to get seats on the daily service to the Grantley Adams International airport due to the limited capacity of the existing aircraft that can accommodate only 30 passengers.

The aviation expert has welcomed this development with Inter Caribbean due to the fact that "we don't have a viable alternative" especially after the coronavirus pandemic when regional travel came to a standstill and is still to recover.

He said the operators of the airline will definitely be getting "a good deal" from the Dickon Mitchell-led Congress government to operate the Barbados route.

According to the airline official, persons in the industry are not taking the Antigua-based Liat seriously anymore.

"It's just a comedy show," he said of LIAT's current operations in the Caribbean.

He blasted the airline for lack of a computer service, as well as no interline and any relationship with travel agents.

"It's not the Liat that we knew," he said, adding that the old Liat understood connectivity, and had decent fares.

"It is unconscionable that you charge $550.00 one way to Antigua – it's just not making any sense," he told ***THE NEW TODAY***.

"It is not only the pricing that is off key but the fact that they are not generating a proper airline system that will allow bookings from Travel Agencies and other airlines which traditionally is 80 % of Liat's business which came from international traffic from British Airways, Virgin Atlantic, Air Canada among others," he said.

He warned that the newlook Liat under the control of the government of Antigua has cut itself out from traffic especially from British Airways and is losing money.

The civil aviation official also commented on the recent announcement of the resumption of daily flights from Grenada to Trinidad and Tobago.

He said there is nothing to really gloat about as prior to Covid, there was sometimes on average 4 flights per day between MBIA and the Piarco International Airport.

According to the official, there is much more interaction between Grenada and Trinidad than with Barbados as people conduct more visits between these two islands in terms of business, as well as seeking medical attention and visiting relatives.

He said it simple does not make any sense having more visits to Barbados than Trinidad as currently exist.

"…We do not have as much link with Barbados as we do with Trinidad. The market is Trinidad first then Barbados, so there is an inequality there," he remarked.

Passengers disembarking an Inter Caribbean flight

Byron Campbell defends SAEP implementation rate

**** From page 3***

Development Bank (CDB) and the Government of Grenada.

It is part of the Rural Development Unit of the Ministry of Finance and focuses on assisting beneficiaries to improve their livelihoods through skills training, investments in agriculture, teaching Climate Smart Practices and providing Business Skills Training and Technical services to Rural Enterprises in the rural communities throughout the island.

Under its mandate, Business Support, Entrepreneurial Skills Training and Financing will be offered through the Grenada Industrial Development Corporation (GIDC) and Vocational Skills Training for young people will be provided through the T.A. Marryshow Community College, NEWLO and Grenada National Training Agency in approved training centers island wide.

The project is also committed to providing extension support, training in Climate Change and Climate Smart Agriculture and financing for CSA initiatives to be facilitated through the Ministry of Agriculture and Lands, Ministry of Climate resilience and Ministry of Carriacou and Petite Martinique Affairs, as well as Market Support Services to farmers through a Marketing Officer, and contracting for the construction or rehabilitation of rural farm access roads and the rehabilitation of irrigation systems for farmers.

Silence is the sleep that nourishes wisdom.

GTA | GRENADA TOURISM AUTHORITY

CAREER OPPORTUNITIES

Marketing, Product Development, Research, Quality Assurance

The Grenada Tourism Authority is the organization in Grenada tasked with marketing and promoting Grenada as a tourism destination. We pride ourselves on leading the way in the Grenada tourism industry to encourage economic growth for the benefit of all citizens.

Our core values are positivity, respect, openness/honesty, commitment, and excellence and we currently have opportunities for passionate, organized team members with excellent communication skills.

Position Summary: Seeking officers for several departments.

Contract Type: Fixed Term

You are invited to apply if you can demonstrate that you meet the following core competences:

Core Competences

Action Orientation	Targets and achieves results, overcomes obstacles, accepts responsibility, establishes standards and responsibilities, creates a result-oriented environment and follows through on actions.
Communication	Communicates well, both verbally and in writing. Effectively conveys and shares information and ideas with others. Listens carefully and understands various viewpoints. Presents ideas clearly and concisely and understands relevant detail in presented information.
Critical Judgment	Possesses the ability to define issues and focus on achieving workable solutions. Consistently does the right thing by performing with reliability.
Innovation and Adaptability	Generates novel ideas and develops or improves existing and new systems that challenge the status quo, takes risks, encourages innovation, demonstrates resilience and stress tolerance in difficult situations. Adjusts to change and manages the change process.
Interpersonal Skills	Effectively and productively engages with others and establishes trust, credibility and confidence with others.
Customer Orientation	Listens to customers, builds customer confidence, increases customer satisfaction, ensures commitments are met, sets appropriate customer expectations and responds to customer needs.
Teamwork	Knows when and how to attract, develop, reward and utilise teams to optimise results. Acts to build trust, inspire enthusiasm, encourage others and help resolves conflicts and develops consensus in creating high performance teams.
Technical/ Functional Skills	Demonstrates strong technical/functional proficiencies and knowledge in areas of expertise.

Position Requirements and Qualifications:

- Bachelor's degree in Marketing, Business, Communications or related discipline with at least 3 years' working experience
- Ability to analyze information and evaluate results to choose the best solution and solve problems.
- Ability to execute projects and adhere to deadlines
- Flexible availability to work during peak seasons and/or hours such as evenings, weekends, and Holidays
- Must have IT knowledge and experience of document management software, including but not limited to Microsoft Office Suite. Knowledge of Adobe Creative Suite and Canva is desirable

Applications should be made by via the Grenada Tourism Authority Facebook page.

Closing date for applications is 5th December 2022

Only suitable applicants will be contacted.

PSC eager to start work

The newlook Debra St Bernard Public Service Commission (PSC) began its work on Monday – one week after taking over from the outgoing body headed by Beryl Isaac, the controversial former Cabinet Secretary.

A well-placed source told ***THE NEW TODAY*** that the five-member body is eager to start work and within minutes of taking the oaths of office they established contact with the Chief Personnel Officer in the commission, Jacinta Joseph on the work programme ahead.

He said the newly appointed body is mindful of the work load ahead in light of the Transformational Agenda being advanced by the five month old National Democratic Congress (NDC) administration of Prime Minister Dickon Mitchell.

Only one member from the outgoing Commission is returning for a new 3-year term – Judy Benoit, the representative of the Public Workers Union (PWU).

The members of the PSC were appointed by Governor General Dame Cecile La Grenade in accordance with Section 83 (1) of the Grenada Constitution Order 1973 on the recommendation of Prime Minister Dickon Mitchell.

Apart from St Bernard and Benoit, the other members appointed to serve are Bernard Antoine, Faye Thompson, and James Alexander.

A government release said that St Bernard brings extensive experience to the position, having previously served as a Member of the Public Service Commission and that the new head has held numerous appointments as a Director on Boards and is currently the President of the Grenada Building & Loan Association.

St Bernard served a 3-year stint under the stewardship of former Cabinet Secretary Gloria Payne-Banfield during the 2008-13 period in government of a Congress administration then headed by Prime Minister Tillman Thomas.

Debra St Bernard – the new head of the PSC

St. Bernard joined the Public Service in 1978 and served in various positions inclusive of the Ministry of Finance and the Attorney General's Chambers before retiring in January 1999.

She later joined the law firm of Lewis & Renwick in February 1999 and continues in private practice.

She possesses the following qualifications: Bachelor of Science in Economics and Management Hons (1984) (UWI), Bachelor of Laws Hons (1993) (UWI); and the Hugh Wooding Law School in Trinidad, Legal Education Certificate (1995). Additionally, Ms. St. Bernard is also an Associate Accredited Director of the Institute of Chartered Secretaries and Administrators of Canada.

According to the government release,the newly appointed Members of the Commission contribute professional experience in a wide range of fields, including Human Resource Management and Development, Education, Healthcare, Leadership, Law, and Communications, among others.

In welcoming the newlook PSC, Prime Minister Dickon Mitchell underscored the importance of the Commission in uplifting the standards of the Public Service, upholding conduct, as well as leading the Service to realise transformational outcomes and services for Grenadians, while protecting and elevating the values of integrity, fairness, justice, merit, and conduct.

Prime Minister Dickon Mitchell is known to have been very uneasy with the previous Commission especially the resistance to some of the initiatives of the new administration especially from Isaac.

He confided in close aides that he did not want to engage in any confrontation with Isaac and preferred to wait for the term of the PSC to run out, before making fresh approaches to push forward with the agenda of the new government.

Grenada Co-operative Bank Limited

welcome home

NOTICE OF RECORD DATE

Pursuant of section 108 of the Companies Act (Act 35 of 1994) notice is hereby given that the Board of Directors of Grenada Co-operative Bank Ltd., has fixed **December 15, 2022** as the record date of shareholders entitled to receive Notice of the Annual Meeting to be held on January 12, 2023, in respect of the financial year ended September 30th, 2022.

Kester Joseph
CORPORATE SECRETARY (Ag.)

Case Number :GDAHPB2022/0411

FILED
HIGH COURT
GRENADA

Submitted Date:01/11/2022 14:54

Filed Date:01/11/2022 14:54

Fees Paid:12.00

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(PROBATE

IN THE ESTATE OF AS RITA GEORGE, OF PLAINS, ST. PATRICK'S, DECEASED

TAKE NOTICE that an application has been filed by Sandra Trotman of Birmingham in England but at present residing at Plains, St. Patrick's in Grenada for a Grant of Probate to the Applicant who is the Daughter of the deceased, the deceased having died testate on the 13th day of August 2022.

Any person having an objection to the grant of Probate to the Applicant shall file an objection within 14 days of the publication of this Notice.

Dated this 28th day of October 2022

Filed by:

Camerhogne Chambers
Attorneys-at-Law for the Applicant

Address for service:
Camerhogne Chambers
Lucas Street
St. George's
Grenada

For Cancer.
The best Protection is early detection.

Submitted by:

GRENADA CANCER SOCIETY

The Grenada Cancer Society
P.O.Box 3731,Grand Etang Road
St. George's, Grenada
West Indies
Tel: 435 9869

grenadacancersociety@hotmail.com

NNP was beset by 'low rate' of project implementation

Grenada's Attorney General and Minister of Legal Affairs, Claudette Joseph has cited several cases of low rate of project implementation under the former New National Party (NNP) government that affected the flow of grant funding and soft loans to the island by donors.

According to Sen. Joseph a number of the beneficiary projects for the people of Grenada were never implemented during the term in office of the NNP regime.

She mentioned the situation with the Climate Smart Agriculture and Rural Enterprise Programme (SAEP) which is a six (6) year Programme (2018-2024) funded by the International Fund for Agriculture Development (IFAD), Caribbean Development Bank (CDB) and the Government of Grenada.

The senior government minister noted that SAEP, headed by former Manager of the Grenada Building & Loan Association, Byron Campbell has seen a mere 37% implementation rate with its projects.

The project is part of the Rural Development Unit of the Ministry of Finance.

It is a programme designed to focus on assisting beneficiaries improve their livelihoods through skills training, investments in agriculture, teaching Climate Smart Practices and providing Business Skills Training and Technical services to Rural Enterprises in the rural communities throughout the state of Grenada.

Claudette Joseph – holds the position of Attorney General, as well as Minister of Legal Affairs and Labour

Minister Joseph also said that at the national level, the rate of implementation of projects under Mitchell's NNP administration was "way below 50%" especially for projects funded by the Washington-based World Bank and other international and regional donor agencies.

Among those affected projects she cited were the World Bank Digitalisation project, as well as projects in Agriculture, Climate Change and Education.

The senior government minister disclosed that a number of projects that were intended to advance, enhance and lift up citizens "were neglected" and affected by "low implementation rate" due to understaffed government departments and government affiliated departments.

She said that the newly created Ministry of Mobilisation, Transformation and Implementation headed by senior Minister Andy Mitchell has a lot of work to do in order to rescue the situation.

She promised that the new rulers "will lift the implementation rate of these projects as we lift the lives and livelihoods of our people."

Minister Joseph appealed to Grenadians to have a little patience with the new administration as it begins the task to fix the inherited problems and issues.

"I just want to ask you to bear with us, be patient with us as we work to arrest a very dire situation that we inherited," she said.

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(P R O B A T E)

GRENADA:

IN THE ESTATE OF HERMIONE BRATHWAITE

LATE OF LOWER MONT HARTMAN, SAINT GEORGE'S, DECEASED

TAKE NOTICE that an application has been filed by Francis Williams & Associates of Maloney Street, St. George's for a Grant of Probate to Arlene Bullen who is the daughter of the deceased, Hermione Brathwaite, she having died testate on the 11th day of September 2021.

Any person having an objection to the grant of Probate to the application shall file an objection within 14 days of the publication of this Notice.

Dated the 21st day of November 2022

Francis Williams
Attorney-at-Law for the Executrix

Filed by Francis Williams & Associates whose address for service is: Maloney Street, St. George's, Grenada.

FIRST PUBLICATION

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
GRENADA

IN THE ESTATE OF JOHN MICHAEL FRANCIS, LATE OF THEBAIDE IN THE PARISH OF SAINT DAVID, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an Application has been filed by Johanne Marguerite Jacob Nee Francis of Thebaide in the parish of Saint David in the State of Grenada and Ann Francis also of Thebaide in the parish of Saint David in the State of Grenada for a Grant of Probate of the Will of the abovenamed deceased who died on the 15th day of July 2022 without revoking a Will bearing the date of 12th September 2008 wherein the Applicants are named as the Executrices.

Any person having an objection to the Application for the Grant of Probate shall file an objection within 14 days of the Publication of this Notice.

Dated the 30th day of November, 2022

VERNELLE A. NOEL
Attorneys-at-Law
Vernelle A. Noel & Associates

Filed by **Vernelle A. Noel & Associates**, Legal Practitioners for the Applicants whose address for service is First Avenue, Hillsborough, Carriacou. Tel: 1473-410-9521; Email: vernelleanoel@gmail.com

[FIRST PUBLICATION]

"Stew Man" Loses his Half-a-Million case Against Lotto

The Court of Appeal has ruled in favour of the state-owned Grenada National Lottery Authority (GNLA) not to pay EC$540, 000.00 which the popular "Stew Man" whose real name is Jerome De Roche had claimed that he won in one of its games.

A high court judge had earlier ruled in favour of "Stew Man" who was born in St Vincent but grew up on the small island of Petite Martinique.

However, a 3-member panel of Court of Appeal Justices decided Wednesday to set aside the ruling on the grounds that the judge had erred in the interpretation of the applicable law in the case.

The matter before the court was argued for "Stew Man" by attorney-at-law Ruggles Ferguson while the National Lottery brought in a senior lawyer from Barbados, Leslie Haynes, KC.

Following is an edited version of the judgment handed down by the Justices of Appeal - Mario Michel, Mde. Gertel Thom and Trevor Ward.

Justice Mario Michel – one of the Justices of Appeal who ruled against "Stew Man"

(Continued from last week)

Grounds 2 & 3

Mr. Haynes did not expend much energy on grounds 2 & 3 during oral submissions. Mr. Haynes submitted that when the central issue in the case is viewed in totality, findings in relation to whether the lottery machine was manipulated or whether there was an announcement by the appellant that the winning ticket was sold at Parris Pharmacy, while matters of fact for the judge, have no bearing on whether the respondent presented the winning ticket, and are therefore irrelevant.

Ground 4

In relation to ground 4, Mr. Haynes submitted that the ticket was a bearer instrument and that as a matter of law it had to be presented and signed within 90 days by the respondent for him to be paid the prize money, pursuant to the terms of the contract. The written ground of appeal contends that the judge erred in law in ruling that the Super 6 lotto ticket was not a bearer instrument and in failing to find that it was a term of the contract that the ticket be presented and signed within 90 days.

The respondent's submissions Ground 1

On behalf of the respondent, learned counsel Mr. Ruggles Ferguson, readily conceded at the outset that the statement of claim did not plead that the respondent presented the winning ticket to an agent of the appellant on 7th November 2017 or on any other day.

Nonetheless, submitted Mr. Ferguson, three issues arose in the case. The first was whether the respondent purchased the winning ticket. This, he submitted, was answered in the respondent's pleadings and witness statement, and the judge accepted the respondent's evidence in relation to this issue.

The second issue was said to be whether the ticket was presented to an agent of the appellant. Mr. Ferguson argued that the judge found on the evidence that the ticket was presented to an agent of the NLA and that evidence was never challenged in cross examination.

Mr. Ferguson submitted that the judge was plainly alive to the rule that all facts on which a party intends to rely should be pleaded given that, at paragraphs 32 and 33 of the judgment, she addressed that issue as a preliminary objection taken by the respondent – invoking CPR 10.7 – in relation to evidence of the time when the winning ticket was purchased being adduced by the appellant which it had not pleaded.

Mr. Ferguson further submitted that the fact that the pleadings were not amended to plead presentation of the ticket was not fatal, and the appellant cannot complain about ambush since it was in possession of the respondent's witness statement some eighteen months before trial and that witness statement provided the details of what was pleaded in the statement of claim.

The statement of claim contained a genuine error in relation to the date when the ticket was lost, which was corrected in the witness statement, argued Mr. Ferguson.

It was his further submission that though pleadings may be deficient, a witness statement can flesh out the details since the purpose of pleadings is to inform the other side of the case it has to meet.

Mr. Ferguson submitted that the respondent's basic case, as pleaded at paragraph 8 of the statement of claim, was that he had purchased the winning ticket, he had notified the appellant that he had done so and he was claiming the winnings despite the fact that he was unable to produce the ticket because he had inadvertently disposed of it.

Mr. Ferguson invited the court to find that, viewed that way, the respondent's witness statement is not necessarily inconsistent with paragraph 8 of his statement of claim.

Further, submitted Mr. Ferguson, the conflict between the pleadings and the witness statement was not taken as an issue by the appellant at trial, even though it was open to them to apply to strike out or call evidence to rebut the respondent's evidence, or to cross-examine the respondent on the issue.

In any event, submitted Mr. Ferguson, even accepting that there is a conflict between the pleaded case and the respondent's witness statement, this does not render the evidence inadmissible as a matter of law.

Mr. Ferguson posited that this is to be deduced from the terms of CPR 8.7A which provides that the claimant may not rely on any allegation or factual argument which is not set out in the claim, but which could have been set out there, unless the court gives permission, or the parties agree.

The effect of this provision is said to be to make unpleaded facts, not inadmissible, but undeployable, unless the parties agree or the court grants permission. The court's case management powers under CPR 26.2(1) empowered the judge to exercise her discretion to grant permission to deploy the unpleaded facts in evidence of her own motion.

Though conceding that no application was made to amend the pleadings nor permission sought to deploy the unpleaded facts, Mr. Ferguson sought to get around this by submitting that, by implication, the judge gave permission and allowed the evidence of her own motion, and without objection by the appellant.

In answer to a question from the court about whether such a course was permissible in light of CPR 26.2 which required the judge to invite the other side to make representations where she intended to act on her own initiative, Mr. Ferguson submitted that the requirements of that rule were satisfied because the appellant did not object to the evidence.

Mr. Ferguson submitted that in exercising her power to admit the unpleaded facts, the judge acted in furtherance of the overriding objective.

Grounds 2 & 3

In relation to grounds 2 and 3, Mr. Ferguson submitted that these were issues of fact within the province of the judge and reminded the court of the well-settled constraints upon the appellate jurisdiction when asked to interfere with findings of fact by trial judges.

Ground 4

In relation to ground 4, Mr. Ferguson submitted that the appellant's contention that the judge erred in law in ruling that the Super 6 lotto ticket was not a bearer instrument and in failing to find that it was a term of the contract that the ticket be presented and signed within 90 days, betrayed an improper understanding of the judgment since the judge made no finding that the ticket was not a bearer instrument.

On the contrary, she found, that on the evidence, the respondent had fulfilled the conditions stipulated on the back of the ticket for claiming the winning prize as articulated at paragraphs 52 and 53 of the judgment. For these reasons, Mr. Ferguson submitted that ground 4 lacks merit.

Mr. Ferguson's final submission was that should the court determine the appeal in the appellant's favour, then it should make no order as to costs.

Appellant's reply submissions

By way of brief reply, Mr. Haynes submitted that the respondent advanced no authority or precedent to support the proposition that a case could be conducted on the basis of facts contained in a witness statement which were not pleaded, and which were necessary to establish the cause of action.

As it relates to the issue of costs, Mr. Haynes conceded that, to a certain extent, the appellant's trial counsel's failure to challenge the evidence and, thus, to properly assist the court, may sound in costs. While the appellant had a duty to assist the court, however, this did not extend to assisting the respondent with his claim. The judge had a duty to review the pleadings in order to set the parameters of the case but appears not to have noticed that an essential element of the cause of action, namely the presentation of the ticket, was not pleaded, and failed to note that paragraph 8 of the statement

(Continue on page 17)

GTA | GRENADA TOURISM AUTHORITY

CAREER OPPORTUNITIES

Administrative Assistants

The Grenada Tourism Authority is the organization in Grenada tasked with marketing and promoting Grenada as a tourism destination. We pride ourselves on leading the way in the Grenada tourism industry to encourage economic growth for the benefit of all citizens.

Our core values are positivity, respect, openness/honesty, commitment, and excellence and we currently have opportunities for passionate, organized team members with excellent communication skills.

Position Summary: Administrative opportunities for several departments including the **Carriacou Office**.

Contract Type: Fixed Term

You are invited to apply if you can demonstrate that you meet the following core competences:

Core Competences

Communication	Communicates well, both verbally and in writing. Effectively conveys and shares information and ideas with others. Listens carefully and understands various viewpoints. Presents ideas clearly and concisely and understands relevant detail in presented information.
Interpersonal Skills	Effectively and productively engages with others and establishes trust, credibility and confidence with others.
Customer Orientation	Listens to customers, builds customer confidence, increases customer satisfaction, ensures commitments are met, sets appropriate customer expectations and responds to customer needs.
Teamwork	Knows when and how perform within a team. Acts to build trust, inspire enthusiasm, encourage others and help resolves conflicts and develops consensus in creating high performance teams.
Functional Skills	Demonstrates strong technical/functional proficiencies and knowledge in areas of expertise.

Position Requirements and Qualifications:

- Associate Degree in Tourism, Business OR passes in 2 A'Level /CAPE Subjects plus (5) CXC passes including English Language, or equivalent
- At least two years' experience in an administrative position
- Ability to manage sensitive and confidential information with discretion.
- Strong creative visual presentations skills and working knowledge of PowerPoint and Canva.
- Proficiency with Mac OS, Apple Products, MS Office, Google Mail, and Google Apps.

Applications should be made via Grenada Tourism Authority Facebook page.

Closing date for applications is 5th December 2022

Only suitable applicants will be contacted.

A visit to the Office of the PM and other sources of laughter

By Christelene Henry

Dress code at government facilities in Grenada is ridiculously and dangerously inane. There have been reports of staff at health clinics turning people away from care because of what they were wearing - which run the gamut from sleeveless to shorts to cut up jeans.

Like my 88 year old aunt puts it, 'you have to dress like a nun to go into a government office'. I have had my share of being turned away for sleeveless. Now, I stuff a shirt in my bag, whenever I have to go to ANY government office.

That tactic did not help last week when I went to pick up a document from the Department of Home Affairs in the Office of the Prime Minister. Before I entered the building, I put on a shirt over what I was wearing to make sure I was in compliance.

I was about to sign the security log book and be on my way when I heard her voice, though I could barely make out her face behind the slab of moss green translucence that separated us. "You cannot go in. Your dress is too short."

For argument's sake, I should have asked her if she had a tape to measure how many centimeters I was in violation, but she was doing what she was paid to do. It is said that Nero fiddled while Rome burned.

The different phases of dress I endured to get to the Office of the PM…reflective of the dhoti worn in India

Government, having cast itself in the role of Hemline Police, certainly had more urgent burning issues to confront. Per capita, Grenada has the highest incidence of rape in the Caribbean. By the same token, women in Grenada are murdered by intimate partners and family members at a per capita rate, said to be among the highest in the world.

According to UN Statistics, in 2017 in Grenada, 3.7 women out of every 100,000 were killed by a romantic partner or a family member. If you are a woman in Grenada, you are about 4 times more likely to be murdered by your man than if you live in Jamaica. In 2017, Jamaica had a female murder rate of 9.3 out of 100,000, but only 0.9 women of those 100,000 were killed by intimate partners.

I had no intention of making dress length deter me from my purpose of obtaining the document from the Office of the PM, so I went in search of my cousin who was in a nearby office on the premises - to get her to collect the document.

She was wearing pants that were culotte length and in addition her shoulders and armpits appeared to be suitably encased.

My cousin - and her daughter who was present - had another idea. They decided to tie a white lab coat - that they happened to have in their possession - around my waist. The contraption fell below the knee but encircled only my waist; it left my front a gaping six inches where the coat refused to meet.

I wasn't having that. The coat had to completely encircle and my hemline had to be even. So, they located its buttons and fastened as far up as possible - closing the gap - but that didn't stop the strange looking bulge from waist to crotch which made me look like I had an enlarged prostate.

Reason enough for us to roll to the ground in laughter. The clerk - from behind her glass barrier – because it was a down day in that office - had a good view and she, too, had a good laugh.

I was weak from laughing as I returned to the security desk. This time security gave me the greenlight to proceed to Home Affairs. The other officer assigned to usher visitors through, it was her time to laugh. I rode the elevator with a bearded Indian with his little hat. I wondered if he thought I was wearing a dhoti.

Because I had heard so many stories of dress code encounters not just in the Caribbean - but should I say - in the post-colonial world - later that day I combed the Internet for a story that would echo mine. Ironically, I found one in Lahore, India.

The Express Tribune reports that on May 7th, 2017, a 30 year old man took his father to a medical facility for a heart checkup and that the son was denied entry because he was wearing shorts. The young man tried to explain to the security that they had travelled more than 25 miles, but security remained unmoved.

Having come so far, the two weighed their options, like I did with my cousins. They had to decide whether to go to buy pants or not. The father gave the safa (head covering) that he was wearing to his son to turn it into a dhoti.

The son wore the cloth over his shorts and - as such - was covered to his ankles. This did not fly with the security, who again refused to let him enter the hospital. Later a supervisor intervened and he was able to go through.

This, however, was not the end of their travail. The son attracted attention wearing his dhoti under his t-shirt. It got worse when a security guard, seeing items sticking out from under the garment, thinking probably that the young man could be hiding explosives, called out and asked what he was wearing.

They tried to explain that it was mobile phones and wallets, but the guard replied that dhotis do not have pockets and ordered the young man to remove the dhoti and proceed to the doctor's room - in shorts!

Reflecting on both incidents, I thought of the long and deep reach of colonialism - making it difficult to rid ourselves - even of that which is irrelevant and meaningless. And I could no longer laugh.

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE
(P R O B A T E)

GRENADA:

IN THE ESTATE OF ANDREW LESLIE THOMAS
LATE OF GRAND ANSE VALLEY, SAINT GEORGE'S, DECEASED

TAKE NOTICE that an application has been filed by Francis Williams & Associates of Maloney Street, St. George's for a Grant of Probate to Reginald Thomas who is the brother of the deceased, Andrew Leslie Thomas, he having died testate on the 3rd day of February 2022.

Any person having an objection to the Grant of Probate to the application shall file an objection within 14 days of the publication of this Notice.

Dated the 21st day of November 2022

Francis Williams
Attorney-at-Law for the Executor

Filed by Francis Williams & Associates whose address for service is: Maloney Street, St. George's, Grenada.

FIRST PUBLICATION

Kem Jones: Jenny Simon doesn't have what it takes to be a political commentator

Political Activist Kem Jones has launched a blistering verbal attack against former executive member of the ruling National Democratic Congress (NDC) Jenny Simon, who assumed the role as a weekly Political Commentator on a locally televised programme some months ago.

According to Jones, Simon who resigned from NDC in the aftermath of its 15-0 loss to the New National Party (NNP) in the 2018 general election and had a short stint with the now dormant The Grenada Movement (TGM) "lacks what it takes to be a commentator or an analyst."

"Jenny doesn't possess the skills, knowledge (or) ability to effectively communicate on issues in this country, much less to be an analyst or commentator." Jones told listeners to his 'The Hub' radio programme on Tuesday, where he highlighted excerpts from last week Wednesday's The Narrative with Host Calistra Farrier, who engaged Simon in a discussion surrounding whether or not sound judgment has been applied by the new Dickon Mitchell-led Congress regime in the new appointments that have been made so far to the various statutory boards and commissions.

Political Activist Kem Jones – a strong supporter of Congress

"We have a Cabinet that is pretty young, inexperienced, and incompetent in a lot of cases," stated Simon, who had before the elections expressed dissatisfaction with some of the candidates selected by Congress.

"And, I've seen it, and if you didn't see it then you need to check your eyes, or you need to wear your glasses more often," she told the programme host, when asked to "back up" the statement, and chose to evade the request indicating her desire to share her views on issues surrounding the recent strike at the state-owned Grenada Ports Authority (GPA), which was already on the agenda.

"I can back it up - I can but I am not going to go into that today...," remarked Simon who once headed the Women's arm of the Congress party.

According to Jones, a known supporter of the NDC government, it appears to him that Simon has a particular agenda, based on statements she makes about the administration whenever she appears on the weekly programme.

He castigated her performance last week Wednesday as a public embarrassment because, although she made the claim about Congress she was not prepared to back it up.

"Every time she goes on that programme she (Simon) is bitter," Jones charged, expressing the view that "she is bitter because she regrets that she is not on the winning team."

Political Commentator Jenny Simon - airs her views on current affairs issues on The Narrative every Wednesday

"She is extremely, extremely bitter because she lost the train," he said.

FILED
HIGH COURT
GRENADA

Case Number :GDAHCV2022/0360

FORM 2

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE

Submitted Date:26/09/2022 09:

GRENADA
CLAIM NO. GDAHCV2019/0

Filed Date:26/09/2022 09:36

Fees Paid:12.00

IN THE MATTER OF THE POSSESSORY TITLES ACT NO. 22 OF 2016

AND

IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE OF LAND

CATHERINE AGATHA JEAN HAGLEY

APPLICANT

NOTICE

WHEREAS Catherine Jean Hagley of Syracuse in the parish of St. David and State of Grenada, Retiree, by her application filed in the High Court on the 22nd day of September, 2022 claims to have acquired title by twelve years adverse possession of the lands described in the Schedule to this Notice and has applied to the Court for a declaration of possessory title.

Now all persons claiming interest in the said land are required to enter an appearance in the Registry in person or by his or her legal practitioner, within two months from the date of the last publication of this Notice which is being published twice in the newspapers.

SCHEDULE

ALL THOSE lots pieces or parcels of land situate at Syracuse in the parish of St. David in the State of Grenada and bound as follows: Lot 1- bound on the North side by the land of Veronica David, on its East side by lands of Ulrica Mc Millan and Gregory Hagley the west side by a Ravine, and on the South side by lands of Gregory Hagley measuring One Acre Three Roods and Twenty-one point eight Poles (1 ac 3 rds 21.8 pls)English Statute Measure; and Lot 2-bound on the North by a public road and South side by lands of Gregory Hagley, on the East and West sides by an allowed Road measuring 23 Poles (23 pls)English Statute Measure

Registrar

GRENADA:

Claim No. GDAHPB2022/0435

IN THE SUPREME COURT OF GRENADA

AND THE WEST INDIES ASSOCIATED STATES

HIGH COURT OF JUSTICE

(PROBATE)

IN THE ESTATE OF THERESA MC GUIRE, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT OF LETTERS OF ADMINISTRATION

TAKE NOTICE that an application for a Grant of Letters of Administration has been filed by Sherma Mc Guire of Boca in the parish of Saint George in the State of Grenada, the lawful daughter of the deceased and one of the persons entitled to share in her estate, the deceased having died intestate on the 29th day of January, 2006 in Manhattan in the city of New York in the United States of America.

Any person having an objection to the Application for Grant of Letters of Administration shall file an objection within 14 days of the publication of this Notice.

Dated the 22nd day of November , 2022

Evette John

Evette John
Law Office of Evette John
Attorneys-at-Law for the Application

Filed by Law Office of Evette John, Chambers, Cherry Hill, St. George, Attorneys-at-Law Tel./ Fax. No. 473-440-8273, E-mail: evettejohn@gmail.com

The Court Office is at Church Street in the parish of St. George, Tel 473-440-2030/0870, Fax. 473-440-6695. The Office is open at 8.00 a.m. to 4.00 p.m Mondays to Fridays except on Pubic Holidays

Economy is rebounding

Signs are emerging that the Grenadian economy is recovering from the impact created by the deadly coronavirus pandemic.

The Ministry of Finance has just released its 2022 Annual Economic Review which points to significant improvements in most of the key areas of economic activities.

Following are excerpts from the report which has just been laid in Parliament for the vital tourism sector:-

The tourism sector has improved significantly during the first nine months of 2022, compared to last year.

Pent-up demand for travel and the removal of travel bans and Covid-19 protocols boosted arrivals numbers in 2022 over 2021.

However, 2019 arrival figures have not yet been achieved. For the period Jan-Sept 2022, there have been significant increases in tourist arrivals from Grenada's largest markets which are the United States and Canada.

Arrivals from those markets increased by 55% and 20% respectively, compared to pre-pandemic levels. Overall, stayover arrivals increased by 306.6 percent at the end of September 2022 compared to 2021.

For the first 3 quarters of 2022, the largest number of visitors to the island was recorded in the months of July and August because of the Carnival-related activities that took place during those months.

122, 530 visitors came to the island in the month of July and 12,320 in the month of August.

The Hotel and Restaurant Sector will continue to benefit from the high influx of tourists visiting the island in 2022 compared to 2021.

The Christmas season is anticipated to bring in many visitors as seen in the past years.

Further improvements in November and December are expected as additional airlifts will be added in those months.

Airlines such as British Airways, Air Canada, Condor, and Sunwing, will add additional flights and this would bring more visitors to the island. Also, there has been a notable increase in forward bookings for the last quarter of 2022.

The trend in tourist arrivals is consistent with what is being recorded regionally and internationally.

In the hotel sector, growth is driven by the high influx of stayover arrivals with an average length of stay of about 7 days, which is lower than in 2021 (average length of stay was approx. 10 days).

Growth in the Restaurant sector is also driven by tourist arrivals as well as the increase in demand from locals.

Despite this positive outlook, there are some challenges that are still being experienced by various hotels, restaurants, and other tourism-related businesses.

Although many of these businesses have benefitted from the Government's economic support programme since 2020, some of the smaller hotels are still operating at low occupancy levels and extremely low profit margins.

In the medium-term, the high cost of airline tickets, driven by higher jet fuel costs could deter travelers from visiting the island; however, efforts are being made to boost tourism in 2023 and the medium-term.

In terms of the cruise subsector, the 2022/2023 cruise season began on October 21st, 2022, and will close in May 2023.

During this period 202 calls are scheduled to bring a total of 377,394 passengers on the island. This will have a positive effect on the Restaurant and Transport sectors during the last quarter of 2022 and first half of 2023.

File photo of a busy day in the Spice Isle as two cruise ships paid a visit to Port St George's

In the area of Transport and Storage, the report said that this sector performed well during the first half of 2022, on account of the improvement within the tourism and construction sectors.

Sea transport grew by 20.4 percent as Cargo entering the port rose from 296,371 tons in Jan-June 2021 to 357,211 tons in Jan-June 2022, representing an overall increase of 20.5 percent.

Cargo going out of the port rose by 18.6 percent, increasing from 18,786 tons to 22,279 tons during the period.

Regarding the air transport sector, preliminary data for the first quarter of 2022 shows an increase in passenger movement of 732.5 percent over the first quarter of 2021.

The number of aircraft that arrived on the island during the first six months of 2022 was 57.2 percent greater than the first six months of 2021. This increase in air transport is consistent with activity in the tourism sector.

Many airlines resumed flights in 2022 and some added extra flights from countries such as Canada and the United States.

There was a total of 2,140 flights arriving in Grenada in the first half of 2022; 549 of those were private aircraft and 414 were cargo.

There was also growth in the road transport sector, driven by construction-related activity and cargo movements within the wholesale and retail sector.

GRENADA

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
PROBATE

IN THE ESTATE OF GORDON WILLIAM BISHOP LATE OF MARLMOUNT ST. DAVID GRENADA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by **MARION BISHOP** of 36 Charlwood Road Burgess Hill West Sussex RH 0RJ in the United Kingdom for a Grant of Probate of the Will of the abovenamed deceased who died on the 16th day of February 2022 without revoking a Will bearing the date of 5th day of August 2020 wherein the applicant is named sole executrix.

Any person having an objection to the grant of Probate to the application shall file an objection within 14 days of the publication of this Notice.

Dated the 21st day of November 2022

Duncan Phillip & Associates

Filed by Duncan Phillip & Associates whose address for service is Old Fort St. George's Grenada Attorneys-at-Law for the Estate.

GRENADA

IN THE SUPREME COURT OF GRENADA

AND THE WEST INDIES ASSOCIATED STATES

HIGH COURT OF JUSTICE

(PROBATE)

IN THE ESTATE OF RAWLE SEARLES, DECEASED.

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by Kwanbena I.A.S Mehutusekamen of Mt. Moritz in the parish of St. George, who is also the brother of the deceased, the deceased having died intestate on the 22nd day of April, 2022.

Any persons having an objection to the Grant of Letters of Administration to the Applicant shall file an objection within 14 days of publication of this Notice.

Dated: 21st day of November,2022

Jerry Edwin
Eden Law Caribbean
Attorney-at-Law for Applicant

EDEN LAW CARIBBEAN, Bruce Street Mall, 2nd Fl. St. George's; Tel: 435-3336; 457-3336

Female attorney-at-law struck off the roll

For the first time in over 40 years, a Grenadian attorney-at-law has been disbarred from practicing in the profession for professional misconduct.

High court judges, Justices Raulston L.A. Glasgow and Victoria Charles-Clarke ordered that 71-year old female attorney, Brenda Wardally-Beaumont's name be struck off the court's roll after finding her guilty of professional misconduct in the discharge of her duties.

The attorney was hauled before the court after she failed to return the sum of EC$304,419.99 which she held in trust for her client, Joel Ganpot arising from a divorce proceeding.

The case against Wardally-Beaumont was brought to court by attorney-at-law, Alban John who was up against Dr. Francis Alexis, KC and Winnifred Duncan-Phillip who were representing their colleague defendant.

"The Registrar of the High Court shall effect the appropriate changes to the court's roll of attorneys-at-law and shall cause the requisite notices to be published in the Official Gazette," the ruling stated.

The Wardally-Beaumont episode started in April 1999, when the female attorney was retained by Ganpot to represent him in matrimonial proceedings involving his wife.

In April 2005, Wardally-Beaumont received the sum of $304,419.99 on Ganpot's behalf, which represented monies he was entitled to as part of the settlement of the ancillary relief proceedings and never handed it over to him.

As a public service, THE NEW TODAY has decided to reproduce an edited version of the decision handed down by Justice Glasgow and Charles-Clarke that resulted in the female attorney being disbarred from practicing law in the country:-

Dr. Francis Alexis, KC – was involved in the court battle

(Continued from last week)

As we have noted above, these proceedings are being conducted further to the referral by our colleague Wallbank J on 26th January, 2015.

We observe that the legislature of Grenada has empowered the General Legal Council (GLC), a body established under the Legal Profession Act, to also discipline attorneys at law who are registered to practice in Grenada. See section 37 of the Act. Where, however, the GLC has heard an allegation made against an attorney at law and finds that the allegation is not only made out but warrants a sanction which is beyond the jurisdiction of the GLC, such as removal from the roll of lawyers, the GLC is required to refer the matter to the Supreme Court to be dealt with in accordance with the procedure set out in section 82 of the Supreme Court Act.

The tribunal is of the view that notwithstanding the provenance of the referral, and in this case, it emanated from our esteemed colleague Wallbank J, we are required to consider whether reasonable cause has been shown to warrant either the suspension or removal of Ms. Beaumont from the practice of law in Grenada. We also agree with counsel Mr. John that the standard of proof to be applied is the criminal standard of proof in that the allegations must be proven beyond a reasonable doubt.

It is by now clear that the court will exercise the aforestated common law and/or statutory supervisory and disciplinary jurisdiction over attorneys at law to ensure that they maintain the highest fidelity to the codes of ethics, mores and values of the profession.

Clearly, the more serious the departure from the standards expected of counsel, the more severe the sanctions that must be imposed to express the court's disapproval of the inappropriate, unprofessional and/or unethical practice exhibited by the legal practitioner. We will consider this latter aspect in our discourse on sanctions, if necessary.

Discourse on the law as applied to the facts in this case

As a starting point, we remind ourselves that this entire affair centres on the failure of an attorney-at-law to hand over funds received on behalf of a client to that client. For the reasons to follow, we do not find that the attorney-at-law has provided any plausible, adequate, credible or satisfactory evidence or reasons to overcome Mr. Ganpot's contention that she misappropriated those funds for her own use. Attorneys-at-law are to be held to the highest standards of rectitude in the exercise of their duties both to the court and to their clients. The Act and its attendant Code of Ethics mandate no lesser standard. Indeed, one of its dictates stipulates that counsel holds all moneys received for a client on trust for that client.

See section 54 of the Act. Further, section 54(2) of the Act enjoins the GLC to -

"…make rules generally, as to the keeping and operating of bank accounts for clients' money by an attorney-at-law, and without prejudice to the generality of the foregoing, such rules may provide— (a) for an attorney-at-law to open and keep accounts at banks;

(b) for an attorney-at-law to keep accounts containing particulars and information as to money received, held, or paid by them for, or on accounts of their clients; and

(c) for the Council to take such action as may be necessary, to enable it to ascertain, whether or not the rules are complied with"

The tribunal has not been pointed to any rules made by the GLC pursuant to its section 54(2) powers. If this is indeed the case, we believe that the facts of this case graphically and in some sense tragically, highlight the need for such rules to be put in place and enforced by the GLC.

Notwithstanding the absence of the procedural rules stated in section 54(2) of the Act, the Code of Ethics in the Third Schedule sets out the applicable imperatives with respect to client's funds. In this regard sections 64, 81 and 82(1) read as follows:

"64. An attorney-at-law shall not retain money he receives for his client, longer than is absolutely necessary"

81. In pecuniary matters, an attorney-at-law shall be most punctual and diligent; and shall never mingle funds of others with his own, and he shall at all times be able to refund money he holds for others.

82.(1) An attorney-at-law shall keep such accounts as clearly and accurately distinguished, the financial position between himself and his client, as and when required."

Misappropriation or mishandling of a client's funds is a self-evidently egregious violation of the ethics and high moral standards of the profession. It is a breach of the considerable faith placed by clients in the lawyers and in our system of justice.

The mandate of our system of justice to aid in the maintenance of the rule of law in our societies is thrown into question when the public loses faith in the way judges and other constituent members of the legal profession conduct the business that the public places into our hands. In addition, there is no discounting the incalculable hurt, pain and possible financial displacements that a client may encounter when they are out of their funds to conduct their affairs.

In this regard we borrow from the words of our distinguished colleague Wallbank J where he observed in his referral to us that –

"Misappropriation of client funds can take many forms. All such forms are seriously egregious. They cause scandal, incalculable distress and anxiety to the immediate victims, and great harm to the administration of justice system, including to public confidence in the Courts and the legal profession.

Misappropriation of client funds is not the preserve of the thoroughly devious, which is why instances undermine the reputation of the legal profession so profoundly. They breach the tenet around which the entire civil administration of justice revolves, that client funds are sacrosanct.

Why misappropriation of client funds is so serious bears reflection. The first reason of course is the immediate harm it causes. Then there is the indirect damage that it does to the fabric of society as a whole. It constitutes a breach of contract, but is more than that. It is a breach of trust, but is also more than that. Breaches of contract and trust can

(Continued on page 18)

GRENADA SUSTAINABLE DEVELOPMENT TRUST FUND INC.

GRENADA SUSTAINABLE DEVELOPMENT TRUST FUND INC.

CALL FOR CONSULTANCY SERVICES

CONSULTANCY SERVICES TO CONDUCT BIOPHYSICAL ASSESSMENT OF LEGALLY DECLARED MARINE PROTECTED AREAS AND PRIORITY AREAS PROPOSED FOR DESIGNATION AS MARINE PROTECTED AREAS AND A SITUATIONAL ANALYSIS OF MARINE PROTECTED AREAS MANAGEMENT IN THE TRI-ISLAND STATE OF GRENADA

The Grenada Sustainable Development Trust Fund (GSDTF) invites interested eligible Individual Consultants to submit Expressions of Interest for the provision of consultancy services to conduct biophysical assessment of legally declared marine protected areas and priority areas proposed for designation as marine protected areas and a situational analysis of marine protected areas management in the tri-island state of Grenada

The Terms of Reference and Guidelines for the Submission of Expressions of Interest for this consultancy are provided upon request via the following:

Attn: Call for Consultancy – Request for ToR and Guidelines

Email: ceo@gsdtf.org and info@gsdtf.org

Deadline for the submission of the Expression of Interest: 9th December 2022

"Stew Man" Loses his Half-a-Million case Against Lotto

* From page 12

of claim actually pleaded that the winning ticket was not presented at all.

Accordingly, submitted Mr. Haynes, in any apportionment of costs the respondent should bear the greater part of it because it was its responsibility to draft its pleadings properly.

Discussion

The resolution of this appeal turns on whether the judge erred in law in permitting the respondent to adduce evidence that he had presented the winning ticket to the appellant's agent when this fact was essential to the cause of action but was never pleaded in the statement of claim.

The failure to present the winning ticket lay at the heart of the appellant's defence and was critical because, as was common ground, the respondent could not claim the prize unless he presented and signed the winning ticket.

It was also common ground before this court that the pleadings contained no such allegation of fact, and no application was made to amend the statement of case at any stage.

The case therefore raises for consideration important issues relating to the proper interpretation of CPR 8.7 and 8.7A, the purpose of pleadings and witness statements, and the relationship between the two. Before doing so, however, the relevant provisions of the CPR will be considered briefly.

Rule 8.7 is headed: "Claimant's duty to set out case". CPR 8.7 provides, so far as is relevant:

"(1) The claimant must include in the claim form or in the statement of claim a statement of all the facts on which the claimant relies.

(2) The statement must be as short as practicable…".

Rule 8.7A is captioned: "Permission to rely on allegation or factual argument" and provides:
"The claimant may not rely on any allegation or factual argument which is not set out in the claim, but which could have been set out there, unless the court gives permission or the parties agree."

The purpose of pleadings
The purpose that pleadings are intended to serve has been articulated by this court on numerous occasions.

In short, therefore, the claimant must plead the essential facts that constitute its case, and those facts must be sufficient to establish a cause of action and to enable the other side to know the case it has to meet in sufficient detail.

Jerome "Stew Man" De Roche – lost his $ half-a-million case

CPR 8.7A prohibits reliance on allegations or facts not pleaded unless the judge gives permission, or the parties agree. CPR 10.5 and 10.7 place similar strictures on the defendant by providing respectively that the defence must set out all the facts on which the defendant relies to dispute the claim and that a defendant may not rely on any allegation or factual argument which is not set out in the defence, but which could have been set out there, unless the court gives permission or the parties agree.

The purpose of witness statements

A witness statement constitutes the evidence to prove an allegation of fact made in the statement of claim. It provides the details or particulars of the issues that arise from the pleader's case. Its contents must, on analysis, be capable of being properly regarded as particulars or details of allegations already made in the pleadings.

Once the case is sufficiently pleaded, then a witness statement may furnish the particulars and details of the allegations or facts contained in the pleadings.

The respondent's pleadings

The respondent's pleaded case is that he first discovered that he had played the winning numbers when he visited a lottery outlet in St. George's to purchase additional tickets on Saturday, 4th November 2017.

He became aware that draw #1761 had occurred, and immediately recognised that he had drawn the winning numbers. He searched frantically for his ticket but realised that he had inadvertently disposed of it in the garbage that morning.

The respondent pleaded that, at the first opportunity, he notified the appellant that he had purchased the winning ticket and was claiming the winnings, despite being unable to produce the ticket.

The appellant informed the respondent that it would not be able to consider his claim unless the winning ticket was produced within three months. The respondent was unable to produce the ticket and the appellant refused to pay him the winning prize.

It is evident from the statement of claim that the respondent never alleged that he signed and presented the winning ticket, and that the agent rejected it.[2] He pleaded that he had disposed of it in the garbage that morning, prior to making the discovery that he had won. He nonetheless sought to claim the prize 'despite being unable to present the ticket.'

The assertion that the respondent signed and presented the winning ticket is really the factual basis underpinning the claim for breach of contract. It is the alleged failure to pay the prize money to the respondent, despite him having signed and presented it to the appellant's agent that grounds his claim for breach of contract.

In his pre-trial memorandum, the respondent frames the issue thus: '[w]hether the defendant breached the contract by rejecting the ticket when it was first presented to the defendant by the claimant.'[3] The respondent also recognised in his pre-trial memorandum that the factual contention being advanced by the appellant was that 'the claimant failed to present the winning ticket within the 90-day period from the date of the draw.'[4]

Indeed, in its pre-trial memorandum, the appellant framed the issue this way: '[w]hether the defendant is required to pay the winning prize in the absence of the Claimant producing the winning ticket.'[5]

It was therefore obvious to both sides that the allegation that the respondent had presented and signed the winning ticket was a critical element of the cause of action.

It was the most critical fact on which the respondent relied in support of his claim, and the central issue in dispute. CPR 8.7 required it to have been pleaded. Instead, the respondent's pleaded case rested simply on his having purchased the winning ticket.

Based on the pleadings, the appellant was not required to meet a case that the respondent had presented the winning ticket, which its agent failed to honour. On the contrary, the alleged failure of the respondent to sign and present the ticket constituted the appellant's defence to the claim, to which there was no reply.

The respondent's witness statement

The case on the respondent's witness statement, filed over a year after the pleadings, represents a fundamental shift from the pleaded case in several respects. The respondent's discovery that he had drawn the winning numbers is stated to have occurred on Tuesday, 7th November 2017 and not Saturday, 4th November 2017.

More significantly, and contrary to his pleadings, the respondent asserts for the first time that he signed and presented the winning ticket to the appellant's agent, who told him it had been cancelled.

Additionally, the ticket is now said to have been lost on Saturday, 11th November 2017. At the time of filing his witness statement, the respondent would have been served with the defence since on or about 12th November 2018 and would have known since then that the appellant was denying his claim on the grounds that he had not signed and presented the winning ticket.

Notwithstanding this, the respondent never sought

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NAWASA

INVITATION FOR EXPRESSION OF INTEREST (EOI) FOR THE CONSTRUCTION OF A WATER TREATMENT FACILITY AT LAURA LAND, ST. DAVID

The National Water and Sewerage Authority (NAWASA) as part of its Capital Expenditure Programme is currently in the process of expanding and improving its water production and supply network infrastructure throughout the State of Grenada.

As part of this expansion, NAWASA hereby invites parties to submit an Expression of Interest for the construction of a Water Treatment Facility at Laura Land in the parish of St. David.

Scope of Work

The infrastructure comprises the following key elements:

- Slow Sand Filters
- Sedimentation Tank
- Sand Washing and Storage Facilities
- Operator's Quarters
- Access Road
- Fencing

General Requirements

Interested companies shall provide their company profile detailing the following:

a. Name of Company
b. Registered Business Address
c. Copy of Business Registration Certificate
d. Experience with the construction of water retaining structures or structures of similar nature
e. Core Business of the Company
f. Name of Principal Contact with appropriate authorization
g. Contact Email Address & Telephone Number

All submission shall conform to the specified requirements given above; otherwise, your submission may be disqualified.

The requested information and any supporting documentation in respect of this pre-qualification process should be submitted in one (1) original plus one (1) copy no later than **Friday December 9th, 2022.**

The documentation should be sealed and clearly marked **"EXPRESSION OF INTEREST FOR THE CONSTRUCTION OF LAURA LAND WATER TREATMENT PLANT"**.

The submission address is as indicated below:

The General Manager,
NAWASA,
Lucas Street,
ST. GEORGE'S

Or electronically at projects@nawasa.gd

NAWASA will inform all companies that submitted the EOI at the conclusion of the evaluation process whether they qualify for the tendering process.

NAWASA…. committed to meeting customers' needs

Female attorney-at-law struck off the roll

*** From pg 16***

be, and unfortunately are, committed by tradesmen, businessmen and ordinary members of the public, but a solicitor is none of these. He or she practices pursuant to an oath that he or she professes upon admission. That is why a solicitor is referred to as a professional, in the original and etymologically correct sense of the word. Misappropriation of client funds is a betrayal of the obligations freely assumed, for all time, when the solicitor takes the oath." [34] With regard to the facts in this case, there are some stark matters arising immediately. Firstly, apart from Ms. Beaumont's evidence that she made enquiries into her clients' account and conducted searches, to date, there is no evidence as to the nature of those searches, what they entailed and the evidence as what to the searches purportedly unearthed. We have cited the Code of Ethics that enjoined counsel to maintain separate accounts for the funds that she received on Mr. Ganpot's behalf. Besides her viva voce evidence we have not had sight of any evidence that she maintained any such account and as to whether her funds were or were not comingled with the client's funds.

Justice Raulston Glasgow – took part in the high court ruling that resulted in the disbarment of female attorney Brenda Wardally-Beaumont

Significantly, as we have stated above, the missing funds amounted to quite a lot of money. Therefore, if counsel's assertions about the theft of the funds are true then one would have anticipated that counsel would have engaged the police, the Financial Intelligence Unit or even auditor to trace the allegedly missing monies belonging to her client. Ms. Beaumont's suspicion that someone from her bank stole monies from her client's account or that Ms. Charles was collecting monies on the firm's behalf, but not depositing them into the client's account are serious allegations. Any reasonable and diligent attorney -at -law would have conducted an audit or involve the relevant authorities to investigate and account for the missing monies. As we have said before, this evidence besides being unsupported is also palpably incredible.

Case Number :GDAHCV2022/0325

FILED
HIGH COURT
GRENADA

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

Submitted Date:20/08/2022 14:29

Filed Date:22/08/2022 08:30

Fees Paid:12.00

GRENADA
CLAIM NO. GDAHCV2022/
BETWEEN:

IN THE MATTER OF THE POSSESSORY TITLE ACT 22 OF 2016

AND

IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE OF LAND

SHORN SABAZAN

APPLICANT

APPLICATION FOR A DECLARATION OF POSSESSORY TITLE NOTICE

WHEREAS SHORN SABAZAN of Marigot in the parish of Saint John in the State of Grenada but presently residing at 4017 Avenue D Second Floor Brooklyn New York 11203 in the United States of America, Concierge, by his application filed in the High Court on the 24th day of August, 2022 claimed to have acquired title by Twelve (12) years adverse possession of the land described in the Schedule to this Notice and have applied to the Court for a Declaration of Possessory Title.

NOW ALL persons claiming interest in the said land are required to enter an appearance in the Registry in person or by his or her Legal Practitioner, within Two (2) months from the date of the last publication of this Notice which is being published twice in the newspapers.

SCHEDULE

ALL THAT lot piece or parcel of land situate at Marigot in the parish of Saint John in the State of Grenada measuring One Thousand and Forty-five Square Feet (1,045 Sq. Ft) English Statute Measure. The Land is abutted and bounded on the northern and western sides by an allowed road, on the eastern side by lands belonging to Ambrosine Baptiste and on the southern side by lands belonging to Bridigit Charles as shown on the plan dated the 31st day of January 2022 drawn by Mr. David S. Abraham, Licensed Land Surveyor.

Registrar

REGISTRAR

Filed by Afi Ventour & Co., Legal Practitioners for the Applicant, of Unit 3, Upper Floor, Spiceland Mall, Morne Rouge, Grand Anse, St. George, Grenada, Telephone (473) 435-2888, Fax (473)-444-288 and Email: info@ventourlaw.com

Further, Ms. Beaumont by her own evidence at paragraph 6 of her affidavit avers that a similar incident had previously occurred at her firm. In view of her sections 81 and 84 obligations set out in the Code of Ethics and in light of this previous incident, it was incumbent on Ms. Beaumont to put proper measures in place to mitigate against these losses or theft of client's funds.

Again, no evidence was led with respect to what mechanisms were in place to safeguard her client's monies. Indeed, Ms. Beaumont astonishingly admits that "I now know that a due diligence search and comparative accounting if conducted over the years could or would have disclosed discrepancy [sic] ."

We also find it extra ordinary that counsel testified that she only discovered what happened to Mr. Ganpot's moneys after Ms. Charles left her office in 2010. Counsel was paid this money on her client's behalf in 2005. This would mean that the client was "knocking" on counsel's door for 5 years for his money before counsel "discovered" where the money had allegedly gone. What exactly did counsel tell him in that period about the location of his money? Incredibly, if one is to believe counsel's story then the discovery of what happened to the money occurred after Mr. Ganpot was constrained to file a claim for his money (June 2007), after he had obtained judgment (July 2007) and after the consent order was obtained further to enforcement proceedings (February 2009). If we are to believe counsel's version of what happened to the money, we find this indisputable evidence of a beyond grossly negligent disposition to client's funds. We however find counsel's account of the missing funds incredible and rather indicative of the evidence that the funds were misappropriated by counsel.

We could find no greater evidence that counsel not only wantonly and callously mishandled client's funds but also misappropriated same than when we examine the evidence with respect to the purchase of land in 2016. There was, in our view, a deliberate and dishonest effort to conceal this transaction. We can only surmise, and we believe rightly so, that counsel sought to hide this transaction from the client to whom she owed moneys.

We already above in this ruling recited the facts about the purchase of this land. But suffice it to say, that the land was bought in April 2016 in counsel's name, then transferred into the names of 2 individuals bearing relations to counsel in May 2016 with counsel holding a life interest in the property. One of the individual's names was eventually removed. Counsel raised sums and built a house on the land in which she now resides.

Even if this was not a rather sloppy attempt to conceal this transaction then we are solidly convinced that the transaction itself shows Ms. Beaumont's disregard for her obligations to her client. This is since these facts make nonsense of counsel's assertion of impeciuniosity and difficulties over the years to pay Mr. Ganpot his money. We do express great sympathy for counsel for the period in 2009 in which she ailed and had to seek medical assistance overseas. But it is clear to us that by 2016 counsel, by her own evidence, was in a more than adequate financial state to purchase or to raise moneys to purchase property for her own purposes.

Interestingly and instructively, we observe that counsel was engaged in obtaining property and attempting to conceal her efforts to do so in the year 2016. This year is significant since counsel would have been aware that Justice Wallbank had only one year earlier in 2015 referred her conduct to a disciplinary tribunal for possible sanctions of suspension or removal from the roll of attorneys.

Yet she proceeded in 2016 with no regard to the looming threat of severe sanctions to purchase property for own benefit with funds that could or ought to have been paid to her client to liquidate the long outstanding debt owed to him. Meanwhile her client was left to make several applications to the court to receive his moneys and implore counsel over the period of 17 years for his money.

As we have stated above, we are tasked with looking not merely at the quantum of the sums in question but at the conduct of the lawyer. All in all, we do not believe that counsel maintained the highest values of the profession with respect to Mr. Ganpot's money. We do not accept that a credible or an accurate or satisfactory account has been given to us as to what transpired with those funds.

We are inclined to the view and indeed so find that the confluence of evidentiary matters suggests that the funds were misappropriated by counsel. We find that, as found by Wallbank J, this was not the first instance of counsel's wanton disregard for the interest of her client's money. This clearly indicates a pattern of inappropriate, incompetent and/or dishonest behaviour by counsel with respect to client's funds. The finding of egregious professional misconduct is therefore made out in this case.

What is the appropriate sanction?

We are now to consider the sanction warranted in the circumstances.

Counsel for Mr. Ganpot submits that the approach the tribunal should take in determining an appropriate sanction has long been settled by the court in Bolton v Law Society , where the court explained the reasoning behind imposing a sanction. Binhgam MR elucidated that a sanction has a punitive element which serves to punish the attorney for his wrongdoing. Equally a sanction is also imposed to maintain the reputation of the profession .

Counsel urges the tribunal to find that despite Ms. Beaumont's attempts to explain the missing funds, she has not shown any contrition or has made an honest attempt to remedy her default. Counsel states that the funds have been unaccounted for since 2005, some 17 years ago. The appropriate sanction, in counsel's view, is to have Ms. Beaumont's name struck-off the court's roll as an attorney-at-law or suspension for five years at the very least.

[35] In answer, counsel for Ms. Beaumont is of the view that this case is more in line with Re Clarke , where the court found that there was no dishonest intention to deprive the client of his money. In that case, the attorney was suspended for 9 months. Counsel submits that there are no aggravating factors in this case. Therefore, she argues that the ultimate sanction of being struck-off the court's roll is not appropriate. Counsel asks the tribunal to allow Ms. Beaumont reasonable time to repay the balance due failing which she can be suspended for a period of time as the tribunal deems fit.

At paragraph 6 of Ms. Beaumont's affidavit, she admits that this was not the first time that monies went missing or went unaccounted for in her client's account. Indeed, Ms. Beaumont stated in that same paragraph that "[t]his was not the first

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The US, Florida politics and Cuba

The View From Europe

By David Jessop (Executive Director of the Caribbean Council for Europe)

London, England -- Just over a week ago and for the 30th year running the UN General Assembly voted overwhelmingly in favour of a resolution condemning Washington for its continuing embargo on Cuba. The vote passed by 185 votes to two, with two abstentions. Those voting against were the United States and Israel. The two abstentions were Brazil's then yet to take office new government, and Ukraine.

Despite this, there are few signs that bilateral relations will improve, or the embargo be significantly modified.

The decisive win in Florida by its Republican Governor, Ron DeSantis, who may well now decide to challenge former President Trump to be the party's candidate in the 2024 Presidential race, recent US opinion polls, and the strong showing of Cuban-American candidates in the swing state make clear that Cuba will remain a politically potent issue in US domestic politics.

That is, one limiting the ability of both Democrats and Republicans to respond rationally, despite the danger that the pressure cooker effect of the embargo may exacerbate internal economic tensions in Cuba with destabilising consequences for all in its periphery.

On the island, power outages, food and medicine shortages, transport difficulties, a lack of maintenance of critical infrastructure, price inflation, growing inequality for those without access to external financing from family and friends overseas, migration, bureaucracy, illegalities, and disaffection among many of the country's young, continue to be exacerbated by the embargo.

Together they threaten unpredictable social, migratory, and geopolitical outcomes in a country in which conservative and more liberal factions within the Communist Party, military and government appear unable collegiately to agree on how a more liberal socialist market economy might rapidly be created.

Despite this, much of the world's media take little notice of the detail or substance of what is happening or being said in Cuba, trying instead to assess the complexity from one or another politically partisan perspective without ever having been there.

I observe this as someone who since the 1980s, has visited, has engaged in dialogue in Havana, Washington, London, and Brussels on economic and political issues in various professional incarnations, and who now edits the weekly publication Cuba Briefing which tries to convey apolitically and factually to an international audience the complexity of what is happening inside the country and beyond.

Seen from this unusually long immersive perspective, the Cuban Communist Party and Government now appears to be locked into a race between their limited ability to deliver this year and next a modicum of economic recovery and address genuine social disaffection and the impact of US policy, while trying to respond on its own terms to geopolitical issues in ways that do not undermine national sovereignty.

The immediate challenge for the Cuban government is quite literally and metaphorically proving to the Cuban people that there is light at the end of the tunnel. Post pandemic, the economy is slowly recovering but has been set back by constant power outages affecting both domestic and industrial supply, something unlikely to be fully addressed until sometime next year.

More positively, by the end of 2023 Cuba should again be receiving visitor numbers close to those it saw in 2019. If this happens it will ease both the country's foreign exchange shortages and see a much-needed cash injection into the informal economy. The outlook for nickel is bright, opportunity potentially beckons in relation to bio-pharma production in other countries, while the production of gold and the onshore recovery of oil also show promise.

Set against this, agriculture is in a parlous state with the emphasis now on self-sufficiency. The country has embarked on the restructuring of sugar as a slimmed down fully integrated sector needing to shed workers and has seen its high value export tobacco sector seriously set back by Hurricane Ian. More generally, the country is highly indebted, and the combined effect of sanctions and foreign exchange shortages are resulting in higher costs for imported inputs for everything from oil to spares.

Government's response to the consequent economic and related social crisis has been mixed.

At one level it has sought to activate the country's natural entrepreneurial talent through limited private sector enabling legislation, allowing self-managed but partially constrained enterprises to be established; at another it has devolved aspects of fiscal, regulatory, and other forms of authority to provincial and municipal government in the hope that greater efficiencies and productivity might be delivered locally by what are still largely conservative subsidiary bureaucracies.

But what it has not so far dared do, seemingly for internal political reasons and fear of US manipulation, has been to free the private sector and foreign investment in ways that Vietnam and China have demonstrated work for socialist economies.

At another level, the Communist Party is clearly concerned about how it relates to the country's young who for the most part think differently to the older generation and are disinclined to respond to political exhortation. In a recently published commentary, Cuba's President told a meeting of the Union of Young Communists a national strategy was required to ensure that young people feel able to achieve their ambitions in Cuba. This requires, he said, "rescuing values" with answers "not alien to young people."

A further indication of the difficulties facing government is the stated need to do more to restore confidence in relation to what the President recently described as "the illegalities, theft and abusive prices imposed on the population," perpetrated, he said, by a new "caste" operating "an underground illegal economy at prices few people can pay."

Together, these and other domestic challenges explain the sense of national weariness – accurately portrayed by Elizabeth Dore in her recent book 'How Things Fall Apart: What happened to the Cuban Revolution' – particularly among Cubans who valued the now gone economic equality that the country's revolution delivered.

The response to pent up accumulated frustrations could be seen in the widespread street protests of July 2021, the harsh reaction that followed, subsequent smaller sporadic events, prosecutions and pressure on groups seeking change and greater personal and artistic freedoms, and now-surging undocumented migration.

All of which comes as President Diaz Canel is seeking "a respectful dialogue" with Washington and "a narrowing of relations, regardless of the ideological differences"; the island has greater support across Latin America; US-Venezuelan relations are easing; Russia is studying a Cuban proposal on the provision of regular shipments of oil and derivatives, fertilisers, and wheat, possibly settled in Roubles; and a much closer economic relationship is being sought with the Eurasian Economic Union, China and Vietnam.

Regrettably, however, no one is asking what happens if US pressure succeeds, there is an internal breakdown of order in Cuba, people flee, and their relatives cross the Florida Straits to help them, triggering long-term instability and offshore opportunity for narco-traffickers or worse, resulting in further harm to the Cuban people. Or alternatively discussing whether the US – or Cuba – really want the island to again become economically dependent on Russia?

The absence of serious bilateral dialogue, the embargo, and US policy developed through the prism of Florida, provide no answers.

(David Jessop is a consultant to the Caribbean Council)

GTA GRENADA TOURISM AUTHORITY

CAREER OPPORTUNITY

Grand Anse Craft & Spice Market Supervisor

The Grenada Tourism Authority is the organization in Grenada tasked with marketing and promoting Grenada as a tourism destination. We pride ourselves on leading the way in the Grenada tourism industry to encourage economic growth for the benefit of all citizens.

Our core values are positivity, respect, openness/honesty, commitment, and excellence and we currently have an opportunity for a passionate, organized team member with excellent communication skills.

Position Summary: Grand Anse Craft & Spice Market Supervisor. The postholder is responsible for managing the day-to-day operations of the Market ensuring that regulations are complied with.

Contract Type: Fixed Term

You are invited to apply if you can demonstrate that you meet the following core competences:

Core Competences	
Action Orientation	Targets and achieves results, overcomes obstacles, accepts responsibility, establishes standards and responsibilities, creates a result-oriented environment and follows through on actions.
Communication	Communicates well, both verbally and in writing. Effectively conveys and shares information and ideas with others. Listens carefully and understands various viewpoints. Presents ideas clearly and concisely and understands relevant detail in presented information.
Critical Judgment	Possesses the ability to define issues and focus on achieving workable solutions. Consistently does the right thing by performing with reliability.
Innovation and Adaptability	Generates novel ideas and develops or improves existing and new systems that challenge the status quo, takes risks, encourages innovation, demonstrates resilience and stress tolerance in difficult situations. Adjusts to change and manages the change process.
Interpersonal Skills	Effectively and productively engages with others and establishes trust, credibility and confidence with others.
Customer Orientation	Listens to customers, builds customer confidence, increases customer satisfaction, ensures commitments are met, sets appropriate customer expectations and responds to customer needs.
Teamwork	Knows when and how to attract, develop, reward and utilise teams to optimise results. Acts to build trust, inspire enthusiasm, encourage others and help resolves conflicts and develops consensus in creating high performance teams.
Technical/ Functional Skills	Demonstrates strong technical/functional proficiencies and knowledge in areas of expertise.

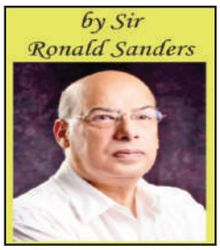
Position Requirements and Qualifications:

- Associate Degree in Business Administration or Building Technology or similar. A facilities management qualification would be advantageous. Plus, five (5) CXC passes including English Language.
- At least three years supervisory experience in a similar environment
- Technical skills related to buildings and property
- Ability to develop and maintain good working relationships with a wide range of people including employees, management, partner representatives and service providers

Applications should be made via the Grenada Tourism Authority Facebook page.

Closing date for applications is 5th December 2022

Only suitable applicants will be contacted.



Not a moment to waste: Small island states must defend themselves

Call me a cynic, but years of participation in negotiations between developed and developing countries have schooled me to be cautious about grand announcements and promises. The devil is usually in the detail. Experience has taught me to remain hopeful, but to be vigilant in ensuring the commitments, pledges and promises are kept.

That experience has been garnered in negotiations in the Commonwealth, the World Trade Organisation, the United Nations Educational, Scientific and Cultural Organization, the Organization of American States, the Organization for Economic Cooperation and Development, the Financial Action Task Force and in direct bargaining between European Union countries and the Caribbean.

In each of these fora, the countries of the developed North have sought advantage over the underdeveloped countries of the South. By various stratagems, the developed countries have got their way, including by making commitments at major occasions such as COP27 which concluded on November 20.

In the words of Barbados' Prime Minister, Mia Mottley, at the opening of COP27, "This world looks, still, too much like when it was part of an imperialistic empire".

Therefore, while the leaders of small island states, including Antigua and Barbuda's Prime Minister, Gaston Browne, who, for years, as the Chair of the Association of Small Island States (AOSIS) has been advancing the argument for a fund to pay for loss and damage caused by Climate Change, are to be applauded for gaining acceptance by developed nations that such a fund should be created, the game is not yet over.

The negotiated text has recognised the need for financial support from a variety of sources, but no decisions have been reached on who should pay into the fund, where the money will come from, and which countries will benefit.

When COP27 had to be extended into the weekend of 19 and 20 November to address the loss and damage issue, Ministerial negotiators for many small island states had already departed Egypt. It was left to Antigua and Barbuda's Environment Minister, Sir Molwyn Joseph, and the Environment Minister of the Maldives, Shauna Aminath, with their technical teams, to ensure that the concerns of small island states were adequately met.

Much work remains to ensure that the loss and damage fund is established and adequately resourced. Further, it has to be clear that new money will finance the Fund, and not a shifting of monies already pledged for other purposes which, regrettably, happens far too often.

It should be recalled that wealthy nations still have not fulfilled an outstanding pledge to provide $100 billion to help vulnerable countries adapt to the impact of Climate Change that they have been suffering for decades.

It is critically important for small island states and other developing countries to monitor, and participate actively in, the work of the 'transitional committee' which was established at COP27. That committee is tasked with "making recommendations" on how to operationalize the loss and damage Fund, including new funding arrangements to resource it. That committee is expected to meet before the end of March 2023, but its "recommendations" won't be considered until COP28 in Dubai in November-December 2023. Note the committee will make "recommendations".

We can be quite certain that the bargaining within the 'transitional committee' will be intense and that many developed nations will seek to avoid or minimize their obligations.

So, while praise must be given to the leaders of small island and other developing states for finally getting 'loss and damage' on the COP agenda, there are still hurdles to be jumped before they can realistically say that the problem has been functionally and effectively addressed.

A credible Fund will require sufficient money. Adapting to the impact of Climate Change will require a comprehensive approach, including building sea walls and creating drought-resistant crops. This could cost developing countries anywhere from US$160-US$340 billion annually by 2030. The number could rise to US$565 billion by 2050 if Climate Change accelerates. That's the estimate of the United Nations Environment Programme (UNEP) in its 2022 Adaptation Gap Report.

These numbers have been made convincing by the fact that not enough was done at COP27, or by any of the previous COPs, to reduce the greenhouse gas emissions responsible for the climate crisis. The final agreement mentioned "the urgent need for deep, rapid and sustained reductions in global greenhouse gas emissions" to limit global warming to 1.5°C above pre-industrial levels.

However, a UNEP report, released just before COP27, painted a worrying picture for small island states and low-lying countries, such as Bangladesh. The report was clear "there is no credible pathway to a 1.5°C future". What is more, the report points out that "for each fraction of a degree that temperatures rise, storms, droughts and other extreme weather events become more severe".

This is why, as Prime Minister Gaston Browne, pointed out at COP27, the worst emitters, including China and India, must begin to act beyond their own interest to include the interests of the world. The development of a few countries should not happen at the expense of many others.

It is more than likely that both the initiative by Vanuatu to seek an advisory opinion by the International Court of Justice on the rights to be protected from climate change, and the establishment by Antigua and Barbuda, Tuvalu, Palau and Niue of a Commission of Small Island States (COSIS), backed by 17 international legal experts, to seek a similar opinion from the International Tribunal on the Law of the Sea, sufficiently worried major developed countries to encourage them to consider a loss and damage fund at COP27. They can influence the latter, while cases before international courts are beyond their control. It was a case of better the devil you know.

In the fight against the present damage and clear danger to their existence, all Caribbean Island States should join in using the international legal system to preserve their rights against the world's major emitters of greenhouse gases. All small island states should actively back the Vanuatu initiative and join COSIS.

The United Nations Intergovernmental Panel on Climate Change says that emissions must decline by 45% to limit global warming to 1.5°C if the already ravaged world is to be saved. There isn't a moment to waste.

(Sir Ronald Sanders is Antigua and Barbuda's Ambassador to the United States of America and the Organisation of American States. He is also a Senior Fellow at the Institute of Commonwealth Studies, University of London and Massey College in the University of Toronto)

Scores left behind in Barbados as airline cancels flights

InterCaribbean Airways is getting a tongue-lashing from scores of customers who were left stranded in Barbados after the airline cancelled flights on Tuesday and bumped them off a Wednesday recovery flight.

The irate customers are slamming the Turks and Caicos Islands-based carrier for its "poor" service and customer relations.

Barbados TODAY understands that on Tuesday, the low-cost airline had two scheduled flights to Grenada, at 11:05 a.m. and 5:30 p.m., but cancellations left about 50 people stranded.

Visitors complained to Barbados TODAY that the 11:05 a.m. flight was delayed about five times and they were informed about eight hours later that they had to spend the night on the island.

Rae Thomas, a Grenadian who was trying to get back home from the recently concluded United Nations Climate Change Conference (COP27) in Sharm El Sheikh, Egypt, said she was appalled at the unsatisfactory customer service.

"It's disgusting, it's frustrating!" she exclaimed. "It is upsetting. People always used to complain about LIAT and how it would always be late but at least I would get to my destination on the same day I was supposed to get there; I would never have to spend a night."

Thomas, a lawyer who works for Grenada's Legal Affairs Department, added: "This is the 21st century, come on, this is stupidness . . . . It's really disgusting. And the staff is not able to help us because we have questions and they are not able to help us, so it is very frustrating."

She added that while she wanted compensation, she doubted she would receive any.

Thomas had taken three flights and arrived in Barbados on Monday. She was not able to get a flight home the same day and booked one for Tuesday.

However, she said, after checking in around 9 a.m. on Tuesday, passengers were informed that the 11:05 a.m. flight was delayed.

Around noon, another delay announcement was made and after 1 p.m., Thomas said, passengers were given $30 food vouchers and told they should be leaving in four hours' time. However, after 4 p.m., the flight was delayed once more.

"All this time, it was further delayed due to maintenance. After 5 p.m., they called out the flight number but they said only people going to St Vincent could take that flight. My flight was a connecting flight; it was to go to St Vincent then Grenada. We were told there was another Grenadian flight to leave at 5:30 p.m," she recalled.

At 6:50 p.m., it was announced that the 5:30 p.m. flight was cancelled due to weather conditions.

Thomas and the other customers collected their bags and had to find accommodation on their own.

Inter Caribbean – under fire as it left scores of passengers stranded at Grantley Adams International Airport

They were told that there would be a 10:30 a.m. recovery flight on Wednesday. However, when she returned that morning, she was told that the flight was delayed until noon. She added that there was a list of names called and only those individuals were able to leave on the midday flight.

Business development manager for an exporting company in the United Kingdom, Grevil Sharp also complained about the service.

He was travelling to Grenada for a two-week vacation with two companions.

Sharp said he was to leave Barbados on the 5:30 p.m. flight on Tuesday but, like Thomas, his name was not on the list of passengers on the recovery flight on Wednesday.

"We were initially told the flight [on Tuesday] was delayed because of maintenance and . . . an hour after the 5:30 p.m. departure time we were told the flight was being cancelled," he said.

"There were about 50 passengers from the British Airways interconnecting flights. It was absolute shambles, no one seemed to know what … to do. InterCaribbean should be banned as far as the civil aviation authority of Barbados is concerned because they are inept as far as their management system."

Sharp, Thomas and other customers reported that they were subsequently told of a 5:30 p.m. flight on Wednesday but were concerned they could not check in their luggage.

President of the Barbados Union of Teachers Rudy Lovell had also been booked on the 11:05 a.m. flight to Grenada on Tuesday as he was to attend a regional teachers' conference.

Like the others, he was waiting to get on board the 5:30 p.m. flight on Wednesday. However, he reported that after 4 p.m. it was announced that the flight was overbooked and only people who had booked that flight could board the plane, leaving behind passengers expecting a recovery flight.

Efforts to reach a local representative of InterCaribbean Airways were unsuccessful.

When contacted, chief executive officer of the Grantley Adams International Airport Inc. Hadley Bourne said he did not have sufficient evidence at this time to provide a comment but the matter was something he would look into.

IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE

GRENADA

CLAIM NO. GDAHCV 2022/0344

IN THE MATTER OF THE POSSESSORY TITLES ACT. Act No 22 of 2016

AND

IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE TO LAND

WILFRED ALEXANDER APPLICANT

APPLICATION FOR DECLARATION OF POSSESSORY TITLE

NOTICE

WHEREAS the Applicant, Wilfred Alexander of Laura Land in the parish of Saint David and State of Grenada, a Farmer, by application filed in the High Court on the 8th day of September 2022 claim to have acquired title by more than twelve years adverse possession of the land described in the Schedule to this Notice and has applied to the Court for a declaration of possessory title.

Now all persons claiming interest in the said land are required to enter an appearance in the Registry in person or by his or her legal practitioner, within two months from the date of the past publication of this Notice which is being published twice in the newspapers.

SCHEDULE

1. All that lot piece or parcel of land thereon situate at Laura Land in the parish of Saint David in the State of Grenada containing by admeasurement Fifteen Thousand Three Hundred and Seventy Square Feet (15,370 Sq.Ft.) English Statute Measure and bounded as follows: on the North by lands belonging to Godfrey Thomas, on the South by lands belonging to the said Jeffrey Francis, on the East by a River and on the West by lands belonging to Arabella Alexander as shown on the plan drawn by Llwelyn Belfon, Licensed Land Surveyor which said plan is marked "**WA**" and attached to the Applicant's Affidavit sworn and filed herein.

REGISTRAR Ag.

GRENADA

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

IN THE ESTATE OF FITZROY BOATSWAIN, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed for Grant of Probate by Jerry C. Edwin of Grenville Vale in the parish of Saint George, who is the Executor of the deceased, the deceased having died testate on the 29th day of September, 2022.

Any persons having an objection to the Grant of Probate to the Applicant shall file an objection within 14 days of publication of this Notice.

Dated 2nd day of November, 2022

Jerry Edwin
Eden Law Caribbean
Attorney-at-Law for Applicant

EDEN LAW CARIBBEAN, Bruce Street Mall, 2nd Fl. St. George's; Tel: 435-3336; 457-3336

"Stew Man" Loses his Half-a-Million case Against Lotto

** From page 17*

to amend his statement of case. When therefore the respondent asserted for the first time in his witness statement that he had signed and presented the winning ticket, this was not a case of furnishing particulars of an allegation already pleaded; it was a new allegation.

To be permitted to rely on it, the respondent would have had to obtain leave to amend the statement of case or obtain the court's permission or the agreement of the appellant.

The respondent attempts to salvage the situation created by his failure to plead presentation of the winning ticket by contending that an inference may be drawn that the judge granted permission to adduce that evidence of her own initiative pursuant to CPR 26.2 – no application having been made. This attempt is futile. If the judge were acting of her own initiative to permit reliance on facts not pleaded, she would first have had to acknowledge that the pleadings were deficient.

There is no such acknowledgment. Rather, the judge appears to have misconstrued the respondent's pleaded case. The basis for saying this appears from the judge's summary of the claimant's pleaded case as set out at paragraph 2 of the judgment, which is captioned: "The Claimant's Case". The judge states:

Barbadian attorney Leslie Haynes, KC – won the case for NLA

"The claimant, (Mr. De Roche) in his statement of claim filed on 12th October 2018 says that on Friday 3rd November 2017 he purchased a Super 6 Lotto ticket from an agent of the National Lotteries Authority (Lotteries Authority) at Parris Pharmacy in Grenville, Saint Andrew for a draw on that same date. The draw instead took place on Saturday, 4th November 2017 and the winning prize of $540,000.00 was announced. Mr. De Roche visited the Lotteries Authority outlet in St. George's and recognised that the numbers drawn for the Saturday draw were the numbers he had played. He presented his ticket but was informed by the Lotteries Authority Agent that the Friday ticket was invalid as the draw was cancelled. Upon further enquiries Mr. De Roche discovered that the information given by the agent was misleading, but by then he had lost his ticket."

To the extent that the judge's summary states that the respondent pleaded that he had presented the winning ticket but was informed by the agent that it was invalid because the draw was cancelled, she fell into error as no such allegation is made in his statement of claim.

In circumstances where the judge never apprehended that the pleadings did not in fact contain an allegation that the respondent had presented the winning ticket, there can be no question of her implicitly exercising her discretion to permit the respondent to rely on facts in his witness statement which he had not pleaded.

As far as the judge was concerned, the discrepancy related to the date when the respondent lost the ticket, which he had previously presented to the appellant's agent. This is evident from paragraph 8 of the judgment in which the judge states:

The court notes the inconsistent statement of Mr. Dr Roche in his pleadings where he stated that he lost the Super 6 ticket on Saturday 4th November 2017 when he visited the Lotteries Authority's Office in St. George's. However, Mr. De Roche in his witness statement and in his evidence at trial clarified that inconsistency and stated that he lost the ticket on Saturday, 11th November 2017. This inconsistency was not specifically challenged by the defence and in the court's view, it is also not fatal to his claim since it is not in dispute that Mr. De Roche lost or misplaced the physical Super 6 lotto ticket."

In this passage, the only inconsistency between the respondent's pleadings and the witness statement recognised by the judge is the date when the ticket was said to have been lost.

The judge seems to have missed the more egregious and fundamental inconsistency; namely, the fact that the respondent never pleaded that he had presented the winning ticket but had in fact pleaded that when he discovered that he had purchased the winning ticket, he had already lost the ticket, but – inconsistent with that pleading – he had asserted in his witness statement that he had presented the winning ticket but was told it was cancelled. These are contradictory positions.

Plainly, in circumstances where the judge seems not to have been alive to the inconsistency, it cannot be said that she impliedly exercised her discretion to give permission for that fact (presentation of the ticket) to be relied on.

Accordingly, those authorities deployed by the respondent relating to the need for appellate restraint when reviewing the exercise of a trial judge's discretion are not at play here.[6]

Moreover, if the judge were minded to exercise her power to make orders of her own initiative, she was mandated to give the other party a reasonable opportunity to make representations.

This requirement is imposed by CPR 26.2, which provides:

"26.2 (1) Except where a rule or other enactment provides otherwise, the court may exercise its powers on an application or of its own initiative.

(2) If the court proposes to make an order of its own initiative, it must give any party likely to be affected a reasonable opportunity to make representations.

(3) The opportunity may be to make representations orally, in writing, telephonically or by any other means as the court considers reasonable."

There is no indication on the record that this was done, and there is no contention otherwise.

As to the argument that the appellant impliedly consented to the evidence being adduced by its failure to object to the evidence, this is problematic for two reasons. In the first place, it would be surprising if this concession were made by the appellant, given that their pleaded defence was that the ticket is a bearer instrument and constitutes the only proof that a bet was placed and, as such, in order to claim the prize, the bearer was required to present the ticket with a valid signature and a form of identification within 90 days.

The appellant's pleadings averred that the respondent did not satisfy the contractual terms for claiming the prize money because he did not sign and present the winning ticket. This formed the major plank of the appellant's defence.

The cross-examination of the respondent sought to expose the implausibility of the respondent's account that he had presented the ticket. It was elicited from him that though he said he did not believe the agent's assertion that the ticket was invalid and intended to pursue the matter with the NLA, he nonetheless threw it out in the garbage at some point after he had unsuccessfully sought to see the appellant's manager on the afternoon of 7th November 2017, and on at least two occasions subsequently, to query the agent's claim that the ticket had been cancelled.

The purpose of this line of cross-examination was to challenge the respondent's assertion that he had signed and presented the winning ticket.[7]

There is therefore no rational basis for drawing an inference that the appellant agreed to allow the respondent to adduce evidence that he had signed and presented the winning ticket, when to do so would completely undermine the foundation of its defence to the claim.

There is nothing in the appellant's conduct of the case to suggest that any ground was ceded on the important issue of non-presentation of the ticket.

The respondent argued that the evidence was not inadmissible per se but was merely undeployable unless leave was obtained to amend the statement of claim or the court's permission, or the agreement of the appellant was obtained to rely on it.

Even if it could be said that the evidence was not inadmissible per se, based on the foregoing discussion, the respondent had not met the conditions for the evidence to be deployed.

Furthermore, once it is accepted that the pleadings were deficient for the failure to plead that important factual detail, which was an essential element of the cause of action, that defect could not be cured by simply inserting the evidence into a witness statement.

The respondent was required to obtain the court's permission or the agreement of the other side. This he failed to do. CPR 8.7A precluded him from relying on that evidence. The judge therefore erred in considering and placing reliance on facts that were never pleaded to determine the case in the respondent's favour.

This was unfair to the appellant, who, in order to properly meet the case, would perhaps have had to call evidence from the agent to whom the respondent allegedly presented the winning ticket. No doubt, this course was not pursued because the respondent never pleaded that he had presented the winning ticket to the appellant's agent.

(Continue on pg 24)

THE EASTERN CARIBBEAN SUPREME COURT

IN THE HIGH COURT OF JUSTICE

GRENADA

ADVERTISEMENT OF APPLICATION OF GRANT

IN THE ESTATE OF ANNIE VIVIAN LEWIS

(also known as ANNIE STANISLAUS) LATE OF BELMONT

IN THE PARISH OF SAINT GEORGE, DECEASED.

TAKE NOTICE that an application has been filed **TERESA ELIZABETH ANTOINE** of Belmont, in the parish of Saint George for a Grant of Probate of the Will of the above-named deceased died on the 9th day of July 2022 without revoking a Will bearing the date of 15th day of January 2014 wherein the **TERESA ELIZABETH ANTOINE** is named sole executrix.

Any person having an objection to the Grant of Probate to the application shall file an objection within 14 days of the publication of this notice.

Dated the 26th day of September 2022

Shireen Wilkinson

SHIREEN J. WILKINSON
Attorney -at-Law
Wilkinson, Wilkinson & Wilkinson

This Application is filed by Wilkinson. Wilkinson & Wilkinson, Attorneys-at-Law for the Applicant whose address for service is Lucas Street, St. George's

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or call

435-9363

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- **BELLE ISLE, ST. DAVID'S**
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- **GRAND BRAS, ST. ANDREW'S**
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- **MAIN STREET, SAUTEURS, ST. PATRICK'S**
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Reserved price - $410,000.00

For further details contact 440-2108/459-2103

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- Absolutely beautiful lot of land, **12,576 sq., ft.** at Calivigny with sea views and close access to the main road.
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Contact: What's app: 407-0264

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IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE

GRENADA
CLAIM NO. GDAHCV2021/0055
BETWEEN:

IN THE MATTER OF THE POSSESSORY TITLES ACT NO.22 OF 2016
AND
IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE TO LAND

WILHEMINA SAYERS
APPLICANT

ORDER

BEFORE: THE HONOURABLE JUSTICE RAULSTON GLASGOW
DATED: This 18th day of November, 2022
ENTERED: This 24th day of November 2022

UPON this matter coming up for hearing of an application for a declaration of possessory title to land.

AND UPON the Registry of the Supreme Court of Grenada having issued a Certificate of Non-appearance pursuant to Section 10 of the Possessory Titles Act Cap 22 of 2016 as there have been no appearances entered by any opposing parties to oppose the application of the Applicant.

IT IS HEREBY ORDERED:

1. The Applicant is in possession of a piece or parcel of land situated at Windsor Forest in the parish of St. David aforesaid and which comprise 1 acre, 0 Rood, 15 poles and abutted and bounded on its many sides by the land of the Estate of Agnes E. Horsford, Deceased on one side, on another side by the land of Martin Joseph Honore. On the third side by the Windsor Forest Public Road, on the fourth side by the land of the Estate of Veronica Telesford, Deceased. On the fifth side by the land of the Estate of Michael Joseph, Deceased and the land of James and Maudlyn Hagley and the remaining side by a ravine. The same is delineated and described in the plan drawn by Licensed Land Surveyor David S Abraham surveyed on the 14th day of October, 2020.

By the court

Registrar Supreme Court Grenada

Government to prioritize creative economy for period 2022-2027

The Government of Grenada has identified the Creative Economy as one of five (5) priority areas for the period 2022-2027, given the rapid growth of the sector in recent years and its potential for quality job creation and export earnings in Grenada.

The creative economy – which comprises creative industries such as advertising, fashion, design, performing and visual arts, photography, music, architecture, film, podcasts, and computer programming – is fast becoming a new engine of economic growth in many countries.

Valued at over two (2) trillion dollars in 2019, the sector contributes just over 6.1% to the global gross domestic product (GDP), averaging between 2% and 7% of national GDPs around the world.

Lennox John Andrews, Minister of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives, shared the Government's vision of Grenada as a 'creative nation' where innovation and creativity, as well as the preservation and revitalisation of national heritage and culture, are fundamental pillars of long-term social and economic development.

Olando Romain along with Lennox Andrews - Minister of Economic Development, Planning, Tourism, ICT, Creative Economy, Agriculture and Lands, Fisheries and Cooperatives

"This emerging sector is filled with possibilities for our citizens, especially our young people," Minister Andrews said.

"By investing in the Creative Industries, we can ensure that our people are well-positioned and equipped to capitalise on the many benefits this sector has to offer.

The effective management of Creative Industries also allows us to leverage the abundance of talent and skill that Grenadians possess to produce competitive products and services that can be exported internationally."

Advisor for the Creative Economy, Orlando Romain, spoke to plans that will soon be underway to drive the implementation of the sector's development.

"We are in the process of laying a solid foundation to ensure the success of the Creative Economy in the years ahead.

Our first order of business is the establishment of the Grenada Office of Creative Affairs (GOCA), which will drive the work needed to structure and build the Creative Industry," Romain shared.

The GOCA is a division of the Ministry of Economic Development that will be tasked with creating a favourable environment for the development of the country's Cultural and Creative Industries.

The office will function as the main administrative home for the Creative Economy, with the core objective of championing, connecting, supporting, and investing in creative people and businesses.

GOCA's primary mandate includes the following:

- Creating a favourable environment for the increased economic value of Creative Industries.
- Facilitating linkages between the Creative Industries and other sectors.
- Creating a policy framework for the sector's development in line with the 2035 National Sustainable Development Goals and objectives.
- Raising awareness about Creative Industries.
- Building the capacity of creative entrepreneurs through training programmes, seminars, and other activities.
- Establishing and managing a Creative Industry registry and business networking platforms.
- Creating funding opportunities and promoting information about existing funding opportunities for the Creative Industries.
- Facilitating concessions and other economic incentives for Creative Industries.
- Supporting the export of creative goods and, in general, the internationalisation of the sector.
- Providing technical support to creative businesses and entrepreneurs
- Supporting ongoing research activities in the Creative Industries.

In the upcoming months, the Government of Grenada plans to initiate a series of activities to solidify its commitment and set the foundation for the development of Grenada's Creative Economy.

These include an initial stakeholder consultation, a research project to map the Creative Economy, the launch of the Creative Industries Registry and Business Networking Platform, a Cultural Industry Symposium, the implementation of special fiscal incentives for the sector, and the development of a National Cultural and Creative Industry Policy and Strategy.

GRENADA

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

IN THE ESTATE OF DEVERELL LEWIS, DECEASED
ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by Janice Lewis for Grant of Probate, who is the Executrix of the deceased, the deceased having died testate on the 8th day of October, 2021.

Any persons having an objection to the Grant of Probate to the Applicant shall file an objection within 14 days of publication of this Notice.

Dated: 21 day of November, 2022

.....

Jerry Edwin
Eden Law Caribbean
Attorney-at-Law for Applicant

EDEN LAW CARIBBEAN, Bruce Street Mall, 2nd Fl. St. George's; Tel: 435-3336; 457-3336

"Stew Man" Loses his Half-a-Million case Against Lotto

From page 22

As this Court has emphasised: 'it is the duty of the court to firstly examine the pleadings and then to decide the case in view of, or more properly, on the basis of the pleadings.'[8] This the judge failed to do.

The appellant's failure to object

There is some merit in the respondent's complaint that for some eighteen months prior to trial the appellant was in possession of the witness statement, which alerted it to the evidence that the respondent intended to adduce at trial yet took no steps to object to that evidence.

The appellant could have applied to strike out the evidence. By the same token, however, the respondent was made aware of the nature of the defence since November 2018 and could have sought to amend his pleadings or sought the court's permission to rely on the facts not pleaded. Neither course was pursued.

Parties must always be mindful that they are enjoined by CPR 1.3 to assist the court in furthering the overriding objective. This includes dealing with cases expeditiously and in a manner that saves time and costs.

In the Court's view, the appellant's failure to object to the evidence does not, in the circumstances of this case, afford a basis for overlooking what was an error of law on the part of the judge, who is the ultimate gatekeeper. Rather, it is a matter that is relevant in determining the appropriate costs order. Mr. Haynes, KC candidly conceded this.

The Court's conclusion on ground 1 is sufficient to dispose of the appeal. In oral argument before this Court, both sides recognised that the appeal turned on this ground and that grounds 2 and 3 concerned questions of fact which were essentially matters within the province of the trial judge and would have no practical impact on the outcome of the appeal given the Court's conclusion on ground 1.

Ground 4, while raising a point of law relating to whether the lottery ticket was a bearer instrument, is rendered academic given this Court's conclusion on ground 1, and given that the judge seemed to accept that the signing and presentation of the ticket was a requirement to claim the winning prize.

Costs

The appellant has prevailed on the appeal. The general rule is that the unsuccessful party must pay the successful party's costs. The Court, in its discretion, may depart from the general rule but must exercise its discretion judicially, having regard to all the circumstances of the case and considering, in particular, the factors set out at CPR 64.6(6).

The conduct of the parties before and during the proceedings is one such relevant consideration in the apportionment of costs. The appellant can rightly be criticised for not taking steps to strike out the respondent's statement of case or the impugned evidence. This was an option available to it and would have resulted in considerable costs savings.

By the same token, the respondent failed to avail himself of the opportunity to amend his statement of case or to apply for permission to rely on the evidence pursuant to CPR 8.7A. Weighing matters in the round, the appellant is the successful party on this appeal, and while its conduct may have contributed to the costs in this matter, it cannot be right that it should be deprived entirely of its costs when a large measure of blame must be shouldered by the respondent.

Disposition

For the reasons discussed above, the appeal is allowed. The orders of the judge are accordingly set aside. The respondent shall pay two-thirds of the appellant's prescribed costs in the court below and, on this appeal, two-thirds of that amount.

Female attorney-at-law struck off the roll

* From page 18

occasion for $30,000.00 to cover a deficit when a similar situation occurred. At that time I believed that I must have made a mistake."

The tribunal takes note that there is a previous judgment of the high court, where Ms. Beaumont was ordered to return monies in excess of the sum of $100,000.00 to a former client. We have concluded that there is a pattern of mismanagement of client's funds involving Ms. Beaumont's practice. Indeed, this previous judgment against Ms. Beaumont was highlighted by Wallbank J at paragraph 15(i) of his judgment, where his Lordship stated that:-

"The Defendant has previously consented to, and subsequently satisfied, a judgment against her in Claim No. GDAHCV2002/0101, Cecilia Yvonne James vs Brenda Wardally-Beaumont, wherein it was claimed that the Defendant misappropriated a sum in excess of $100,000 whilst acting for the Claimant in the sale of a property. I pause here to remark that the Defendant's alleged mitigation argument in the present case, that the misappropriation of Mr. Ganpot's money was the doing of a former employee, is called into question by this earlier event, in that one may well ask why it is that the Defendant appears not to have taken appropriate care to prevent a repetition of a similar incident, particularly as she was for all intents and purposes a sole practitioner and thus must have had an appreciation of her firm's fee income before signing off on spending.

The apparent repetition suggests, rather, a longer running and more endemic problem in the financial management of the Defendant's practice than she is currently portraying. Disclosure of the Defendant's dealings with the client account should demonstrate the whole picture. Appropriate measures can be put in place to preserve her clients' confidentiality. If the Defendant has nothing to hide, and if the primary responsibility for the shortfall in the present case lies with another, as the Defendant contends, the Defendant should be keen to give full disclosure."

Again, we allude to Ms. Beaumont's own evidence of gross negligence in managing the serious business of client's funds. We again repeat the charge that counsel ought to have at the very least put proper mechanisms in

Alban John – the local lawyer who brought the case against Brenda Wardally-Beaumont

place to prevent a reoccurrence of missing monies in her client's account. Indeed, we have been directed to no evidence of any steps made by counsel to put systems in place in her office to prevent the occurrence of another incident of this sort. In fact, besides counsel's viva voce evidence that she does have a client's account, no evidence has been led before us to show that counsel even has a client's account or that there is an adequate or indeed any system to secure money belonging to her clients.

Section 2(2) of the Code of Ethics states that "[a]n attorney-at-law shall maintain his integrity and the honour and dignity of the legal profession and of his own standing as a member of it, and shall encourage other attorneys-at-law to act similarly, both in the practice of the profession and in their private lives, and shall refrain from conduct which is detrimental to the profession, or which may tend to discredit it:.."

The entire course of this matter has brought dishonour to the profession. Additionally and more importantly, Mr. Ganpot and indeed the entire public that relies on the integrity of the judicial system have had their trust betrayed by the conduct of counsel in this case. There is no evidence before us to satisfy us that sufficient or anything significant has been done by Ms. Beaumont to repair these breaches, to compensate the hurt inflicted on Mr. Ganpot after 17 years and/or to advert any further occurrence of gross mishandling or misappropriation of client's funds.

For these reasons, we are satisfied that an order for suspension would be an inadequate sanction. We rule that that Ms. Brenda Wardally-Beaumont is hereby struck-off the court's roll of attorneys-at-law registered to practice law in Grenada. The Registrar of the High Court is to make the necessary adjustments to the roll of attorneys-at-law in Grenada to remove counsel's name therefrom and to make the necessary publications in the Official Gazette.

Interest on the judgment debt

At trial and under cross examination, a preliminary issue was raised by counsel for the defendant as to whether post-judgment interest accrued from the default judgment dated 13th July 2007 (default judgement) or the consent order dated 13 July 2009. The tribunal notes that these proceedings concern the discipline of an attorney-at-law and do not concern private law rights of a client to claim for monies due and owing. However, for completeness, the tribunal will consider the arguments raised by Ms. Beaumont.

Counsel for Ms. Beaumont submits that the default judgment dated 13th July 2007 did not include post-judgment interest. The default judgment does not disclose that post-judgment interest was not awarded by the Registrar of the high court upon entry of the default judgment. Indeed, judgment was entered for the sum of $308,248.69 in default of the defence against Ms. Beaumont without any order for post-judgment interest thereafter.

It is now well established that post-judgment interest does not automatically attach to every judgment debt, save and except where statute expressly makes provision for post judgment interest to accrue or where it is ordered by the court.

The entry of the default judgment was made on 13th July, 2007 which was prior to the section 27A amendment in 2009 and as such that amendment is not applicable in the circumstances since that section did not have retroactive effect. Section 27A of the Supreme Court Act section prescribes that-

"Interest of judgement debts

(1) For the purposes of this section –

"judgement debt" means a debt under a relevant judgement;

"relevant judgement" means a judgement of the High Court for the payment of a sum of money and, in relation to a judgement debt, means the judgement or order which gives rise to the judgement debt.

(2) This section shall not apply where a relevant judgement was given before the date of commencement of the Act.

(3) Until it is satisfied, every judgement debt shall bear interest at such rates as the High Court may determine and in the absence of such determination, the rate of interest shall be six per cent per annum.

(4) Unless it is otherwise ordered by the Court, the rate of interest under subsection (3) shall be calculated from the time of the giving of the relevant judgement, as the case may be, notwithstanding that the giving of the relevant judgement has been suspended by any other proceedings either in the High Court or on appeal." (My emphasis)

The evidence discloses that the consent order made provision for entry of the judgment sum of $300,971.11 together with interest of 6% per annum. There is no evidence that this consent order has been set aside. As such Ms. Beaumont and Ms. Ganpot are bound by terms of the consent order.

The tribunal is satisfied that post-judgment interest on the judgment debt only began to accrue and continues to accrue from the consent order dated 13th July 2009 to the date of satisfaction. In passing the tribunal notes that the judgment debt remains largely unsatisfied. Further, the tribunal notes that by consent the debt owed to Mr. Ganpot was crystallised into a consent order of the court. Mr. Ganpot remains at liberty to pursue civil remedies to enforce the judgment debt, if such a need arises.

Conclusion

[51] For all these reasons, it is hereby declared and ordered that-

(1) Brenda Wardally-Beaumont (Ms. Beaumont) is found guilty of professional misconduct in the discharge of her duties as an attorney-at-law when she failed to return the sum of $304,419.99 which she held on trust for her client, Mr. Joel Ganpot.

(2)Ms. Beaumont is hereby struck-off the court's roll of attorneys-at-law in Grenada.

(3)Ms. Beaumont shall pay all outstanding monies together with accrued interest due and owing to Mr. Joel Ganpot, in accordance with the consent order dated 13th July 2009 within 6 months of today's date.

(4) The Registrar of the High Court shall effect the appropriate changes to the court's roll of attorneys-at-law and shall cause the requisite notices to be published in the Official Gazette.

(5) There shall be no order as to costs.

Raulston L.A. Glasgow
High Court Judge

Victoria Charles-Clarke
High Court Judge

Case Number :GDAHCV2022/0326

FILED
HIGH COURT
GRENADA

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

Submitted Date:20/08/2022 14:52

Filed Date:22/08/2022 08:30

Fees Paid:12.00

GRENADA
CLAIM NO. GDAHCV2022/
BETWEEN:

IN THE MATTER OF THE POSSESSORY TITLE ACT 22 OF 2016

AND

IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE OF LAND

MATTHEW TREVOR ABRAHAM
LUCY ABRAHAM

APPLICANTS

APPLICATION FOR A DECLARATION OF POSSESSORY TITLE NOTICE

WHEREAS MATTHEW TREVOR ABRAHAM and **LUCY ABRAHAM** both of Champ Fleurs Vincennes in the parish of Saint David in the State of Grenada presently residing in the United States of America, by their application filed in the High Court on the 24th day of August, 2022 claims to have acquired title by twelve (12) years adverse possession of the land described in the Schedule to this Notice and have applied to the Court for a Declaration of Possessory Title.

NOW ALL persons claiming interest in the said land are required to enter an appearance in the Registry in person or by his or her Legal Practitioner, within two (2) months from the date of the last publication of this Notice which is being published twice in the newspapers.

SCHEDULE

ALL THAT lot piece or parcel of land situate at Champ Fleurs, Vincennes in the parish of St. David in the State of Grenada containing by admeasurement Seven Thousand Five Hundred and Thirty-two Square Feet **(7, 532 Sq. Ft.)** English Statute Measure and abutted and bounded on the North by the Public Road and land of Theresa Abraham, on the South side by lands of the Estate of Annita Abraham, on the West side by lands of the Estate of Annita Abraham and Theresa Abraham and on the East side by an Allowed Road, as shown on the plan dated 20th April, 2022, drawn by Mr. Andrew Alleyne, Licensed Land Surveyor

Registrar

REGISTRAR
SUPREME COURT
OF GRENADA

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VOL. 15 NO. 05 **Week Ending Fri., DECEMBER 02, 2022**

PRESS SECRETARY UNDER FIRE!!!

At least one Journalist has expressed concern with the communication structure in place at the Botanical Gardens under the new Dickon Mitchell-led Congress administration.

Dr. Kellon Bubb, host of The Bubb Report addressed the issue after the newly appointed Press Secretary in the Office of the Prime Minister allegedly read and ignored messages sent to her official Whatsapp number last week, inquiring about the government's deliverables concerning the just concluded climate summit in Egypt, which was attended by Minister for Climate Resilience, Environment and Renewable Energy, Kerryne James.

According to Bubb, although there were signs that the Press Secretary did read the messages sent to her via the app, she "did not even have the courtesy of responding."

He used the opportunity to speak out on behalf of other journalists, whom he said have expressed similar concerns," and that some have even related that "they have not received a response to their messages (sent to the Government's Press Secretary) for months."

Press Secretary Tahira Carter – accused of constantly ignoring messages from some members of the media

He charged that the Press Secretary's position is paid for by the taxpayers of the country and that "while the (new Congress) administration's position may be one of only talking to its base via its platforms such as the NDC Heartbeat Programme, and the Government Information Service (GIS), they must be aware that the press with all of its flaws is still a feature of the democratic process in Grenada."

Dr Bubb had also critiqued the previous New National Party (NNP) government of Dr. Keith Mitchell for what he termed "its very bias and divisive practice of pitting some journalists against others, inviting some journalists to press conferences and not others, and holding specially curated media availabilities" which have left a bitter taste in the mouth of the national community."

However, he recalled that although the former Grenadian leader never agreed to appear on his programme, his former "Press Secretary Philomena Robinson always responded to me with a definitive no in all cases saying that former Prime Minister Dr. Keith Mitchell did not have time for The Bubb Report."

Expressing the view that because someone "may rightly disagree with the reporting approaches of some journalists that's not a good reason respectfully to engage in the practice of strategic hosting."

Dr. Bubb noted that PM Dickon Mitchell has given "assurances that they would have more open and cordial relationship with the Grenadian media" and expressed the view that "as one of the official spokespersons for the administration, the Press Secretary must weave together the interest of reporters and the Prime Minister's Cabinet."

In addition, he said that Press Secretary Carter "must also work with various constituents and government officials to create a portrait of government and its policies that they want to deliver publicly, which goes beyond moderating these very infrequent need-to-know press briefings that are happening these days."

The programme host recalled that in the lead-up to the June 23 General Elections, the members of Congress had subjected themselves to public scrutiny, and had also heavily criticised former Prime Minister Keith Mitchell for not responding to requests when invited to appear on various media platforms.

Journalist Dr. Kellon Bubb - raised the issue during his weekly programme on Sunday

Since assuming the role as Press Secretary, Carter has outlined a format allowing each reporter to ask two (2) questions at government's Post-Cabinet media briefings in order to allow an opportunity for each media personnel to ask questions.

However, in most cases the opportunity for reporters to pose another round of questions never comes around due to time constraints, a matter brought to the attention of the Media Workers Association of Grenada (MWAG), which is said to be seeking to engage the Congress government on the issue.

Printed by Trinidad Express Newspapers Limited, 35 Independence Square, Port-of-Spain, Trinidad for Impact Printers, Marian, St. George's, Grenada •Phone Nos. (473) 440-7760/435-9363