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# THE NEW TODAY



MACARONI	COCONUT MILK	TUNA
MACKEREL	FISH TEA SOUP	JERK
BROWNING	CORNED BEEF	VINEGAR
PORRIDGE	ALOE VERA	CRACKERS

**“The Pen Is Always Mightier”**

VOL. 15 NO. 03

Week Ending Fri., NOVEMBER 18, 2022

# BIG MAC ROBBERS ON \$100,000.00 BAIL



Ronaldo George - is also accused of committing the crime & Telescope resident Raynell Coutain is facing gun-related charges in connection with the Robbery of Big Mac shipping agency

Two (2) 22-year-old fishermen from the Southeastern village of Telescope, St. Andrew are facing up to 30 years behind bars, after being slapped with the charge of Robbery with Violence in connection with last week Tuesday's armed robbery of the Big Mac shipping agency in the South St. George village of Calliste.

The accused, identified as Raynell Coutain and Ronaldo George, posted \$100,000.00 bail with two (2) sureties Tuesday when they appeared before Chief Magistrate Teddy St. Louis at the St. George's No.1 Magistrate's Court following the successful bail applica-

tion put forward on their behalf by Attorney-at-law Henry Paryag, who is providing legal counsel for George.

Paryag, a former Magistrate, also held papers for Barrister-at-Law Anselm Clouden, who has been retained by Coutain.

The suspects are also facing charges of Money Laundering, and Possession of a Firearm, which was reportedly used to execute the daring daylight robbery in which \$35,000.00 was taken away from the business premises.

Tuesday's hearing of the matter came days

(Continue on pg 3)

# US DEPORTEE COMMITS MURDER IN BOCA

US deportee, 35-year-old Kelly Penny has been slapped with a charge of murder in connection with the death on Sunday of 31-year-old Chris "Benjie" Alfred who was fatally stabbed in the neck close to his home in the village of Boca in St. George North-east.

Penny appeared on Tuesday before Chief Magistrate Teddy St Louis who remanded the murder accused to the Richmond Hill Prison on a Non-Capital Murder Charge until his next court appearance on December 5.

Accompanied by the police, the murder accused maintained his innocence in the matter and told members of the media that he is "not guilty, I am innocent."

Shortly after the fatal incident, which occurred during the early hours of Sunday morning, a picture went viral



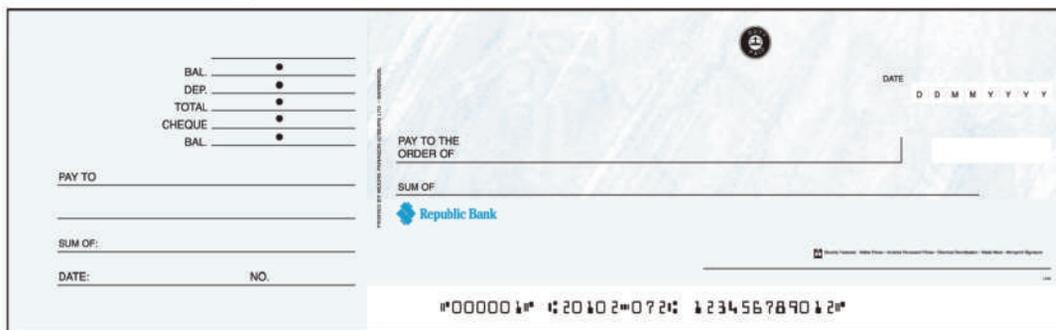
Kelly Penny - has been charged in connection with Sunday's stabbing death of Boca resident Chris Alfred

(Continue on page 3)

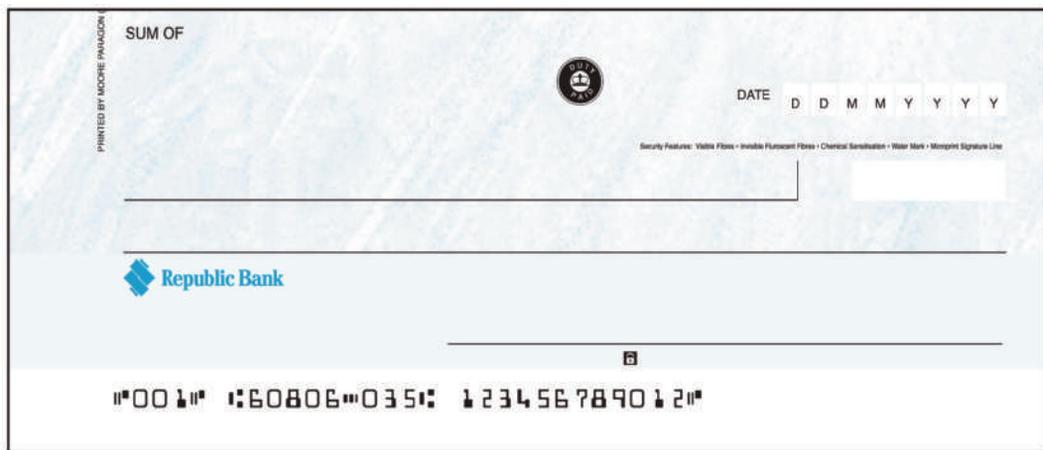
# YOUR NEW CHEQUE BOOKS ARE READY!

Republic Bank (Grenada) Limited invites customers from our Republic House, Melville Street, Grenville, Gouyave, and Carriacou branches, to visit their branch to collect their replacement cheques.

## Commercial



## Personal



ONLY Cheques with your new **12 digit** account number should be used from November 1, 2022. Remember to destroy your old cheque book.

**Come in, call 1-473-440-4725 (4RBL) or email us at [conversion@rfhl.com](mailto:conversion@rfhl.com), if you have questions or concerns.**

# Partially decomposed body found in Mardigras

Law enforcement officers are investigating the circumstances surrounding the discovery of a partially decomposed body of a man inside a house at Mardi Gras, St. George just after 9 a.m. on Tuesday.

A 60-year-old man identified as Matthew Harry was found lying on his bed dead after

residents reported a stench emanating from the house, where he lived alone in the 'lower Madigras' area.

**THE NEW TODAY** visited the area on Tuesday but was unable to get a view of the house where the deceased lived in a bushy area which was cordoned off by police

investigators.

Speaking with reporters, one villager Ryan Smith, called the deceased his stepfather, and the father of his two (2) younger siblings, one of whom was on the scene but was too distraught to speak with members of the media.

Smith, who said that



The body of deceased Matthew Harry being removed from the scene by the undertaker

Police Station, Assistant Superintendent of Police (ASP) Desmond Richards, who was among the team of officers who visited the scene, said that based on preliminary observations of the body, it seems to indicate that the 60-year-old may have died from "natural" causes.

"...The other entities that (are) expected to investigate came - the photographs were taken, the doctor was called in to pronounce the body dead and so, the investigation continues from here," said the high ranking police officer, who confirmed that "a post mortem has already been ordered by the coroner" to determine the cause of death.

Harry's body was removed from the scene under rainy circumstances by Bailey's Funeral Home.

the last time he saw Harry alive was last week Thursday and that his death came approximately one-week after he had suffered a stroke, and was prescribed medication by a doctor.

"He told me he was on a pill and (that) the pill (was) making him feel really sick, causing him to shake a lot. That was last week Thursday, and that was the last time I saw him...apparently he died in the

house days now, and nobody didn't know," he added.

According to the villager, he was tending to his horses when he received the shocking news of Harry's death.

Head of the Central

## BIG MAC ROBBERS ON \$100, 000.00 BAIL

\* From front page

after the defendants, on the advice of Attorney Paryag, surrendered themselves back into police custody, after managing to escape from their initial arrest while being held at the St. Paul's Police Station.

This has resulted in an additional charge of Escaping Lawful Custody being laid by the police against them.

The manner in which they escaped custody was among the concerns raised by the Police Prosecution team led by Assistant Superintendent of Police Glen Charles, who strongly objected to bail being granted to the two youngsters.

ASP Charles cited the seriousness of the offenses, and public interest in crimes of this nature, which tend to spike during the highly anticipated festive Christmas season.

The senior police officer also informed the Court that Coutain in particular, is also currently "on a bond to be of good behaviour from Grenville Magistrate's Court."

However, although he acknowledged the seriousness of the offenses, Attorney Paryag noted that according to the principles of bail, the defendants are innocent until proven guilty and contended that the Prosecution's objections are not serious enough to deny bail to the sus-

pects.

He also reminded the Court of its powers to impose strict conditions to the bail and the fact that "there are persons on bail for more serious offenses."

Noting that the principles of bail are quite clear, Chief Magistrate St. Louis, agreed with the position of the defense and decided to grant bail with very strict conditions.

Both Coutain and George have been ordered to report to the Grenville Police Station daily, surrender all travel documents, and have no contact with the witnesses in the matter, which has been adjourned to March 27, 2023.

## US DEPORTEE COMMITS MURDER IN BOCA

\* From front page

on social media showing the deceased father of two (2), lying on his back on the public road with what appeared to be a stab wound to the left side of his neck, and a significant amount of blood about his body.

Some Boca residents have taken issue with the arrival of the ambulance on the scene of the fatal stabbing some 30 minutes after the discovery was made, and expressed the view that more could also have been done by the Police response team to try and save Alfred's life.

Attorney-at-Law Arley Gill who is representing Penny told reporters outside the court that he did not have much to say about the incident as the Royal Grenada Police Force (RGPF) has not completed its investigations into the killing and that he did not receive disclosure from the Police Prosecution team, led by Assistant Superintendent of Police (ASP) Glen Charles.

"We haven't even received disclosure as yet so there is absolutely nothing that we can say

that will make sense to the press. Those things will be made available to the press in time but (not) at this point..." Attorney Gill remarked.

The mother of the deceased, Dale Alfred, spoke with reporters outside of the courthouse on Tuesday, stating that the sudden death of her "loving and sweet" son came as a shock as she was not aware of him having any conflict with his accused killer.

"I don't know what caused that guy to kill my son. We want justice," said the grieving mother, who told reporters that the murder accused man "was always preaching that he must kill somebody in Boca."

Earlier in the week, a resident of Boca said that several villagers were uneasy since Penny returned to the village after he was deported from the United States about six months ago.

A female said that some of the church goers were afraid to walk the street in the early morning especially to go to their place of worship because he was often seen walking up and down the village in a menacing way and

often issuing threats.

**THE NEW TODAY** also understands that a sister of the murder accused had taken out a court restraining order against him.

Penny faces a maximum penalty of life imprisonment if convicted of Non-Capital Murder in connection with the death of Alfred, who will be remembered by many for the bamboo brooms he made, and sold from door to door in Boca and surrounding villages.

Alfred's sudden death came approximately three (3) weeks after a young mother of six (6) Sharon Williams, was struck to death outside her home in Beaton, St. David on October 31, by her former lover to become the country's 6th homicide.

It is understood that police investigators in the matter have not yet laid a charge against the suspect who allegedly beat the woman repeatedly in the head with a plank, and is said to be still nursing serious chop wounds to one (1) of his arms at the St. George's General Hospital.

### GRENADA NATIONAL COUNCIL OF THE DISABLED

### VACANCY

Applications are invited from suitably qualified persons for the post of **Officer Coordinator** at the Grenada National Council of the Disabled (GNCD).

**Job purpose:**

Responsible for day-to-day operation of GNCD and processing administrative duties to the Board.

**Job Responsibilities**

- Supervise the activities of the clerks.
- Liaise with Government Officials, agencies, friends, and well-wisher of GNCD.
- Maintain and update database of personal information of GNCD community.
- Compile, notify and distribute all documents required for Board meetings and other important Board activities.
- Prepare monthly reports to the Board.
- Maintain an efficient follow up health care program for special community.
- Monitor /adherence to the provision of the personnel policy re employee records, performance appraisal, vacation schedule and other administrative functions.
- Supervision of payroll for all employees.
- Ensure that all GNCD office equipment are in good working condition and premise are properly maintained.
- Plan, coordinate and manage all social activities with the extra special community.
- Plan and maintain effective training in a cost-effective manner.

**Minimum education/experience requirement.**

- Bachelors' degree in Business Administration, Human Resource, Business Management and or Sociology.
- Experience in Office Management
- Knowledge of Microsoft applications.
- Competent in the use of QuickBooks package
- Excellent interpersonal and communicative skills.

Please submit application along with C. V. and three (3) references to:

**The Human Resource Manager  
Grenada National Council of The Disabled  
P.O Box 1201  
Grand Anse  
St. George**

And should reach us no later than **25th November 2022**

Only suitable candidates with the above qualifications and experience would be acknowledged.

# THE NEW TODAY

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The recent spate of criminal activities in the country calls for a rapid response from the Royal Grenada Police Force (RGPF) to send a strong message to the culprits.

It is well known that around this time of the year, the lumpen elements in the society can be expected to get active and engage in all kinds of illegal activities in the hope of laying their hands on easy money.

**THE NEW TODAY** is very concerned about what appears to be a limited number of cops seen around the place – a departure from what has been the norm over the years leading up to the Christmas holiday period.

There is just about every incentive for those criminal elements to

strike especially at those retired public officers who are now the beneficiaries of the millions of dollars being paid out at the moment by the National Democratic Congress (NDC) government of new Prime Minister Dickon Mitchell.

The information in our possession is that some of these people have already started to take out money from their bank accounts in order to give their homes a badly needed facelift.

This is the kind of money that circulates back into the economy and helps the government to raise tax revenues to do the things that the State is often called upon to do for the people of the Tri-island State.

The Police Force has to be very mindful of its

# EDITORIAL

## Need for Pro-active RGPF!!!

responsibilities to protect the people and their property at all times but more so around this time of the year.

This period calls for a much more proactive approach by RGPF to send a strong message to those who are thinking of engaging in illegal activities that it is not business as usual.

The person in charge of Operations within the force should have rolled out the usual Christmas programme by law enforcement for the protection of the State in the build-up to Christmas.

Under former Commissioner of Police James Clarkson, those hot spots in the country controlled by criminal elements would have been put under heavy manners and pressure with constant raids for illegal drugs, as well as arms and ammunition and other illicit activities.

The Police have at their

disposal a number of things in their arsenal to help fight crimes in the country and not using them at the moment.

A pro-active force will use drones to sweep the city and other parts of the country in order to make those bent on creating havoc and fear in the society to understand that the police officers are "on the ball" to handle any situation.

The administrators in the Police Force need to take stock of things, especially the deployment of forces around the island at this time of the year.

Under the previous New National Party (NNP) administration, several persons were employed as Traffic Wardens so that persons attached to the Traffic Department can be engaged in other policing activities.

However, a casual visit to the city will see regular police officers and

Traffic Wardens in the same area doing the same thing.

The Commissioner of Police needs to urgently address this matter and to ensure that the manpower at his disposal is better utilised.

**THE NEW TODAY** is convinced that police officers cannot complain that their new boss, Prime Minister Dickon Mitchell who is also the Minister of National Security has not given them a free hand to do their work and since regime change on June 23 very little changes have been made to personnel within the force.

If the lawmen squander the opportunity and force the Prime Minister to think otherwise and address their shortcomings by making fundamental changes then no one should accuse him of victimisation.

The Congress government should not rule out

possible acts of sabotage within RGPF by elements who are supportive of the former Keith Mitchell-led regime and are resisting the change as a result of the outcome of the recent general election.

There are known elements within the Police Force who owe their position and rise within the organisation due to their affiliation with the NNP.

These persons would also feel emboldened by the frequent messages coming out from well-known quarters within the defeated Keith Mitchell government that Congress cannot last in office and that NNP will be back in power very early in the New Year.

This is just wishful thinking as the current lot in government is not beset by the kinds of difficulties that the then Prime Minister Tillman Thomas had to put up with in the 2008-13 period as those elements of the 1979-83 ill-fated Grenada Revolution brought back bitter memories of the Maurice Bishop/Bernard Coard infighting for control of the revolutionary process.

Prime Minister Dickon Mitchell does not look like an individual who entered the political arena to serve just one term in office and the NNP itself is not ready to be considered as a serious alternative with its

aging leader unfortunately still the face of the party and with no signs of making way for a younger generation of leaders to emerge within the party.

The new government is also currently being bombarded by a vicious NNP propaganda machinery that is very similar to the days of the 1970's when the Marxist New Jewel Movement (NJM) was laying the foundation for the eventual overthrow of the duly-elected Eric Gairy government.

The task ahead for NDC in the New Year to deal with this onslaught is to build on its party structure in order to erect a strong organisation rooted in the people so as to survive the onslaught of the Opposition who are unsure of some of the moves of Prime Minister Dickon Mitchell.

The new Grenadian leader has no choice but to invite a group of outside forensic experts to come in and to get underneath the surface of many of the shady dealings of the previous rulers like the millions put at the disposal of the Faith Organisation that is linked to former Education Minister Emmalin Pierre and the CJ's outfit that is owned and operated by the former Secretary to defeated Prime Minister Keith Mitchell.

Case Number :GDAHCV2022/0320



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

Submitted Date: 23/08/2022 13:24

Filed Date: 23/08/2022 13:25

Fees Paid: 12.00

CLAIM NO. GDAHCV2022/0

IN THE MATTER OF SECTIONS 4 AND 7 OF THE POSSESSORY TITLE ACT, NO. 22 OF THE LAWS OF GRENADA, 2016

AND

IN THE MATTER OF AN APPLICATION FOR A DECLARATION OF POSSESSORY TITLE TO LAND SITUATE AT OLD WESTERHALL IN THE PARISH OF SAINT DAVID IN THE ISLAND OF GRENADA

KEITH RANDOLPH EDWARDS

Applicant

### NOTICE

WHEREAS the applicant, KETH RANDOLPH EDWARDS of Springs in the parish of Saint George in the Island of Grenada, Retired Farmer/Carpenter., by his application filed in the High Court on the 19<sup>th</sup> day of August 2022 claims to have acquired title by more than 40 years adverse possession of the parcel of 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 parcel of land are required to enter an appearance in the Registry in person or by his/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 THAT lot piece or parcel of land situate at Old Westerhall in the parish of Saint David in the Island of Grenada containing by admeasurement Seventeen Thousand Six Hundred and Ninety-Six Square Feet (17,696 Sq. Ft.) English Statute Measure and abutted and bounded on the North by a 15 feet Road Reserve, on the South by lands of Heirs of William Marshall, on the East by lands of Veronica Edwards and on the West by an Estate Road as shown on the Plan drawn by Trevor La Crette, Licensed Land Surveyor. A copy of the said plan is annexed hereto.

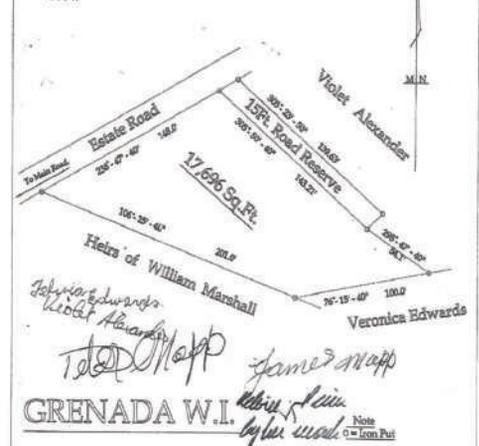
Dated the 19<sup>th</sup> day of August 2022

Registrar  
REGISTRAR  
SUPREME COURT  
OF GRENADA

21-2004 (PART 2)

"R.E." CERTIFIED TRUE COPY OF ORIGINAL DOCUMENT

This is the plan or diagram marked "R.E." mentioned and referred to in the hereto annexed Indenture made between Violet Alexander of the First part the said Violet Alexander of the Second part the said Violet Alexander Felicia Edwards James Mapp Peter Mapp Nelvie Pierre Veronica Edwards and Simone Taylor of the Third part and Keith Randolph Edwards of the Fourth part and dated the 24<sup>th</sup> day of March 2004.



Plan showing - 17,696 Sq. Ft. - of land being part of the Estate of the late Wilhelmina Edwards originally part of Westerhall Estate situate in the parish of St. David surveyed on the 16<sup>th</sup> day of March 2004 at the instance of Violet Alexander for Randolph Edwards

Scale: 1 in = 50 Ft.

Trevor La Crette  
L'cd Land Surveyor

# Is Grenada Serious About Climate Change?

As with other small island states (SIDS), the Caribbean island of Grenada will bear the brunt of the coming climate catastrophe. How prepared are we?

Last week, the annual conference on global climate issues began in Egypt (6th to 18th November 2022). This year's COP27 will build on the outcomes of last year's 26th conference (COP26) in Glasgow to deliver action on an array of issues critical to tackling the climate emergency – from urgently reducing greenhouse gas emissions, building resilience and adapting to the inevitable impacts of climate change, to delivering on the commitments to finance climate action in developing countries.

The mantra of the previous COP26 was "keep 1.5 alive." Unfortunately, the goal of keeping the earth's climate to under 1.5 degrees above pre-industrial levels has all but died (if it was ever really alive). We are now at 1.3 degrees and current projections are for 2.4 degrees by 2100.

The best case scenarios bring that down to 1.8 degrees, but they require the world's carbon emissions to hit net-zero by 2050, which is probably not realistic (although we should still try – every degree matters).

This means that, even if the world reduces its carbon footprint (including by means of yet unproven carbon-scrubbing technology), Grenada will absolutely see increasingly negative effects from a warming global climate in the near future, including sea level rise and extreme weather events. Indeed, we are already seeing some of these now.

Yet, for a country (along with other SIDS) poised to bear the brunt of the worst effects of climate change, Grenada has not been merely under-prepared but actively obstructionist in preparations.

In recent years, we have actually reduced our resilience by actively weakening coastal ecosystems; failed to enact and implement targeted legislation to protect remaining marine and terrestrial resources, and despite receiving millions of dollars in climate funds, we seem to have very little to show for them.

Three issues, namely 'Weakening Coastal Ecosystems, Legislation and Climate Funds have galvanized GLA to share their thoughts.

## Weakening Coastal Ecosystems

Grenada sent its delegation to COP27, to be part of the negotiations and arguments for the world's lack of commitment to financing developing countries in their fight against climate change.

The developing world contributes a minuscule amount towards the effects of climate change and yet is faced with the most damage and destruction. However, while acknowledging this fact, our small island state has been contributing to its own destruction.

In just the past two years, we have seen three (3) mega-resort projects in pristine coastal areas gain approval by the Government, all through the Citizenship by Investment (CBI) program, which has been associated with questionable financial practices or improprieties in other countries.

Three of the largest mangrove forests in Grenada are now under immediate threat at three coastal sites: La Sagesse, Mt. Hartman, and Levera - the last also being Grenada's only RAMSAR-designated site (meaning that it is listed as a wetland of International importance by UNESCO).

Unfortunately, this has not resulted in its protection from threats of destruction, but increased its attractiveness to developers. These three areas are all victims of hasty, pre-approval by the former administration, allowing large scale concrete tourist developments to begin, in some cases, before rigorous environmental impact assessments (EIAs) were conducted, or heeding EIA recommendations when completed.

This is unsustainable coastal development at a time when we need to preserve these coastal ecosystems more than ever.

A recent article in Human Ecology Journal entitled "Mangroves for Money" enumerated the enormous cost of these new mega resorts to Grenada: 59 hectares of mangroves destroyed (20% of Grenada's total), 59k tonnes of extra carbon released from mangrove destruction, \$2-3 million USD lost every year in ecosystem services (e.g., pollination, water quality, fisheries) (Buckmire et al. 2022).

## Legislation

Government failure to act and be vigilant is not for lack of legislation. In the past few years, several important laws have been passed by parliament but simply ignored and not implemented or enforced.

The 2016 Physical Planning Act – a revision of previous planning acts – converted the Physical Planning Unit into a more autonomous "authority" but has only been selectively implemented.

Surprisingly, the present government has yet to set up an EIA committee that is qualified to review studies conducted for planned developments, let alone a Natural and Cultural Heritage committee, man-

dated under the Act to address threats to Grenada's heritage.

Under the previous government, these committees functioned as rubber-stamps, often granting approval well after construction had begun. In cases of government projects (e.g., flood mitigation along the St. John River or the breakwater project in Sauteurs Bay), no EIA was ever attempted. Surely these projects would have benefited from such studies.

Similarly, the Museum Act of 2017 has only been partially implemented – a new board is presumably being convened now, but the Grenada National Museum has been hobbling along as dead weight for years.

The Act granted the Museum broad oversight over archaeological sites throughout the country, yet it was not involved in reviewing the heritage impacts of these mega resorts.

In 2019, government passed the Integrated Coastal Management Act, a comprehensive and progressive legislation for protecting coastal zones with fines for destroying coastal environments, but this has yet to be implemented (e.g., there is not yet an Integrated Coastal Zone Management Unit and no Director has been hired, as required in the Act).

Making matters worse, the Act repealed earlier protection, in the form of the 1979 Beach Protection Act. This leaves enforcement of no sand mining of beaches in Grenada in a precarious situation. Since no regulations or subsidiary legislation have been passed to support the Coastal Act yet, there is no capacity to enforce illegal sand-mining or oversee the impacts of local entities such as Gravel and Concrete which have been given limited permissions to remove sand in specific locations in the past.

Sand mining devastated Grenada's beaches in the late 1980's up to the early 2000's, particularly those on the western side of the island, in the name of cheap sand for the construction sector.

Many Caribbean islands are concerned about the future impact of Climate Change on the region's beaches and low lying coastal areas. However, in Grenada's case simple measures, using existing legislation, to protect and preserve beaches for public recreation and sea turtle habitat are not being utilized. In other cases, lip service was given to international agreements but ignored in practice.

In 2019, Grenada signed the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (aka the

Escazú Agreement). Yet ratification has not been forthcoming.

Among other things, this agreement ensures the public can access all information regarding development impacts and planning decisions – currently up to the whim of Physical Planning, despite legal precedent for access to this information having already been set in the region.

In fact, our current system entitles the developer ownership over the EIA for their project, ensuring the public has no idea what the recommendations were (and thus, if they were followed).

## MPAs and National Parks

The Fisheries Act of 1999 outlines the creation of Marine Protected Areas (MPAs), but while several were listed in the years since, we currently have no actively-managed MPAs on mainland Grenada.

In Grenada, the Grand Anse, Molinere, Beausejour and Woburn/Clarke's Court Bay MPAs have no staff or wardens allocated to managing activities in these areas and no active man-

agement plans. Only the Sandy Island Oyster Bed MPA in Carriacou appears to have active management.

Without enforcement of MPA legislation the marine ecosystems in these areas will be subject to marine pollution, damage from uncontrolled anchoring and destruction of mangroves, seagrass beds due to building of jetties, marinas and large scale developments. # Likewise, the National Parks Act of 2009 laid out the process of protecting areas. In fact, the Act was first passed in 1990, yet Grenada has never had a functional national park system.

Grenada has a protected area systems plan which highlights areas for future protection and studies and draft plans have been developed to support the designation of future marine and terrestrial protected areas, no procedures are taking place to protect these areas.

## Climate Funds

For the past 10 years, on the surface, Grenada has been the poster child for positive action concerning climate resilience and mitigation in the Caribbean.

Grenada has now submitted two NDCs (Nationally Determined Contributions), the agreement to reduce carbon emissions, despite its already low emissions.

As a result of its apparent diligence, Grenada has been the recipient of many bilateral and multilateral cooperation projects to help adapt to and mitigate the effects of climate change, including from the Government of Germany and nearly USD \$65 million (XCD \$175 million) from the Green Climate Fund (compared to 16.5 million USD to St Lucia and 17 million USD to St Vincent and the Grenadines).

The Green Climate funding was earmarked for NAWASA to improve access and delivery of freshwater which will become a major issue in the near future.

It is ironic that the former Minister of Environment and Climate Change, part of the former administration that permitted the massive coastal destruction here in Grenada is being hailed on the world stage and appointed to head the UN climate change body, UNFCCC.

It appears that Grenada's failure to hold its leaders

accountable, coupled with the UN's desire to have SIDS run the UNFCCC, have greenwashed the very people who have done so much harm. Despite this condition comes great opportunity for redemption and it is hoped that the new head UNFCCC will capitalize on it.

The new government in Grenada is also presented with an opportunity to wipe the slate clean and engage in real sustainable practices to preserve our natural resources and vulnerable ecosystems.

The government must implement and enforce the patchwork of laws that are already on the books – the Museum Act, the ICMZ Act, the Fisheries Act, National Parks Act. All proposed projects (whether by government or other parties) must first conduct an approved, scientific EIA before any phase of the project begins. This means that the Physical Development Agency needs to set up the EIA and heritage advisory committees so that qualified, competent people can review these plans.

## Grenada Land Actors

Case Number :GDAHCV2022/0466

FILED  
HIGH COURT  
GRENADA

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

Submitted Date:10/11/2022 11:20

Filed Date:10/11/2022 11:20

Fees Paid:12.00

GRENADA:

CLAIM NO. GDAHCV2022/

IN THE MATTER OF THE POSSESSORY TITLES ACT 2016  
AND

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

IRENE ST. HILLAIRE  
(By her Power of Attorney Mary St. Hillaire)

APPLICANT

Whereas IRENE ST. HILLAIRE of Dudmar in the parish of Saint David in Grenada, by her application filed in the High Court on 26<sup>th</sup> day of October 2022 claim to have acquired title by 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 person claiming interest in the said land are required to enter an appearance in the Registry in person or by his 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 that lot piece or parcel of land situate at Dudmar in the parish of Saint David in Grenada containing by admeasurement Two Acres Two Roods Fifteen Poles (2Acs. 2Rds. 15Pls.). The land is bounded on its many sides by lands of Peter Hazzard and Louisa Moore, a Ravine, a Public Road, lands of Marilyn Mc Kenzie and Jerome Mitchell as shown on the plan drawn by David Abraham Licensed Land Surveyor.

Registrar  
Registrar Supreme  
Court Grenada

# CAREER OPPORTUNITY



## GENERAL MANAGER

The Board of Directors invites suitably qualified persons to apply for the position of General Manager at The Gravel, Concrete and Emulsion Production Corporation (GCEPC).

The General Manager has the primary responsibility to direct the strategic and long-range goals of the organization. This includes the development of plans to increase revenues and sales to current markets and expand into new markets. This position also requires the implementation of cost-effective strategies geared towards improving the efficiencies and effectiveness of the operation to meet the current and future needs.

**The job requires, the job holder to:**

- Collaborate with the Board of Directors (BOD) and managers to develop a 3- year strategic plan for the organization.
- Oversee the implementation of plans and strategies as approved by the (BOD)
- Provide relevant reports and reviews on projects to the BOD as needed and in a timely manner to facilitate decision making
- Provide technical and administrative guidance to improve the efficiency of the organization
- Collaborate with HR to review and update staff manuals and conduct performance appraisal of staff as needed
- Ensure the development of quality assurance policies and standard operating procedures for the organization
- Analyze, review, and approve mining engineering policies, processes, documentation, and operations.
- Perform other related duties as assigned by the Board of Directors.

**Required Skills/Abilities include:**

- Strong management and leadership skills.
- Excellent verbal and written communication skills.
- Thorough understanding of business administration/management inclusive of management, financial, marketing, technological and forecasting skills, strategies, and techniques.
- Excellent interpersonal, organizational and negotiation skills.
- Strong analytical and conflict resolution and customer service skills.
- Proficient with Microsoft Office Suite or related software.

**Required Education and Experience:**

- Master's degree in Business Administration/Management, Mechanical Engineering, or other relevant Flexible industry-related fields,
- At least five years of senior managerial experience in the mining industry, manufacturing or related field.

**Applications must be submitted on or before November 19, 2022.**

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Gravel Concrete, Emulsion Production Corporation,  
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Applications to be sent to:  
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**IN THE SUPREME COURT OF GRENADA  
AND THE WEST INDIES ASSOCIATED STATES  
HIGH COURT OF GRENADA  
(PROBATE)**

**IN THE ESTATE OF PETER ANTHONY WHITEMAN, LATE OF RED GATE, ST. DAVID, DECEASED.**

**TAKE NOTICE** that an application has been filed by Shanic Whiteman for a Grant of Letters of Administration to the Applicant who is the child of the deceased, the deceased having died on the 16<sup>th</sup> day of September, 2022.

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

Dated this 2<sup>nd</sup> day November, 2022.

FIRST PUBLICATION

Filed by the Applicant in person.

The Registry is at Church Street, St. George, Grenada.

Telephone number 440-2030, Fax 440-6695.

The office is open between 8:00am and 4:00pm Monday to Friday except Public Holidays.

# PM Mitchell expresses concern over impact of port strike

"It's always regrettable when industrial action is taken, particularly strike action at the very first sign of a disagreement or dispute, and so we are hoping that rationality, proportionate action, and common sense will prevail, and we are optimistic that this matter can be brought to a conclusion speedily."

Those were the words of Prime Minister Dickon Mitchell, in response to a question posed by **THE NEW TODAY** during a special press conference in St. George's on Wednesday, concerning industrial action taken by workers at the St. George's Port, who downed tools on Monday after a fellow long standing employee of 25 years, was summarily dismissed last week Friday, resulting in huge losses across all sectors.

"I am not just concerned about the impact of the industrial action on the government's coffers. I am more concerned about the impact on the citizens of the country...and businesses, who need the port to trade, both to export and to receive goods...boats that are bringing in goods and services, fuel tankers, and traffickers who have not been able to send their goods to Trinidad," said the Grenadian leader.

PM Dickon Mitchell made the comment hours after returning to the island, after attending the 2022 Trinidad and Tobago Manufacturers Association Dinner and Award Ceremony on Tuesday, where he lobbied for the transformation of trade within the region.

The Prime Minister who is also the Minister of Finance, which has responsibility for the Ports, used the opportunity to reveal that "the Ministry of Labour has intervened in the matter, up to late last night, the Minister of Labour and the Labour Commissioner met with the parties."

"...We certainly expect that from a government perspective, the grievance procedure set out in the Labour Relations Act will be followed and



**Prime Minister Dickon Mitchell - is hoping that rationality, proportionate action, and common sense will prevail**



**TAWU boss Sen. Andre Lewis – the workers are prepared to return to work once the commitments and proposals agreed upon are received in writing**

complied with," said the Grenadian leader.

President of the Technical and Allied Workers Union (TAWU), Senator Andre Lewis, who had "adopted" the strike action taken by Port workers, provided an update on the development on Wednesday, stating that "the Union has agreed with the suggestion and proposals" made by Labour Minister Claudette Joseph and newly appointed Labour Commissioner Valerie Thomas, during a meeting that went well into

the night on Tuesday, however, he did not go into details.

The TAWU boss said Port workers are prepared to return to active duty once "the commitment given to us by the government as to the proposals that they have made which we have accepted without any conditions is received in writing."

"But, we remain hopeful that we can find a resolution to this matter because it is in the best interest of all of us," Sen. Lewis added.

**Silence is the sleep that nourishes wisdom.**

# THE LAGOON TO COME ALIVE

Once again the Lagoon Park is in the news. Based on report of October 29th in the New Today, we the people have been advised that we can expect to see "a transformation" of the Lagoon area close to Bryden & Minors, led by "a group of civic minded persons who have expressed concern about squatting".

The group has already secured the funding for cleaning a particular space in the Lagoon and to give it a facelift.

## Plans for Vending in the Space in the Charge of Camper and Nicholson:

This "group of civic minded persons, concerned about squatting" have been considering plans for vending in the space currently in the charge of Camper and Nicholson. We the people have been further advised that Camper and Nicholson, in charge of the Grenada Yacht Services, has given a commitment to "to make it a community space" and to see the space utilised in order "to bring life to the community but positive life.

## Fish Friday à la Gouyave:

Among the suggestions to bring to life this Lagoon space, under "the charge of Camper and Nicholson", is Fish Friday, à la Gouyave Fish Friday. We have also been advised that Gouyave Fish Friday "died a natural death".

Via the report, we the people were provided with the following details:-

**A Lot of Sellers:** The Gouyave vendors would be able to take part in the Fish Friday along with vendors from the city "as the place is quite big enough to accommodate a lot of sellers". Provided by the Organisers: Tents, tables and chairs would be provided by the organisers to facilitate the Fish Friday. Parking: To get parking space, businesses in the area are being approached - from Bryden and Minors to FOODLAND - to leave their parking lots open to accommodate the vehicles that would bring patrons to attend the Fish Friday.

**Clean-up:** Camper and Nicholson has committed to put a clean-up team at the disposal of the organisers at the end of each day's activity for the clean-up and maintenance of the area.

**Benefit People:** "They really want to do it as a community project now to benefit people."

## Making the Area Lively Again:



Among other ideas "to make the area lively again" are:-

**Steelband Sunday with the Community:** On Sundays, a steel band would be "allowed" to entertain the public and snow cone, popcorn and ice-cream vendors would be "allowed to come and ply their trade".

**Melon/Corn Market:** "On one given night, the area can be used by persons as a melon market, and a corn market on another night with only one single product being sold there."

## Meeting with the Parliamentary Representative

The "organisers" have met with the Minister of Implementation and Member of Parliament for the area to "get him on board" with the project.

## Observations/Comments/Queries

Lagoon Space under the Charge of Camper and Nicholson: One thing is clear! Camper & Nicholson wants to ensure its CLAIM to the space!! Locals vs. Community: One notes that the tone of communication of the "civic minded group concerned about squatting" has changed somewhat and the word "community" has replaced the word "locals".

Grenada Yacht Services/Port Louis Camper and Nicholson Marina: It is rather curious to read that Camper and Nicholson is in charge of the Grenada Yacht Services. We the people are aware of the chain of transactions in respect of what was "people's property":- Grenada Yacht Services - Viktor Kozeny's Blue Lagoon - Poole Capital S.A (of Bru Pearce fame). - Port Louis Land (of Peter deSavary fame) - to Camper & Nicholson Marina Investments (was it of Nick Maris fame?) via Camper & Nicholson Grenada Holdings. Majority shares in Camper and Nicholson Marina Investments then passed to a Hong Kong based company called First Eastern.

So what is this bulls...t about being in charge of Grenada Yacht Services? Have the new owners/developers of the Port Louis development, the landside development - Islander Hill et al - divorced the development

from the Camper & Nicholson Marina? We note that Peter deSavary passed Port Louis and other properties to the "Egyptian billionaire".

Original Deed of Release of October 6th, 2006: The transactions regarding the "people's property" Islander Hill, Ballast Ground, the Lagoon and Lagoon Park, remain a mystery. When Citizens in Defence of Grenada's Lands and Heritage was doing its own research in respect of the transactions, it was taken aback to find that the deed registered - Deed of Release of 17 December, 2007, No. 419/2008, registered on January 22nd, 2008, Liber 4-2008, page 83 - is NOT the original deed which facilitated the conveyance of the property from Bru Pearce's Poole Capital S.A. to Peter deSavary's Port Louis, part of which was subsequently passed to Camper and Nicholson Marina Investments.

It is NOT THE ORIGINAL Deed of Release. This document states that the original indenture made between the parties on October 5th, 2006 referred to as the Principal Release, CANNOT BE FOUND. Thus the indenture of 17th, December, 2007 was made TO PERMIT RECORDING and was also effective as of the 5th day of October, 2006.

**EC\$1.00:** The conveyance of 2007 was signed and sealed by then Minister of Finance, Keith Mitchell, for and on behalf of the Government of Grenada, conveying certain properties to Peter deSavary's Port Louis for the sum of EC\$1.00.

**Green Space/Restoration:** We the people have been advised that "the group of civic minded persons concerned about squatting" has already secured the funding for cleaning a particular space in the Lagoon and to give it a facelift.

**Clean-up and Restoration:** Why was the clean-up not undertaken by Camper and Nicholson Marina years ago? It was part of their obligations under a 3-year arrangement for temporary reclamation to facilitate their establishment of additional berths. Under the licence for temporary reclamation, the obligation of Camper and Nicholson is to clean up and RESTORE the green space.

**Abandoned Barge/Concrete:** Why was that abandoned barge allowed to be there for more than 10 years? How did certain parts of that area end up being concreted?

**Secured Funding:** Is that funding part of the deposit that was required with the

Grenada Ports Authority for the issue of the temporary reclamation licence and intended to finance restoration if this was not properly undertaken by the Marina?

**Making the Area Lively Again/ Do It NOW to Benefit the Community:**

"They really want to do it as a community project now to benefit people." But wasn't "benefits to the people" the reason that Peter deSavary's Port Louis and Camper & Nicholson were embraced? Development and jobs, jobs, jobs.....? The "people's property" was given away for EC\$1.00!!! Is this an admission that what has happened to date really was NOT about community/people?

But wasn't this query/concern publicly expressed by the Citizens in Defence of Grenada's Lands and Heritage and its associates - branded by some as "detractors of progress" - which took actions to bring these concerns to the attention of the public and the "authorities"? Who is benefitting and who is paying?

## 2.1. The Lagoon Park and Vending:

**Gouyave Fish Friday:** Gouyave is the fishing capital of Grenada. Therefore, the Gouyave Fish Friday Festival should be revived not taken to the Lagoon Park. Parking/Toilets et al: The organisers are committing to organise parking. Tents and clean-up services will be provided. The Lagoon Park abounds a "highway". It is unsuitable for the proposed Fish Friday weekly activity. Parking may be available but insufficient.

**Toilets:** The issue of TOILETS has not been broached and these will have to be portable toilets.

Another Wall Street (a la Grand Anse)? The same problems/challenges that have developed in the Wall Street, Grand Anse will be faced at the Lagoon Park. (According to a grapevine, the Parliamentary Representative of South St. George is proposing to relocate the Wall Street vendors to Camerhogne Park ??? Fulfilling campaign promise(s), the grapevine advised!!!! But didn't the Representative's party sign the People's Resolution to protect Camerhogne Park in perpetuity as a "green space" for the "use and enjoyment" of we the people??? But that is another story!) Vending vs. Squatting: Undoubtedly, the issue of squatting, which was permitted to get out of hand by the previous administration, requires urgent attention and resolution. Whose agenda, political or otherwise, did squatting serve?

When did the containers (and concrete making equipment take up residence on Lagoon Park)? A resolution which proposes a version cum Wall Street on the Lagoon Park is inappropriate.

**Squatting on the Port Highway:** The approach to resolving this matter should approach the issue of squatting on the entire Port Highway.

## 3. People's Parks/Not for Vending:

It is my view that the Lagoon Park should NOT be an area approved for vending. It is a green space to be enjoyed by all and sundry, just like Camerhogne Park. As at Camerhogne Park, all and sundry should be able to have activities, from time to time, at Lagoon Park, IF deemed appropriate.

We all know that the People's Park, Camerhogne Park is a busy space: - people of all ages just "chilling"; accommodating school tours; family picnics; birth-

day parties; gospel concerts; fund raising events by various organisations/groups (of all ages) from all over the island etc. etc.

There is NO particular group that lays claim to Camerhogne Park but it is available for the use and enjoyment of all. This is the principle that must prevail in respect of Lagoon Park.

Additionally, we the people must not permit ourselves to be distracted with the immediate "in your face" issue of squatting and "benefits now" for the community/people to the EXCLUSION of the bigger issues.

Beyond the immediate issues, we must also consider the following:-

Original Deed of Release of October 6th, 2006 which cannot be found and which apparently passed, among other property, the ownership of the Lagoon seabed into the control of Peter deSavary for EC\$ 1.00, who later sold to Camper

and Nicholsons Marina Investments.

**Deed of Mortgage:** This Lagoon property was mortgaged by Camper and Nicholson to facilitate the US\$25 mill. to put down berths et al in 2009. Incidentally, this mortgage arrangement was permitted by the administration of the National Democratic Congress of 2008-2013.

Remember that these documents have implications for the rights of access, ownership and control of these properties by future generations. Or have we already lost them courtesy all those "caring" stewards we have been voting into office to look after our interests?

NO TO VENDING ON THE LAGOON PARK!

PROTECT LAGOON PARK!!!

PROTECT CAMERHOGNE PARK!!!

Sandra Ferguson



## Call for Proposals Civil Society Organisations (CSO) Programme: Supporting more inclusive societies in the Eastern Caribbean

Publication reference:  
EuropeAid/174209/DD/ACT/Multi

The Delegation of the European Union to Barbados, the Eastern Caribbean States, the OECS and CARICOM/CARIFORUM is seeking proposals for projects aimed at enhancing CSOs contribution to sustainable development and good governance in the Eastern Caribbean, with financial assistance of the EU CSO Programme.

The full Guidelines for Applicants are available for consultation off the following internet site:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?ADSChck=1659699544874&do=publi.detPUB&searchtype=QS&orderby=upd &orderbyad=Desc&nbPubliList=15&page=1&aoref=174209>

### Deadline:

The deadline for submission of concept notes and full proposals (open call for proposals procedure) is **10 January 2023 at 9:00pm** (Brussels date and time).

For this call for proposals, online submission via PROSPECT is mandatory.

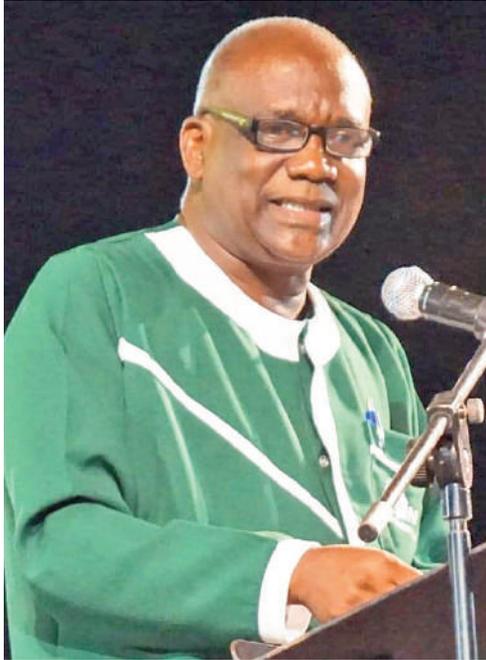
[www.ec.europa.eu](http://www.ec.europa.eu)

# Oliver Joseph challenges PM Dickon Mitchell

Former Foreign Affairs Minister Oliver Joseph has issued an open challenge to new Prime Minister Dickon Mitchell to provide proof and evidence that US\$140,000 from the sale of a Diplomatic passport to a Polish national ended up in a bank account of the South St George constituency branch of the New National Party (NNP).

Appearing on "To the Point Programme" on the Grenada Broadcasting Network (GBN) Tuesday, the defeated Member of Parliament for St David denied claims made by the Grenadian leader that the arrangement with the individual was for payment of US\$290,000.00 to get the diplomatic appointment and passport and that only US\$150,000.00 ended up in the Treasury.

"I am saying here categorically he (PM Dickon Mitchell) cannot produce any Cabinet Conclusion to show that US\$290,000.00 was supposed to come to the government and only US\$150,000.00 came and the other US\$140,000.00 went into South St George



**Ex-MP Oliver Joseph – is confident that no Cabinet Conclusion exist for a US\$290,000.00 payment**

Constituency – he cannot prove that.

According to ex-minister Joseph, the Polish man did pay the US\$150,000.00 to the Treasury and Prime Minister Dickon Mitchell did acknowledge that he had a receipt showing the existence of this

amount of funds.

"I am saying that if he has any evidence of a Cabinet Conclusion which says he has to pay US\$290,000.00, he could publish it – come forward with it," he said.

"...I am certain that there is no Cabinet Conclusion that asked

the gentleman to pay US\$290,000.00 – none," he added.

The ex-government minister also challenged PM Dickon Mitchell to provide proof that \$US140,000 from the so-called payment of US\$290,000.00 went to the NNP South St George constituency. "He must prove that – prove how any government minister or public servant could get out from the Treasury \$US140,000.00 (and send) to a party Constituency office fund – let him prove that," he told the host of the programme.

"I challenge him to prove that – he could never prove that, so that is totally misleading the statement that he made," he said.

The former NNP minister described the transaction with the Polish national as not an admittance by the former regime that it was involved in the sale of diplomatic passports.

He said the policy of the NNP regime is that foreign nationals who planned to help the government as Ambassadors were required to make a payment of US\$150,000.00



**Prime Minister Dickon Mitchell – a challenge has been thrown out to him**

in a Technical Fund within the government's Consolidated account in the bank.

He said the money was being asked for from these persons who approached the government to work for free "as an indication that you are prepared to work and help" with the development of Grenada.

The money, he added, is intended to make sure that these persons are not coming

forward to help solely on the basis that they just want a diplomatic passport.

Prime Minister Dickon Mitchell has maintained that he has a Cabinet Conclusion which alludes to payment of US\$290,000.00 for the diplomatic passport by the Polish national.

He also said that the passport was never issued to the individual who has been calling on the new Congress

administration to return the money to him.

The Prime Minister has said that he has no intention of returning any money as the gentleman took a gamble on the passport issue and lost out on the deal with the previous rulers.

In the June 23 general election, PM Dickon Mitchell defeated ex-Minister Joseph in the battle for the St David constituency.

## Get It REsolved

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<https://covid19refunds.caribbean-airlines.com> or

SCAN HERE



# Strike on port as female employee is sacked

The sacking of a female worker after 25 years of service at the Grenada Ports Authority (GPA) has resulted in a full-blown strike action on the St. George's Port as workers demonstrate how far they are willing to go if management does not rescind its decision to dismiss the longstanding employee on grounds of poor performance.

"Our focus right now is on getting back the sister her job," was the stern response of President of the Grenada Technical and Allied Workers Union (GTAWU) Senator Andre Lewis in an interview with **THE NEW TODAY** on Tuesday.

The trade union leader was probed about the ongoing strike action taken by GPA workers, who downed tools on Monday following what they viewed as the "unfair" termination of the female coworker.

Sen. Lewis said that because the matter is "fresh," he did not want to "do or say anything that may contribute (in) one way or the other to not finding a settlement," for the terminated employee, whose dismissal came a few years short of her becoming eligible to

retire from the Public Service.

"Based on where we are now, and the action taken by the Port," which is a major revenue generator for the State, Sen Lewis, who has publicly adopted the position of the workers to stage the impasse, which comes amidst the usually busy Christmas season said, "the workers are dissatisfied, and that's why they are outside here in solidarity with the worker."

Day two (2) of the impasse saw affected traffickers, who usually trade perishable and non-perishable items every week, outside the GPA compound where they sought permission to at least be able to load their goods onto the boat for shipment to neighbouring Trinidad and Tobago, to avert hundreds of dollars in losses.

Sen. Lewis, who is also the President of the Trade Union Counsel (TUC), was also seen empathising and advising affected traders on the outskirts of the GPA building.

He disclosed that he had "indicated to them (the traffickers) that this matter lies in the hands of the Port, and that they can approach the



**Sen. Andre Lewis - engaging affected traffickers who were eventually granted permission by Port Management to export their goods on Tuesday**

Port" on the issue, and that "we (at GTAWU) are confident that if the Port is sympathetic towards them, the matter can be resolved, and they can be assisted."

The affected traders noted that they have not been able to clear their imports from the Port since last week Thursday but their requests were granted to load goods for export to neighbouring Trinidad onto the waiting cargo boat with the help of workers, who **THE NEW TODAY** understands was temporarily hired to assist the GPA during

the already usually active Christmas season.

Sen. Lewis has confirmed reports that the Minister for Economic Development, Lennox 'Toes' Andrews, who this week served as Acting Prime Minister in the absence of Grenadian leader, and the line Minister for GPA, Prime Minister Dickon Mitchell, who travelled out of state, visited the GPA on Tuesday, where he held brief discussions with the employees, who continue to call for management to rescind their decision.

"He (Min. Andrews) met with the workers, and we are still where we are, the matter is not yet resolved," said the TAWU boss.

In a press release on Tuesday, the GPA sought the understanding of the general public for the delays caused as management defended the decision to terminate the female employee, after an internal investigation found that she was "central to a breach of the procedure with the GTAWU representation," following the discovery of some "irregularities in the procedure used to

authorise exit passes," during a routine audit, in a matter that was "referred to an investigative Government department for a comprehensive probe."

The GPA, which is currently managed by Ian Evans, is of the view that actions of the employee were synonymous with negligence, and was considered a summary offense under the disciplinary provision of the Collective Bargaining Agreement with the GTAWU," the release said.

Sen. Lewis, questioned whether the allegations

warranted the summary dismissal of the worker after all these years of service, and expressed the "hope that the matter can be resolved as soon as possible."

He also placed on record TAWU's readiness "anytime a meeting is scheduled" by the relevant authorities to discuss the issue.

"We (the union) will attend," he remarked.

The GPA is responsible for the administration and operation of Port of St. George's, as well as jurisdiction over Prickly Bay, St. David's Harbour, and Grenville, on the main island along with Tyrrel Bay on the sister island of Carriacou.

The GPA is a statutory body controlled by the Minister of Finance, who appoints the Chairman, and Board of Directors.

The current GPA Board of Directors comprises Ron Antoine (Chairman), Permanent Secretary in the Ministry of Finance Mike Sylvester, Commissioner of Police Edvin Martin, Chevonne Spencer-Joseph, Finbar Linton, and George Bain along with Acting Comptroller of Customs, Algernon Belfon, and Sheena Lewis.

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# Percival Clouden interested in returning to CBI programme

Former Grenada passport-selling czar, Percival Clouden is interested in returning to the job as Chief Executive Officer (CEO) of the Citizenship By Investment (CBI) programme.

Well-placed sources told **THE NEW TODAY** that Clouden has reapplied for the job to serve under the 5-month old National Democratic Congress (NDC) government of Prime Minister Dickon Mitchell.

According to one source, Clouden is among two former CEO of CBI who submitted application documents to the new board that is headed by accountant Richard Duncan, the

former Managing Director of the Grenada Co-operative Bank Limited (GCBL).

When contacted for comment, Duncan declined to indicate whether Clouden had applied to get back the job.

He said that the new board is currently in the process of going through the applications and was not at liberty to disclose the list of applicants.

There are unconfirmed reports that Clouden's name has been short-listed for further consideration from among other applicants.

The former CBI boss quit the job just over a year ago allegedly on grounds of health but

reports had circulated in some quarters about an ease in the once close relationship with then Prime Minister Dr. Keith Mitchell under whose portfolio the CBI fell.

**THE NEW TODAY** reported back then that Clouden, the brother of prominent attorney-at-law, Anselm Clouden, had sent in a letter of resignation amidst reports that he "was experiencing strained relations with Prime Minister Mitchell in recent months over a number of issues pertaining to the selling of passports which took a nosedive in sales following the Coronavirus pandemic in March 2020."

The report went on: "It

is alleged that PM Mitchell wanted Clouden to process a number of applications for passports outside of the usual system put in place including assistance from the major Western security bodies like the Federal Bureau of Investigations (FBI) of the United States and Britain's MI-5."

According to the source back then, an approach was made to the CBI boss "to process these things, just get things going without getting the proper authorisation" from those overseas bodies that help conduct the due diligence of applicants for passports.

He said the issue that

really broke the Camel's back in the Clouden/Mitchell relationship came at a time when the Prime Minister, apparently out of frustration, used the words to him, "I will throw you under the bus" at a meeting.

The Grenadian leader has built up a reputation over the years for using people and then discarding them when they are no longer considered as useful to him.

The source said that after those words were thrown at him by the Prime Minister, the CBI Chief decided it was about time for him to make his departure from the job.

He told **THE NEW TODAY** that the first



**Percival Clouden – has reapplied for his old job**

showdown between PM Mitchell and Clouden came one day when the CEO dismissed a key female supporter of the ruling New National Party (NNP) for alleged non-performance on the job.

He said that Clouden took the decision to fire the individual as part of a plan to restructure the organisation and to weed out a number of persons who were "wasting time" on the job.

"The big man (PM Mitchell) tell him (Clouden), you can't move so, that has to go through the Public Service and they had to take back the lady".

The source said that in recent times, Clouden had increasingly become totally "dissatisfied with the way things going" at CBI with sales dropping and the pressure coming from the government quarters in the Ministerial Complex at the Botanical Gardens.

Another source had told **THE NEW TODAY** that he had a private conversation with Clouden on his association with Prime Minister Mitchell and his ruling New National Party in the running of the CBI programme.

He said that on one occasion, Clouden told him, "I don't want to get myself involved in anything (wrong)."

"He (Clouden) was very upset with himself," the source said but quickly added that the CBI Chief did not elaborate on his concerns in the conversation.

According to the source back then, within the past three months, he formed the impression that Clouden got "dissatisfied with that (pressure) and the man (Keith Mitchell) got dissatisfied with him – he ain't doing what somebody wanted him to do".

In addition, Clouden is said to have angered the powers-that-be in the manner in which he held up a hotel project in the south of the island as the investor

was not allegedly properly cleared in terms of the necessary due diligence.

"He (Clouden) got fed up with the man (Mitchell) too," the source told **THE NEW TODAY**.

Clouden is a retired banker with over 25 years of experience in the U.S Virgin Islands and on his return home to live permanently a few years ago was reportedly approached by Prime Minister Mitchell to help him streamline the problematic CBI programme which was dogged by a number of controversies since its inception.

The Carriacou-born native was initially appointed as Chairman of the Board of Directors of CBI and then to the CEO position at the passport scheme.

When contacted via cellphone..... for comment on his resignation, Clouden said that he was having lunch and promised to call back but never did.

When he did not call after a few hours, **THE NEW TODAY** called again and he denied any rift between himself and Prime Minister Mitchell, saying that his resignation was due to health reasons and that he was due to leave the island soon for an extended period to take care of himself.

The former CBI CEO described the relationship with the Prime Minister as "very cordial" among them for over 50 years and reflected on the days when he served under Dr. Mitchell's captaincy as the fast bowler for PBC.

The Mitchell/Clouden relationship started off during their school boy days at Presentation Brother's College (PBC) with the two of them representing the school on the field of cricket.

Clouden is believed to have made a number of contributions over the years to the NNP cause in general elections."

## JOIN OUR TEAM

# BRANCH MANAGER

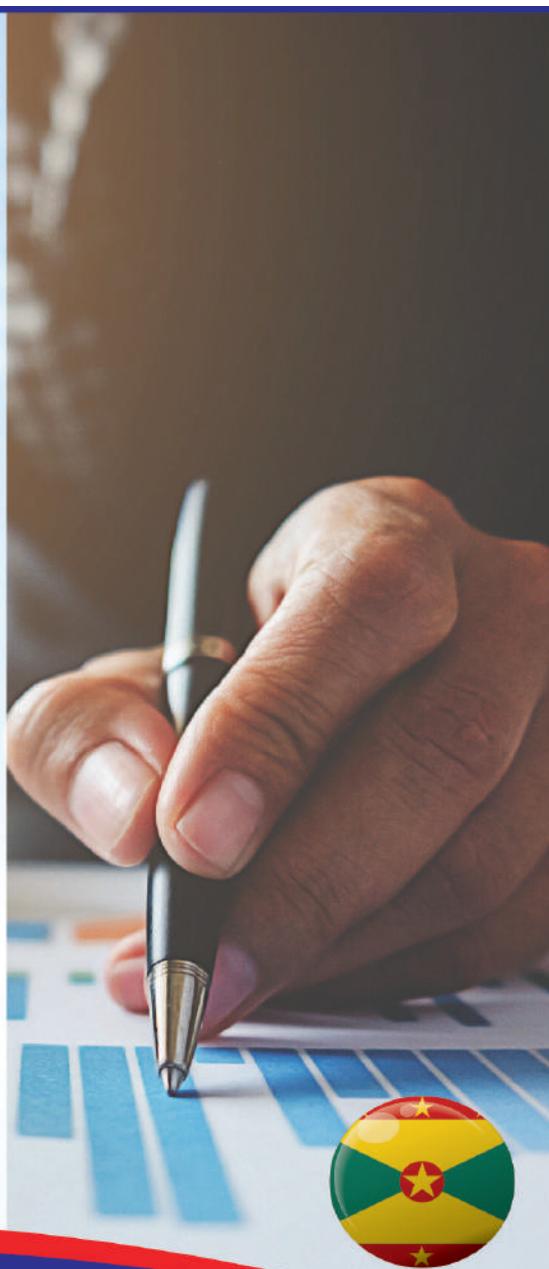
• Grenada Branch Office •

Primarily responsible for the smooth and efficient running of the Grenada Branch Office on a day-to-day basis.

Is expected to manage the team of administrative staff while giving support to the Sales Team.

### Requirements

- A degree in Management or related discipline
- Experience in an administrative role
- Knowledge of software packages
- Good interpersonal and time management skills.
- FLMI or other insurance certification and previous experience in an insurance related environment would be an asset.



Applications together with resumes

should be sent to the Chief Executive Officer:

61-62 Avenue of the Republic and Robb Street,  
Georgetown, Guyana

or via email at: [m\\_desantos@demeraramutual.com](mailto:m_desantos@demeraramutual.com)

Application deadline: December 9, 2022

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# A Response to Country Man - Transition Politics

By Special Correspondent

One of the main objectives of an opinion piece in a newspaper is to address current events and issues, formulate and share points of views that would be of interest to readers. In the process, the article should educate and provoke discussions among readers.

The fact that Country Man by his own admission said the articles have good ideas, however he doesn't share all of the views is consistent with the objectives of the series of articles.

The litany of positive responses to these

opinion pieces from readers both in Grenada and as far as the United States and England are testimony to the level of interest and discussion that is generated. I had no interest in being a transition lead, however I responded in response to the call by the young Prime Minister for citizens to share ideas and solutions.

Moreover, I speak truth to power not one to sugar coat anything, as I say it as I see it. If the head of the transition team and other members consider my comments as criticism they are dead wrong.

Country Man said I am sympathetic to the government because I

want them to succeed because if they do Grenada and its citizens will benefit.

As I said before, I share my ideas to educate and provoke discussions among readers, the government doesn't have to go along with it however they are reading.

Country Man should note the five (5) pillars talked about during the budget consultations are different to the government's recent pronouncement on the priority areas for transformation. In fact those areas are actual sectors, many of my opinion pieces advocated for consideration of the sectoral approach to transfor-

mation.

Whether the government takes on board the suggestion to have two phases and focus on three sectors, agriculture, health and information technology jointly in the first phase to take advantage of synergies between those sectors is up to them. The aim has always been to put forward ideas for discussion.

Criticism of the transformation process was made in the context of highlighting the pitfalls of keeping holdovers from the defeated government in positions where they can frustrate the new government's efforts.

This is not groundless



NDC leader and now Prime Minister Dickon Mitchell leads his team on the campaign trail for the June 23 general election

since there are many recent instances where ministers appear to have been ill-advised by senior managers

when attempting to correct wrongs of the defeated government.

The letters that were sent out and had to be recalled by the Ministry of Sports is a case in point. Similarly, increase of the contract price by over one hundred percent for road rehabilitation is another. Currently, the matter of industrial action at the St. George's port raises the question, why now?

This strike on the port has started just when the government has started to make good on a major campaign promise to pay pensioners and increase the importation of goods on the port with Christmas fast approaching.

Importers have been struggling to get goods because of global supply chain issues and now they have to face the prospect of their goods being sent to another port or back to the port of origin. This is not only frustrating but can result in higher prices due to port rent charges and shortages as well.

Could the holdover Chairman of the Port Authority Board and management not take a different approach that would have averted strike action? Knowing the sensitive nature of the situation and players involved, was this a subtle attempt to take the wind away from the government sail as they pay pensioners?

After all the strike action has dominated the airwaves for two days now placing pension payments on the back burner. Could this be an attempt to further malign a senior government minister who has demonstrated excellent performance so far?

I would say it again with no apology, keeping these holdovers from the defeated government in senior positions where they can frustrate government's

efforts is a clear and present danger to the new government and it's time they wake up from their slumber.

Many of the rumours on the above mentioned minister swirling around came from persons on the said government board and it is not far fetched to see the coincidence with the strike, pension payment and increased efforts to malign the performing minister.

I say to Country Man, am not living under a rock. Maybe it is you that is, because the attempt to malign a senior, competent, known performer in the public service fell flat on its face with half-baked allegations that are over a decade old. Look at the three persons whom you claimed made these allegations?

All of them are shady characters void of integrity. None of the allegations made by these questionable characters stood up under scrutiny. In fact, I was informed that a subsequent audit conducted on the MAREP project you referred to turned up instances of serious irregularities by one of the same persons you yourself admitted is a questionable character.

The public officer whom you tried to malign had nothing to do with these regularities.

Contrary to your assertion, the senior public officer in question is still the substantive holder of the position while an incompetent person is being paid a tidy sum on contract who can't function properly in the said position.

The government is paying over twenty four thousand dollars every month to have two officers hold the same position.

Country Man, it is you who is living under a rock because during the tenure of the senior public officer as head

(Continue on pg 26)

## Appointment of Director, Republic Bank (Grenada) Limited

Ms. Carlene Seudat



Ms. Carlene Seudat will replace Mr. Parasram Salickram as a Director on the Board of Republic Bank (Grenada) Limited with effect from 15th November, 2022. Carlene is currently the General Manager, Shared Services of Republic Bank Limited, a position she has held since February 2020.

She is a career banker with considerable Risk Management and Corporate Banking experience, having worked in the industry with the Scotiabank Group for more than two decades.

Ms. Seudat holds a Bachelor of Science in Accounting and Business Management from the University of the West Indies, St. Augustine, Trinidad. She has completed the Executive Training Rotation, Corporate Banking Risk Management, Global Risk Management – Toronto, Canada; and the Executive Training Rotation, Collections Center of Excellence, Shared Services Campus – Mexico City, Mexico.

We are proud to welcome Ms. Seudat to the Board of Directors of Republic Bank (Grenada) Limited.

# Attorney-at-law bows out in disgrace

\* From back page

The Defendant has accepted responsibility for having received moneys for Mr. Ganpot whilst acting on his behalf and for having failed to disburse them to Mr. Ganpot when required to do so.

The Defendant has admitted that all cheques issued by her law firm were signed by her and that she must have used up Mr. Ganpot's funds.

The Defendant seeks to attribute the appropriation of Mr. Ganpot's money to improper acts of an office administrator, formerly employed by her and who has allegedly since left the jurisdiction.

The Defendant appears in consequence thereof to have committed one or more acts of professional misconduct contrary to Clauses 2(2) and 81 of the Code of Ethics and Section 54(1) of the Legal Profession Act.

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.

On 19th March 2014 Mr. Ganpot applied for an order for committal of the Defendant for contempt of court arising from breach of an Order made herein on 6th February 2013 and for an Order that the conduct of the Defendant relating to this matter be considered by two Judges of the Supreme Court for the purpose of



Attorney-at-law Alban John - represented the aggrieved party

determining whether the Defendant should be suspended from practicing as a Barrister and Solicitor or removed from the Court's Roll, pursuant to section 82 of the West Indies Associated States Supreme Court (Grenada) Act, Cap. 336 of the Continuous Revised Edition of the Laws of Grenada.

The Defendant has filed evidence in response to this application, and has also applied to vary the terms of the applicable payment order, on 5th December 2014, on grounds that her financial position is precariously insufficient.

Upon the Claimant's Application coming on for hearing on 13th November 2014, the Court ordered that the act by the Defendant, her servant or agent of apparently misappropriating client funds is to be referred to the General Legal Council pursuant to section 34(3) of the Legal Profession Act, No. 25 of 2011, as amended, for further investigation and, if appropriate, action. This has now been done.

Moreover, without prejudice to such a referral, the Court directed the parties to file written submissions on the question whether the Court has jurisdiction to determine an application by a Claimant for an Attorney-at-Law to be struck off from the Roll, directly under the West Indies Associated States Supreme Court (Grenada) Act or otherwise.

This question arises because at the time of hearing of Mr. Ganpot's Application (and possibly now as well) the General Legal Council was, so the Court understands, not fully constituted and/or not operational.

Section 35 of the Legal Profession Act provides a detailed procedure for making a complaint before the General Legal Council. Its essence is to ensure procedural fairness, especially to the Attorney-at-Law who may be found liable to discipline, as well as a sufficient degree of privacy to enable allegations of misconduct to be thoroughly ventilated, but with the Council's findings being pronounced in public.

No set procedures attend the exercise of the Supreme Court's disciplinary jurisdiction by the Tribunal comprising of at least two judges.

That is not a deficiency, as the application of principles of procedural fairness is inherent in the exercise of judicial powers. By contrast the General Legal Council is to be constituted by a mixture of Judicial Officers, Attorneys-at-Law, and laypersons.

Pursuant to section 37(2) of the Legal Profession Act the General Legal Council does not have the power to remove a barrister or solicitor from the Roll. That is a power reserved by the Legal Profession Act, by section 37(2)(a) and (3) to the Supreme Court, to be exercised "in accordance with section 82 of the West Indies Associated States Supreme Court (Grenada) Act, Chapter 336" by any two judges of the Supreme Court.

By section 37(2)(b) the General Legal Council has power to suspend a practicing certificate of an Attorney-at-Law.

Section 37(3) provides:

"Any two judges of the Supreme Court may, upon hearing an application made by the Council under this Part, order the suspension of an attorney-at-law or have the name of an attorney-at-law struck off the Roll."

Section 82 of the West Indies Associated States Supreme Court (Grenada) Act, Cap 336, provides: "Any two Judges of the High Court may, for reasonable cause, suspend any barrister or solicitor from practicing in Grenada during any specified period, or may order his or her name to be struck-off the Court Roll."

In the context of a possible risk to the public, the Claimant asks the Court to take judicial notice of allegations of a similar nature in the earlier matter referred to above, in Claim No. GDAHCV 2002/0101 - Cecilia Yvonne James vs Brenda Wardally-Beaumont, of which the present matter appears, if the Claimant here is right, to be a troubling and even more financially significant recurrence. The Defendant is also well aware that there is no standing disciplinary tribunal consisting of two judges to which a complainant could direct a complaint.

The cumulative effect would be that the complaint would languish in abeyance whilst the Defendant could contin-

ue to practice untouched - and untouchable.

It must also be right that the Court should not be prevented by the absence of a properly constituted and functioning General Legal Council from exercising discipline over its officers.

The effect of the interpretation urged by the Defendant is for the absence of a General Legal Council to reduce the Court to a toothless, supine invertebrate, helplessly spectating as its own officers unscrupulously divert and consume the money their clients have entrusted to them. That cannot have been the legislature's intent.

On the contrary, the Court has a virile and vigorous common law jurisdiction, expressly preserved and recognized by section 40 of the Legal Profession Act,

which Parliament clearly intended the Court to use, as it considers appropriate, where the procedures involving the General Legal Council appear to the Court to be un- or less suitable, or unavailable.

The act of a Court in referring a matter to two such judges is distinct from the act of suspending from practice or striking from the Roll. There is no statutory requirement that such a referral must also be done by two judges. Such a referral appears to fall squarely within the procedural discretion included in the summary jurisdiction mentioned by Lord Wright.

Thus, in the exercise of this procedural discretion, and for the reasons stated, the Order of the Court is as follows:

(1). The whole conduct of the Defendant relating to this matter shall be considered by a disciplinary tribunal comprising at least two judges of the Supreme Court for the purpose of determining whether the Defendant shall be suspended from practicing for a specified period or be struck off from the Roll, pursuant to section 82 of the West Indies Associated States Supreme Court (Grenada) Act, Cap 336;

(2). There shall be established such a disciplinary tribunal by the Registrar, in consultation with the Judicial and Legal Services Commission;

(3). A notice of first hearing of the matter before the disciplinary tribunal shall be given to the Defendant and the Claimant via their respective solicitors of record in this Claim.

(4). At such first hearing the disciplinary tribunal shall give directions as to the further hearing of the matter, including as to granting any other interested parties an opportunity to be heard;

(5). The disciplinary tribunal shall take into account all the circumstances of the Defendant's conduct, such as it may be found by the disciplinary tribunal, including whether the said conduct concerns a single event, or a repetition of previous conduct, and the degree of responsibility that ought properly be ascribed to the Defendant;

(6). The disciplinary tribunal shall be entitled to instruct Counsel to act as amicus to the tribunal, the reasonable cost thereof to be met in the first instance by the public purse of Grenada;

Gerhard Wallbank  
High Court Judge (Ag)

<b>Position</b>	<b>Advisor for Climate &amp; Outreach</b>
<b>Employer</b>	The German Development Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, (GIZ) GmbH; Program "G-CREWS "
<b>Place and Schedule</b>	Full time; <u>Project office in Grenada</u> , occasional regional or international missions
<b>Duration</b>	January 2023 until December 2024, with possibility for extension
<b>Duties</b>	<ul style="list-style-type: none"> <li>Supporting the Government of Grenada to integrate the water sector into Grenada's climate agenda</li> <li>Support the Government of Grenada in sharing the project's lessons learnt with the CARICOM and OECS region and initiating concept note development</li> <li>Assist in the operation of a Community of Practice (CoP) within the Caribbean Community (CARICOM) region on climate resilience in the water sector</li> </ul>
<b>Profile requirements</b>	<b>Qualifications</b> <ul style="list-style-type: none"> <li>Masters/MSc related to water, environment, or climate</li> </ul>
	<b>Professional Experience and required competences</b> <ul style="list-style-type: none"> <li>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</li> <li>First-hand experience in project implementation and multi-stakeholder coordination across various sectors in the CARICOM or OECS region</li> <li>Technical comprehension and experiences in working with UNFCCC-related processes</li> <li>Experience with stakeholder coordination and knowledge management systems in the CARICOM region or OECS region;</li> <li>Previous work experiences with International Climate Initiative and/ or Green Climate Fund processes would be an asset;</li> <li>Experience with public awareness-raising activities would be an asset</li> </ul>
<b>Application Information</b>	<b>Languages, applications and other competences</b> <ul style="list-style-type: none"> <li>Excellent organizational skills</li> <li>Excellent communication and networking skills</li> <li>very good working knowledge of ITC technologies (related software, phone, fax, email, the internet) and computer applications (e.g. MS Office)</li> <li>Ability to work in a team</li> <li>Valid driver's license or willingness to acquire one</li> <li>willingness to upskill as required by the tasks to be performed - corresponding measures are agreed with management</li> <li>Candidate must be a Citizen of Grenada or be allowed to work in Grenada.</li> </ul>
	<b>Documentation</b> <ul style="list-style-type: none"> <li>CV (max. 2 pages) and Motivation letter</li> <li>All in PDF &amp; in English, max size 4MB</li> </ul>
<b>How to apply</b>	Applications are received only via e-mail by <b>02.12.2022</b> to the following address: <a href="mailto:HRCaribbean@giz.de">HRCaribbean@giz.de</a> Reference "Advisor for Climate & Outreach"
<b>Please note</b>	<ul style="list-style-type: none"> <li><b>Incomplete credentials will be discarded</b></li> <li><b>Please do not forget the Reference Subject of the e-mail</b></li> <li><b>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.</b></li> </ul>

# Caribbean paradise needs a beautician

By Cdr. Bud Slabbaert Destinations that ignore or neglect beautification will not make it in any top-five or even top-ten rankings and will just be considered ordinary and mediocre. Such will become their reputation and they will not attract more visitors regardless of how high the tourism promotion budget is. The prefect paradise destination doesn't need



Enjoying the beauty of nature in the tropics

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

**ESTATE OF RAPHAEL EUSTACE MATHLIN DECEASED**

**TAKE NOTICE** that an application has been filed by Janet Cheadle also known as Janette Cheadle of 31 Ambrose Avenue, Hatfield, Doncaster DN7 6QQ, England for a Grant of Letters of Administration to the Applicant who is the daughter of the deceased, the deceased having died intestate on the 9<sup>th</sup> day of January, 2021.

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

Dated this 16<sup>th</sup> day of November 2022.

Lisa Taylor & Co.

Filed by: The Law Office of Lisa Taylor & Co., Saint Michael, Lucas Street, St. George's Grenada, Attorneys-at Law for the Applicant.

**[SECOND PUBLICATION]**

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

**ESTATE OF IRIS CHARLES, DECEASED**

**TAKE NOTICE** that an application has been filed by Denise George of Corinth in the parish of Saint David for a Grant of Letters of Administration to the Applicant who is the daughter of the deceased, the deceased having died intestate on the 12<sup>th</sup> day of December, 2009.

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

Dated this 16<sup>th</sup> day of November, 2022.

Lisa Taylor & Co.

Filed by: The Law Office of Lisa Taylor & Co., Saint Michael, Lucas Street, St. George's Grenada, Attorneys-at Law for the Applicant.

**[FIRST PUBLICATION]**

much of a budget, because the dream bliss will be cherished by eagerly visiting travel journalists who are writing articles with the most amazing expressions of adoration. Their word gets out to broad audiences that are interested in finding the sizzling hot-spot for a next vacation, or maybe even interested in a form of investment for repeat visits.

The published awesome descriptions of the reporter's experiences will stick in the mind of potential visitors like a stroke of magic. The preference and subsequent arising demand will be noticed by travel agents as well as the route analysts and planners of airlines.

Courting travel agents and airlines which some consider the right strategy, may be a weak effort if the destination's tourism product is just about average or less. At the end is all about what individual visiting guest's desire and yearn for a tropical paradise.

The destination beautician is the person whose job it is to improve the appearance of the destination by using the beauty features of nature. This beautician is the angel from paradise who will be the guiding light for the stakeholders of hospitality and tourism at a destination.

The beautician is a nature aesthetician who focuses on keeping a destination looking phenomenally idyllic, with a view to establishing the meaning and validity of the dream of a lifetime destination for stay-overs, as if it is to be applicable to the fine arts of life.

Unfortunately, no destination has such an explicit paradise beautician on the payroll or as a consultant. Probably never thought of it that such a person could exist who could actually do some magic that others lack.

Maybe creating such a proficient position should be a top priority to advance uniqueness, class, and style for increasing a destination's attraction level. The beautician can be a stylist to create a particular kind of stunning magnificence of a destination that may set it apart from others.

The valued wealth of a destination lies mainly in its natural beauty. The dream getaway par excellence must be the embodiment of the ultimate tropical paradise retreat with breathtaking decor and scenery, reminiscent of the natural beauties displayed by lush verdant vegetation and tropical flowers galore.

Look around you. Is that what you see now? What is missing? Maybe an ecosystem depicting grace, serenity, sacredness, and beauty at the same time?

People are living in a world that ought to be better and they need help to find a way. When times are rough, an escape is desired. All the unpleasantness of the world can best be forgotten in the beauty of nature!

People want to rejuvenate; the word rolls off the tongue easily, like a gentle tropical breeze. Nothing makes its way more directly to the soul than beauty. And as for beauty being only skin-deep... that is baloney. It is not just what is seen with the eyes, but also with the heart and emerging emotions.

Let visitors get into an eco-system to be soothed and healed, and to have their senses put in order. The location should have the words "come and unwind in paradise" written all over and doesn't disappoint.

Beautification is much about creating a space in which to enjoy relaxing moments and focus on one's well-being while surrounded by plants and exotic flowers that give an original paradise-touch to a dreamy tropical garden appearance.

The Caribbean climate is beneficial, as it allows tropical flowers and fruits to thrive. There's something about tropical blossoms that just screams "paradise." The striking blooms with exotic shapes of the endemic exotic flora come in various colors, from vibrant yellows and oranges to deep reds and purples.

Let it be a space where tasty tropical coconut water is discovered and if so desired enhanced by a whiff of spirit as a sweet combination for love and re-hydration. Mind that nature's purpose of this liquid is to serve as a suspension for the endosperm of the coconut during the nuclear phase of development. Just imagine what that can do, that an ice-cold 'rum-coke' with or without a cocktail cherry cannot do.

Too often there is an aim to create a destination that is a kindergarten for grown-ups with adrenaline spiking adventure rides. Every so often existing valuable beauty goes unnoticed because of being too busy trying to create cheap sensation with no lasting value.

Loosing is always tragic but loosing because of thoughtlessness is quite deplorable. Great beauty can be found in the simplicity and sustainability of nature and at almost no expense. It mainly needs tender loving care, sun and water.

Our task must be to free ourselves by widening our circle of compassion to embrace all living creatures and the whole of nature and its beauty - Albert Einstein

Let the beautician be the angel from paradise who creates a fabulous way to immerse oneself, literally, into the destination's breath-taking scenery, where visitors will find themselves at one with the secrets of life itself, feel what heaven feels like, and capture it in their hearts. It will leave them longing for more and more often. Simply translated in hospitality vocabulary, becoming loyal repeat stayovers.

# Grenada Must Wet Its House... Cause The Neighbours' On Fire

(MENAFN- Caribbean News Global)

By Dr Neals J. Chitan



With the fires of homicides exploding north, south and east of us, it is critical that the government of Grenada urgently becomes proactive in keeping the flames down in the Spice Island. No longer can we just sit passively around repeating soul-soothing greetings like "God is good... All the time, And all the time... God is good" inside of our churches and government offices, even standing to pray to start every meeting, while sitting back down and doing nothing intentional to quench the homicidal flame that's devouring our neighbours, before they explode on our shores.

Figures are showing that the region is experiencing an exponential outburst in homicides with Jamaica to the far north recording 1,329 murders as of November 07, 2022, and Trinidad and Tobago in the south, projecting 585 mur-

ders by year-end and growing to 710 per year by 2030, according to Sunday Express August 21, 2022. The rates are no different in our immediate region, because according to the SVG Searchlight in its September 16, 2022 article, "St Vincent and the Grenadines is ranked #7 in the world for the highest murder rate." The flames become more devastating as we go further north to Saint Lucia where the "Helen of the West" just climbed up to 60 homicides with Barbados east of us recording 35 murders, according to Loop News, October 28, 2022.

Could you imagine, that by year-end a complete island population can be wiped out in the Caribbean? With the numbers I just showed above totalling in excess of 2,000 individuals, can you imagine the loss of having a complete island wiped out from the face of the planet due to homicides? When we compare the over 2,000 homicides, I just mentioned from only five islands with an approximate 1,634 population (according to 2011 census) of Barbuda, the sister isle of Antigua, one can only exclaim "Lord have mercy, a whole island is already gone!"

I know that our Grenadian national anthem and patriotic songs all suggest that we depend on God for protection and guidance, and as a devout Christian, I have absolutely no issue with that, but also relish in that protection myself. However, that same God says that he appoints men/women to positions to

use the brain and decision-making power he gave them to on his behalf uplift his people. So, sitting down and "talking the talk" alone will not save us from the coming psychosocial pandemic. Our single-digit homicide count in Grenada must not bring us comfort, but like in the biological pandemic, we must pull out all the stops and expend the resources we need to on impactful and result-oriented plans if we hope to quench

In 2020, after recently moving back from Toronto to set up a regional social skill office in St George's Grenada, I was asked by the ministry of social development and housing to serve along with some of my colleagues as a psychosocial advisor to the then government to develop a psychosocial road map for the nation during and after the pandemic. As an international social skill and crime reduction consultant, I was tasked with developing the aspect of that road map that dealt with crime and violence. As I carefully assessed the impact the trauma, stress and confinement can have on our population, I suggested several things that

can be done to empower individuals, families, communities and the nation at large, if we are really serious about mitigating the criminal and violent behaviour that can follow the flames in Grenada.

However, despite the time, effort, expertise and volunteerism that were expected and given by my colleagues and me, we heard nothing further about it, did not see the execution of any of our suggestions nor even thanked for it. At least, not me. It was shelved.

If we are to save our spice nation from the homicidal annihilation we see consuming our neighbours, it cannot be business as usual. And that's what I have been championing for over 18 years ago during my frequent visits here in Grenada and around the world, with the most recent engagement in Saint Lucia and Toronto. Best relevant practices must be engaged at an individual, family and community level, skillfully teaching, inspiring and empowering people with concepts and strategies that even a child could understand while addressing deep human hurt, abuse and untreated child-

hood traumas.

In my work internationally, I have met scores of individuals who seem to be overly critical of plans, policies and programs but won't lift a finger to suggest or do anything to remedy situations. They build their profile by criticizing and want to be known as oppositional. Although I do admire the courage it takes to oppose, and sometimes can be deemed critical myself, I want to always be seen as not only a critic but as one that has something to offer that would create a better way forward.

As such, I cannot help but reminisce on the powerful community and life-changing impact of "Project STOP 'n' THINK- Mt Horne 2021." On July 18, 2021, with the whole community in attendance, along with three media houses and government dignitaries, 43 youths who faithfully participated in our three-month program stood and took their STOP 'n' THINK pledge to avoid crime, disrespectful confrontations and revenge, while making better decisions. Proudly, they walked to the stage and received their Canadian Social Skill

Certificate of completion from the hands of Police Commissioner Edwin Martin in their spectacular media community graduation.

Commissioner Martin had previously advised me that Mt. Horne was a hotspot that saw a very high number of arrests and charges and needed community empowerment. It was exhilarating and fulfilling to learn from RGPF sources from the Eastern Division that the number of arrests and charges in that community dropped significantly after "Project STOP 'n' THINK-Mt. Horne-2021" with remarks like, "Mt. Horne is a lot quieter now."

In closing let me use the words of Sir Edmund Burke: "The only thing needed for evil to triumph, is for good men to do nothing." As an experienced crime reduction consultant and Copyright Holder/Presenter of "Project STOP 'n' THINK," I invite other good men/women of influence to join me in doing something in our island and region to quench this homicidal fire that's blazing in the Caribbean and holding our people, traumatized, grief-stricken and lost.

Case Number :GDAHBP2022/0131



The Eastern Caribbean Supreme Court

Submitted Date:11/05/2022 15:33

IN THE SUPREME COURT OF JUSTICE

Filed Date:11/05/2022 15:33

Grenada

Fees Paid:52.00

In the Estate of Rosalind Ivy Bourne also called Rosaline Ivy Bourne and Rosaline Bourne late of Mt. Fann St. Andrew in Grenada, deceased

TAKE NOTICE that an application has been filed by Olga Lambert of Mt. Fann St. Andrew's for a Grant of Probate of the Will of the above named deceased who died on the 5<sup>th</sup> day of July 2020 without revoking a will bearing the date of 9<sup>th</sup> day of September 2008 wherein the applicant is named as one of the executors.

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 this 5<sup>th</sup> day of April 2022

*Ferron C. Lowe*  
Ferron C. Lowe

Ciboney Chambers Attorneys-at-Law whose Address for service is Ciboney Chambers Ciboney House No. 7 H. A. Blaize Street, St. George's. Telephone No.473-440-2707, Fax 473-435-2525

GRENADA

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

CLAIM NO: GDAHMT2022/0149

BETWEEN:

MARI-ANTONIA ALEXIS

PETITIONER

AND

DAVID KENNETH RETALLACK

RESPONDENT

TO: Mr. 15 Amberry Court, Harlow Essex CM20 2PX, United Kingdom

TAKE NOTICE THAT a divorce Petition has been filed against you.

Please contact the Registrar of the Supreme Court of Grenada, West Indies within Fourteen (14) days for a copy of the Petition. On failure to communicate, the Court may hear the case without further notice.

Dated the 14<sup>th</sup> day of November 2022.

*Evette John*  
Evette John  
Law office of Evette John  
Attorneys-at-Law for the Petitioner

# Financing Government Operations

By Laurel Bain



The Financing, which is the most important component of the fiscal account, is often omitted from the presentation of government finances. Government operations could result in an overall surplus, that is, total domestic revenue and grants or monetary gifts are more than Government total expenditure.

Alternatively, Government operations could result in a deficit, that is, total expenditure is more than total domestic revenue and grants or monetary gifts.

The financing component of the fiscal account shows how the Government utilizes a surplus or how a deficit is financed. At the end of June 2022, the Government realized an overall surplus after grants of \$99.3M as outlined in a previous article on 'Government Finances and the Economy'. If the financ-

ing component was included in the accounts, it would have provided information on how that surplus was utilised.

The financing component of the accounts is important in this environment where the report of the Director of Audit has not been submitted to Parliament as prescribed by the Constitution.

Therefore, the financing could be used as a 'rapid test' to check the integrity of the fiscal account. In countries with limited fiscal data and where information is available on government transactions with financial institutions and creditors, the financing component is used to determine the outcome of government operations.

The construction of the financing component of the fiscal account requires the application of knowledge with accuracy and precision. This process could be compared with a medical doctor undertaking heart or brain surgery. The operation is delicate and requires accuracy and precision as an error could affect the functioning of the body. Similarly, errors in cal-

culating the financing could affect the integrity of the fiscal accounts.

The calculated financing must be equivalent to the overall surplus or the overall deficit. In the case of the overall surplus after grants of \$99.3M at the end of June 2022, the total financing should account for this surplus. The financing is determined by an aggregation of government transactions during the year, that is, loans and deposits with domestic financial institutions, external financial institutions and creditors, and any other entities with whom the Government engages in financial transactions.

Consistent with international standards, loan disbursement is not classified as receipts and principal repayment is not included in expenditure in undertaking analysis of government operations. These are classified as financing and hence the importance of including the financing component in the fiscal accounts. The financing shows the impact of government operations on the Central Government debt and by extension

the stock of public sector debt.

The financing of government operations from domestic sources is generally reflected in its net transactions [borrowing and depositing] with the Eastern Caribbean Central Bank, the National Insurance Scheme, financial institutions mainly the commercial banks and credit unions, and any benefactor willing to engage in financial transactions with the government.

An examination of the accounts of these financial institutions would determine whether the Government deposited funds with or borrowed from the institutions and entities. The aggregation of these financial transactions provides information on the impact of Government operations on the Central Government domestic debt. If the aggregated loaned funds from the domestic institutions exceed deposits, the Central Government domestic debt has increased.

Alternatively, if deposits exceed the loaned funds, Central Government debt has declined.

Financing from exter-

nal sources is related to Government transactions with external financial institutions and creditors. The external financing shows how much external loan funds were disbursed to the Government by creditors and how much was government principal debt repayment to external creditors.

The net effect of disbursement and principal repayment provides information on the impact of government operations on the external debt. If disbursements exceed principal repayment, the Central Government external debt has increased. However, if principal repayment exceeds disbursement, Central Government debt has declined. The Government may hold external assets and during the fiscal year either increased or reduced its stock of external assets. This is recorded in the financing as changes in foreign assets. The transactions do not impact on the public debt.

The accumulation of arrears is a peculiar form of financing government operations. It could be described as 'forced borrowing' from

suppliers as the government has received goods and services but no payment has been made to the suppliers. It is effectively an interest free loan to the Government from suppliers of goods and services. The Government could either accumulate arrears which is the forced borrowing, or it could reduce its arrears with its creditors.

The financing component provides important information on whether government operations resulted in an increase or decrease in the public debt. Therefore, there are checks and balances to ensure that the financing is correctly constructed. The reported financing should be consistent with the detailed information provided in Vote 22, 'charges on account of the public debt', in the Estimates of Revenue and Expenditure and the Annual Borrowing Plan that is included in the Medium-term Debt Strategy.

The financing items must also be consistent with the other economic accounts, specifically the financial sector and the balance of payment. The Government records of its loans and

deposit transactions with financial institutions should be consistent with that reported by the institutions.

The official external transactions in the form of loan disbursement and principal repayment must be consistent with that reported in the balance of payment. The changes in the Government foreign assets must also be registered in the balance of payment.

Given the importance of the financing, it is desirable that the actual financing for 2021, the preliminary financing for 2022, and the planned financing for 2023 be included in the Estimates of Revenue and Expenditure for 2023. Additionally, the public accounts for 2021 could only be properly closed after the Report of the Director of Audit is presented to Parliament. This step in the budgetary process has remained outstanding over the previous years and needs to be addressed to improve fiscal transparency and accountability.

Knowledge is power and experience is the greatest teacher.

*(Laurel Bain is a Grenadian-born former economist with the St. Kitts-based Eastern Caribbean Central Bank)*

## GRENADA

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

#### IN THE ESTATE OF RALPH THEDORA RICHARDS IN WILL CALLED RALPH RICHARD LATE OF CLOZIER, ST. JOHN GRENADA, DECEASED

#### ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by EVELYN SCOON of 55A Cedar Grove Earling London W5 4AS in England for a Grant of Probate of the Will of the abovenamed deceased who died on the 23<sup>rd</sup> day of February 2009 without revoking a will bearing the date of 24<sup>th</sup> August 2005 wherein the applicant is the sole named 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 10<sup>th</sup> day of November 2022

Thira Dumont  
Duncan Phillip & Associates

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# Seetahal cites need for tougher screening of National Queen Show candidates

Former Chief Executive Officer (CEO) of the Spicemas Corporation (SMC) Kirk Seetahal has cited the need for a national discussion to address challenges in the selection of candidates to contest the annual National Carnival Queen Show competition.

Seetahal, who served as a member of the 2022 National Carnival Queen Show Committee chaired by Lexan Fletcher, expressed this view in an exclusive interview with **THE NEW TODAY** on Tuesday, contending that there is a "national crisis among the youth," some, who although graduating from secondary and tertiary institutions, "cannot carry on a conversation or answer simple questions."

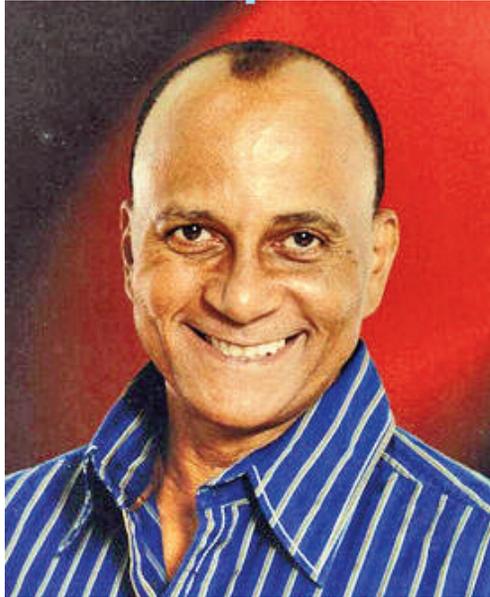
"This," he said, "is the real issue at hand," when asked to share his view on a debate in some quarters that the National Carnival Queen Show, which should "be about Carnival," emphasizing "big costumes, evening wear, and the spirit of Carnival, has been turning into more of a Miss Grenada show, a Miss Universe kind of pageant."

Ricardo Keens-Douglas, who had the opportunity to produce the National Carnival Queen Show back in the 1990s, shared this view on a local radio programme following the recent staging of this year's competition, which saw 26-year-old Secondary School Teacher Ressa Mc Intosh being crowned Miss Grenada, after two (2) years of no Carnival due to the pandemic.

Mc Intosh went on to represent Grenada at the just concluded Miss OECS 2022 pageant finishing as the Second Runner Up, and capturing the titles for best promotional video, talent, interview, and Ms. Congeniality.

Keens-Douglas, a well-known storyteller locally and abroad, has expressed the view that "we have to decide what we want for Carnival Queen Show, if it's about Carnival where the costume is the focus, the evening wear, the poise, and stuff, then a five feet tall woman can enter a six feet tall woman can enter, a full figured woman can enter..."

"My point is get rid of that (swimwear segment) and have a Miss Grenada Show for Ms. Universe or whatever (other competition) it is, and have a Carnival Show where anybody can enter," he suggested. "That's my view on it but I guess they are cutting costs or whatever it is, so, they want to put



**Ricardo Keens-Douglas: the National Carnival Queen Show has been turning into more of a Miss Grenada, Miss Universe kind of pageant**

everything into one bowl, and try to get a Miss Universe for other competitions but I believe that Carnival Queen Show should be about Carnival, and it should focus on big costumes, and evening wear, and the spirit of carnival...what I did in 1993, they were just bringing in the talent (segment) so, I dropped the bathing suit (segment), and, I only had the costume evening wear and interview," Keens-Douglas remarked.

However, Seetahal, who has been involved in pageantry for well over two (2) decades, noted that the swimsuit category was added to the National Carnival Queen Show competition in the 1990s as the winner has had to compete in swimwear when representing the country as an ambassador at external beauty pageants.

"So, you want to make sure they are versed there as well," he explained, noting that it is the norm in "all the Caribbean countries except for Trinidad and Tobago," that the National Carnival Queen will go on to represent the country externally.

He contended that the swimwear segment "is about physical fitness (and) does not take out from the fact that the biggest set of points in that competition is for Carnival costume."

"The focus has always been on that...the swimsuit segment has nothing to do with the quality of the Carnival Queen Show, he added, pointing out that "in the past couple of years the "Queen Show has generated the biggest crowds it has ever had."

"Normally (for) Queen Show we would see three to four hundred people in

the stadium because it had lost its element and what has happened is there has been a revamp with the show selling out," he said.

Seetahal attributed this feat to the "venue change" from the Grenada National Stadium to the Spice Basket (in) the last couple of years."

Noting that "even our appetites as consumers are different in this world of technology," Seetahal stated that "in the past, when we didn't have advanced technology, we loved to go to the stadium, and sit down, and even if we are far away (from the stage), we good but not now..."

"We want to be engaged, and watch it closer..." he said, while stressing that the event "has improved over the years," and contended that the "swimsuit (segment) is not the issue at hand."

"The real issue at hand is finding quality girls...all-rounded young women who could converse, carry on a conversation, and be a proper representative for your country," Seetahal remarked.

"The crisis is not the swimsuit, and costume" but in the "quality of girls that are being selected," and that this "crisis is simply sweeping our youth, and we are not paying attention to it, that an average young person male or female coming out of secondary school with 12 and 13 subjects when they only need five (5) to go to university, some of them with associate degrees, who cannot carry on a conversation, answer simple questions, or tell you about themselves."

"There is a national crisis happening secretly among the youth that we

are not paying attention to, where the youth don't know who they are, and I am not just talking about the pageant side of it - there is a crisis of education (and) sense of purpose that seems to have left, and, if that is happening with the young girls, what is happening with the young guys, the future generation of fathers? It goes further than the young women who take part in the queen show because people who cannot converse or communicate cannot solve a conflict."

"Why do you think there are so many things (violence) happening because there is a crisis, a secret crisis that technology as good as it is, has brought into the fold...We no longer sit down on the block and beat ole talk, we sit down on our phones. Young people nowadays, don't

read your newspaper, they don't watch the news on T.V. So, they don't even know what is going on in the region...So, there is a crisis of what young people are paying attention to," he said.

"So, the selection process is what is critical for me because regardless of what they are, an ambassador for their country, and they should be able to have some sort of intellect, be able to converse and carry on a conversation, and eat with (and) a knife and fork," added Seetahal, who is also of the view that the screening process should start early in the year in an effort to find the right delegate at the parish level.

According to Seetahal, "the top three (3) winners (at the end of the competition) could get an opportunity to represent the



**Former SMC CEO Kirk Seetahal : the swimsuit segment is not the issue at hand**

country in different shows," as they become available "once it suits them."

"Noting that the intention is to win, and represent your country," he explained that "if a (particular) show is not suited for maybe the (Carnival)

Queen, it might be suited for the Second Runner Up or the First Runner Up."

However, Seetahal said, so far, "Spicemas has not received invitations to any other shows" apart from the Miss OECS competition.

Case Number :GDAHCV2022/0425

**FILED**  
HIGH COURT  
GRENADA

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

Submitted Date:21/10/2022 15:03

Filed Date:21/10/2022 15:04

GRENADA  
CLAIM NO. GDAHCV 2022/0425  
BETWEEN

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

Fees Paid:42.00

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

INEZ JULIA MITCHELL

APPLICANT

APPLICATION FOR DECLARATION OF POSSESSORY TITLE NOTICE

Whereas Inez Julia Mitchell of Crochu in the parish of Saint Andrew in the state of Grenada, by her application filed in the High Court on the 19<sup>th</sup> day of October 2022 claims to have acquired title by over thirty-five 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 last publication of the Notice which is being published twice in the newspapers.

SCHEDULE

**ALL THAT** lot piece or parcel of land situate at Crochu in the parish of Saint Andrew in the state of Grenada containing by admeasurement Sixteen Thousand Nine Hundred and Seventy-eight Square Feet (16,978 Sq. Ft.) English Statute Measure bounded by its many sides as follows: on the east side by the lands of Kevin Mitchell and Miver Mitchell, on the south side by a Public Road and on the west side by the lands of James Cadoo as shown on the plan drawn by George Alexander, Licensed Land Surveyor, on the 20<sup>th</sup> day of January, 2021 which said plan is marked "IJM1" and attached to the Applicant's Affidavit sworn and filed herein.

The court office is at York House, Church Street, St. George's, Grenada. Telephone number 440-2030, Fax 440-6695. The office is open between 8:00 AM and 4:00PM Mondays to Fridays except Public Holidays.

# School teacher loses case against NNP regime

Secondary school teacher Donna Lusan has failed in her efforts to get a high court judge to rule against the decision taken by the former New National Party (NNP) government of Dr. Keith Mitchell to make deductions from the salaries of striking public officers during his term in office.

Lusan was the only public officer to approach the court to challenge the decision of the last government to with-

hold a portion of their salaries for taking strike action on the Pension issue.

Months later, the sitting judge Justice Raulston Glasgow delivered a landmark judgment against the Mitchell regime and in favour of public officers that they were entitled to receive a State pension in keeping with the requirements of the Grenada Constitution.

Appearing for Lusan in the

matter was Benjamin Hood, the son of former Attorney General Cajeton Hood while the State retained Trinidad attorney-at-law Douglass Mendes, SC to put forward its case.

Prior to his ruling, Glasgow said that he had often dropped hints to Attorney Hood that he was facing an uphill task in the case.

Following is the Glasgow judgment on the matter:

(Continued from last week)

"It cannot be right that an employer should be compelled to pay something for nothing whether he dismisses or retains a worker. In a contract of employment wages and work go together. The employer pays for work and the worker works for his wages. If the employer declines to pay, the worker need not work. If the worker declines to work, the employer need not pay. In an action by a worker to recover his pay

he must allege and be ready to prove that he worked or was willing to work. Different considerations apply to a failure to work by sickness or other circumstances which may be governed by express or implied terms or by custom. In the present case the plaintiff disintitiled himself for his salary for Saturday morning because he declined to work on Saturday morning in accordance with his duty".

[24] There is no obliga-

tion anywhere in law or in Ms. Lusan's terms and conditions of employment stated before this court that obligates the Government, her employer, to pay her, the employee, for the days that she did not work. Or no such law or term of her terms and conditions of service has been shown to me that stipulates or requires that where the Government, the employer, wishes to deduct salary for Ms. Lusan's failure to work, that the employer must engage disciplinary pro-

ceedings before doing so deducting sums from her salary.

[25] Now I agree that it would have been a wholly separate matter if the Government had taken the view that it desired to discipline Ms. Lusan for her failure to show up and perform her duties. The Government would then have been obliged to forward its complaint to the PSC with a request that the PSC take the necessary disciplinary action. Indeed the PSC Regulations (SRO



Donna Lusan – took the government to court and lost the case

27 of 1969) state that absence from work without leave or reasonable excuse is an act of misconduct (section 53 of the PSC Regulations).

[26] These are all assessments that fall within the rightful purview of the employer. An employer may choose to ignore the absence of an employee and pay the full salary including sums for the days that the employee stayed away from work. An employer may choose, as in this case, not to pay for the days that the employee did not work. Additionally, the employer may take disciplinary action that end in sanctions for the employee's contractual infraction. The law dictates that these are all matters within the powers of the employee. Indeed one can see that it is exactly what transpired in this case. The employer at the time, the previous Government to this present one, made the choice to deduct sums for the days that no work was produced by the employee. When the Government was changed, the Government, the employer, decided to repay those moneys to the employees notwithstanding the fact that the employees did not work for a number of days. These are all matters within the rights of the employers. The court in Wakefield offers some insight into this sort of situation that may confront an employer and employee where it was explained that –

"If an employee offers partial performance, as he does in some types of industrial conflict falling short of a strike, the employer has a choice. He may decline to accept the partial performance that is offered, in which case the employee is entitled to no remuneration for his unwanted services, even if they are performed. That is the instant case. Or the employer may accept the partial performance. If he accepts the partial per-

formance as if it were performance which satisfied the terms of the contract, the employer must pay the full wage for the period of the partial performance because he will have precluded or estopped himself from asserting that the performance was not that which the contract required. But what is the position if the employee offers partial performance and the employer, usually of necessity, accepts such partial performance, the deficient work being understood by the employer and intended by the employee to fall short of the contractual requirements and being accepted by the employer as such? There are, as it seems to me, two possible answers. One possible answer is that the employer must pay the full wage but may recover by action or counterclaim or set off damages for breach of contract. The other possible answer is that the employee is only entitled to so much remuneration as represents the value of the work he has done, i.e. quantum meruit. My noble and learned friend Lord Templeman prefers the latter solution, and so do I. My reason is this. One has to start with the assumption that the employee sues for his pay; the employer is only bound to pay the employee that which the employee can recover by action. The employee cannot recover his contractual wages because he cannot prove that he has performed or ever intended to perform his contractual obligations. If wages and work are interdependent, it is difficult to suppose that an employee who has voluntarily declined to perform his contractual work can claim his contractual wages. The employee offers partial performance with the object of inflicting the maximum damage on the employer at the minimum inconvenience to himself. If, in breach of his contract, an employee works with the object of harming his

employer, he can hardly claim that he is working under his contract and is therefore entitled to his contractual wages. But nevertheless in the case supposed the employee has provided some services, albeit less than the contract required, and the employer has received those (non-contractual) services; therefore the employer must clearly pay something – not the contractual wages because the contractual work has deliberately not been performed. What can he recover? Surely the value of the services which he gave and which the employer received, i.e. quantum meruit."

[27] With respect to discipline for misconduct, the Government, as most employers, may make a calculation as to whether the employee should be disciplined for a contractual infraction. As I have stated above, if the Government wishes to discipline the employee for failure to work as contracted, section 76(1) of the PSC Regulations requires the Permanent Secretary or Head of Department to present a report to the PSC asking that body to engage its disciplinary process. However, again, there is nothing in the PSC Regulations that says that the employer must engage a process of discipline, penalty or punishment whenever the employer says that you (employee) did not work for a certain number of days, thus you did not earn your salary for those days and therefore I do not have a contractual obligation to pay you a salary for those days. This is precisely what the Privy Council was saying in Sykes. Their Lordships opined at page 416 of the judgment that –

"Disciplinary proceedings may or may not be a sensible response to misconduct. If misconduct is found established, penalties as set out in reg 37(1) may be imposed, but these do not include an order for the whole or a part of salary that has been earned to be forfeited. A deduction to take account of salary that, by reason of unauthorised absences from work has not been earned, is not a penalty at all. It is a deduction necessary to be made in order to calculate the officer's contractual entitlement to salary. This is a process unaffected by disciplinary proceedings or penalties." (bold emphasis mine)

[28] So the foregoing in (Continue on pg 24)

## FOR SALE BY MORTGAGEE UNDER ITS POWER OF SALE

There will be offered for sale BY PUBLIC AUCTION at the Chambers of Renwick & Payne, Lucas Street, St. George's on **Wednesday 21<sup>st</sup> December 2022** at 12:00 noon the following property mortgaged to Grenada Development Bank on 28<sup>th</sup> February 2012 between Rawle Leroy Searles of the one part and Grenada Development Bank of the other part under an Indenture of Mortgage recorded in the Deeds and Land Registry of Grenada in Liber 6-2012 at page 348

ALL THAT lot of land situate at **GRAND MAL, ST. GEORGE'S**, measuring 22,206 Square Feet English Statute Measure described in a plan marked "R" annexed to an Indenture of Conveyance made between Leroy John Calvin Searles of the one part and Rawle Leroy Searles of the other part and recorded in the Deeds and Land Registry of Grenada in Liber 28-2002 at page 552

Entrance to this lot comes off the right-hand side of the Western Main Road immediately before Hypo's Tyres in an area commonly known as Calabash Alley. As one travels along the concrete paved public road passing the first right-hand turn off and continuing along to the top of the hill to the curve in the road, the lot is located immediately after the bridge. It is a Grenlec Pole #Kn71.

The lot contains an elevated part two storey re-enforced concrete structure on the lot. The upper floor measures 916 square feet and is divided into 3 bedrooms, bathroom, living, kitchen and verandah. The ground floor measures 324 square feet divided into 2 rooms, one used as a kitchen and the other as a workshop/storeroom.

The land is quadrilateral but relatively flat with slight slopes towards the southern boundary. The lot has excellent frontage, access and drainage with an excellent view of Grand Mall Bay, Fontenoy, sea coast line and surrounding areas. It is within one mile of churches, primary and secondary schools, public transportation, medical services and entertainment. All utilities are laid on.

Sale is by the mortgagee under its Power of Sale contained in the said Indenture of Mortgage. For further information please contact Renwick & Payne (Tel. No. 440-2479)

**RESERVE PRICE \$403,000.00**

Renwick & Payne  
Solicitors for Grenada Development Bank

# “Embarrassing to the Office of the Governor General”

After a long wait of nine years, former Supervisor of Elections Judy Benoit has been vindicated by high court judge Justice Raulston Glasgow in a case she brought against Governor General Dame Cecile La Grenade following her unceremonious dismissal from the post in 2013.

In a 39-page judgement handed down earlier in the month, Justice Glasgow chided Dame Cecile for the manner in which she fired Benoit without giving her an opportunity to respond to complaints made against her performance on the job.

One of the complaints came from former Congress Labour Minister Glynis Roberts who was expelled from the party and eventually gave support to its main rival for State power, the New National Party (NNP) of Dr Keith Mitchell.

The crackdown on Benoit came after she voiced objection to the manner in which Prime Minister Keith Mitchell was seeking to impose a new structure on the Parliamentary Elections Office. The female Supervisor was summoned

before Dame Cecile who appointed her to the post and given a verbal tirade.

Justice Glasgow commented on what he described as “uncontroverted evidence” provided by Benoit that the island’s first female head of state handed her a written document outlining the termination of her services as Supervisor of Elections after informing her of the nature of the complaints against her and the reasons for the termination.

“This act, in my view, further compounds the unreasonableness of the decision, in that it suggests that the Governor-General had already taken the decision to remove Ms. Benoit as Supervisor of Elections and had previously prepared the termination letter without first giving Ms. Benoit an opportunity to address the charges against her. This suggests to me that the meeting was in essence a formal communication of the decision to terminate her position as Supervisor of Elections,” he said.

“The principles of fairness dictated that Ms. Benoit ought to have been

afforded a reasonable opportunity to address those complaints or allegations prior to the decision being taken to remove (her) as Supervisor of Elections. It is for this reason that I find the Governor-General’s decision to be in breach of the rules of natural justice. I find that the decision taken by the Governor-General on 30th September 2013 to terminate Ms. Benoit’s appointment as Supervisor of Elections was unlawful, null and void.

Within minutes of Glasgow’s decision reaching the public domain, one local said on Social Media, “Seems like justice has been finally served” and another commented, “This is a win for democracy.”

Benoit retained attorney-at-law Ruggles Ferguson of Ciboney Chambers to represent her in the matter while Dame Cecile was defended by the then Solicitor General, Trinidadian Karen Reid-Ballantyne who is no longer in the job.

As a public service, THE NEW TODAY has decided to publish the Justice Raulston Glasgow judgement:

Constitution of Grenada and acting in my own deliberate judgment I hereby designate the person holding the public office of Health Promotion Officer, Ministry of Health, namely JUDY BENOIT, to exercise the function of the office of Supervisor of Elections. ...”

In all the circumstances the conclusion must be that a person holding the office of Supervisor of Elections and in this case, Ms. Benoit, is not holding the office in the capacity of or any capacity as a public officer clothed with the protection against dismissal at pleasure. Ms. Benoit was therefore subject to be removed from the office of Supervisor of Elections at the pleasure of the Governor General.

removing her from her functions as Supervisor of Elections?

Mr. Ferguson for Ms. Benoit argues that even though the law provides that Ms. Benoit could be removed from the office of Supervisor of Elections without cause, fairness suggests that since specific allegations were made against her, she should have been afforded a hearing before removing her from office.

Mrs. Reid Ballantyne disagrees. The learned Solicitor General argues that an employer can summarily dismiss an employee for cause in cases of gross misconduct. Mrs. Reid Ballantyne submits that the facts of this case suggest gross misconduct by Ms. Benoit that justifies summary dismissal.

(Continue on pg 23)



The Electoral Office – located in Tanteen Terrace, St George’s

(Continued from last week)

dated that:-

His Lordship Webster JA made the distinction for instance with Endell Thomas, Fraser, Innis and Bain-Thomas where his Lordship observed that “Mr. Fraser and Ms. Innis, and Mr. Endell Thomas, held positions that had security of tenure by virtue of their appointment by the commissions, and they could only be dismissed on the advice of or by the relevant commission and with cause” and that these cases “involve public servants who were appointed on the recommendation of a commission and enjoyed security of tenure and insulation from the political influence.”

In terms of dismissal at pleasure therefore, the consensus from the case law seems to be that there is a distinction between (1) officers appointed by a commission including those persons appointed by other functionaries on the advice or in consultation with the commission(s); and (2) those who are not thus appointed. It would seem that those falling into the first category are protected from removal from office in the sense stated in Thomas.

In Darius-Clarke, his Lordship Webster eluci-

“[44] The effect of the decision in Endell Thomas on the doctrine of dismissal at pleasure is clear, police officers and other public servants cannot be dismissed at pleasure and the state must show reasonable cause for the dismissal. Academic writers in the Caribbean undoubtedly agree with this position but have not gone as far as to say that Endell Thomas has completely abolished the doctrine of dismissal at pleasure. Dr. Anthony left the issue open and opined that issues relating to the retention of the doctrine are for public policy and appropriately belong in the political or administrative sphere.”

“[45] The doctrine was applied by the Court of Appeal of Trinidad and Tobago in 1976 in Attorney General of Trinidad and Tobago v Richard Toby and by the Court of Appeal of Guyana in 1974 in Yaw. These decisions have not been overruled although Dr. Anthony has expressed doubt whether Toby was correctly decided. The Court’s attention was not drawn to any recent cases where the doctrine was applied.”

“[47] Endell Thomas made great strides in

abolishing the doctrine of dismissal at pleasure but the case did not go as far as to abolish the doctrine in the case of ambassadors; who are not appointed or dismissed in consultation with anybody or person, and the Governor General must act on the advice tendered to him by the Prime Minister. Mrs. Clarke’s dismissal did not breach the provisions of 87(2) of the Constitution nor any of her natural justice rights.”

As Luckhoo C in Yaw opined, it remains to determine whether as a matter of mixed law and fact, Ms. Benoit’s case falls into the class of appointee’s to public offices whose tenure is secured from dismissal at pleasure. I do not agree that the holder of the office of Supervisor of Elections is afforded such security.

As correctly pointed out by the learned Solicitor General, the appointment is done by the Governor-General acting in her own deliberate judgment. It is not done by a commission or on the advice of or in consultation with a commission or more properly the PSC in this case.

We have already seen from Thomas and the learning in other cases applying that case, that security of tenure or dis-

missal for cause is specifically afforded to those persons appointed by a commission or on the advice or in consultation with the commis-

sion(s). Ms. Benoit’s instrument of appointment reads:- “...In exercise of the powers vested in me by Section 35 of the

Was the Governor-General enjoined on the facts of this case, in any event, to give Ms. Benoit a hearing before

Case Number :GDAHCV2022/0341



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

GRENADA CLAIM NO. GDAHCV 2022/ BETWEEN:

Submitted Date:05/09/2022 14:53

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

Filed Date:05/09/2022 14:53

Fees Paid:42.00

DENISE LEWIS HOSTEN

APPLICANT

APPLICATION FOR DECLARATION OF POSSESSORY TITLE NOTICE

Whereas DENISE LEWIS HOSTEN of Happy Hill in the parish of St. George in the state of Grenada, a retiree, by her application filed in the High Court on the 1<sup>st</sup> day of September, 2022 claims to have acquired title by 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 last publication of the Notice which is being published twice in the newspapers.

SCHEDULE

All that lot piece or parcel of land situate at Happy Hill in the parish of St. George in the State of Grenada containing by admeasurement Eight Hundred and Forty-eight Square Feet (848 Sq. Ft). English Statute Measure and abutted and bounded on one side by land of Doreen C. John, on another side by land of Inez Sandy and on the remaining two sides lands of Bracie Edwards and the Western Main Road as delineated and described in the plan or diagram prepared by licensed land surveyor Norris Williams from a survey conducted on the 22<sup>nd</sup> day of May 1984 a copy of which is marked “A” annexed to a Statutory Declaration of Mary Melanie Cruickshank-Saunders concerning long possession of Denise Lewis Hosten dated the 28<sup>th</sup> day of November One Thousand Nine Hundred and Ninety-six and recorded in the Deeds and Land Registry of Grenada in Liber 24-96 at

Page 313



This Notice is filed by Lewis & Renwick, Solicitors, 40 Church Street, St. George’s, Grenada, Legal Practitioners for the Applicant. Telephone 440-2453, 2449 and Fax 1-473-440-6631, email: lewis-renwick@spicicisle.com

The court office is at York House, Church Street, St. George’s Grenada; Telephone number 440-2030, Fax 440-6695. The office is open between 8.00 a.m. and 4.00 p.m. Mondays to Fridays except on Public Holidays.

# Abandoned Property for CIBC FirstCaribbean International Bank Grenada as at 31 October, 2022



**FirstCaribbean**  
International Bank

In accordance with Section 168 of the Banking Act we publish details of property which has been classified as abandoned. Account holders can claim ownership should they visit any of the branches of the bank with some means of identification.

## SAVINGS ACCOUNTS

ACCOUNT NUMBER	NAME	ADDRESS
4085778	CLAUDE/BIRTE H GAIRY	FYRRE HO JEN 53, 5330 MUNKEBO FYM, DENMARK
4288598	RITA SERENA JOHNSON	47 GRASMERE POINT, OLD KENT ROAD, LONDON SE15 1DM, ENGLAND
4301098	PARTICIA WILLIAMS/ADONA JOSEPH	PARADISE, ST. ANDREW, GRENADA
3500151	STEPHANIE ABERDEEN FOR DALICA	RIVULET LANE, GRENVILLE, ST. ANDREW, GRENADA
3834564	YVONNE CHARLES	ST JOHN, ST. ANDREW, GRENADA
3949175	JAMILA DOUGLAS	LA FILLETTE, ST. ANDREW, GRENADA
4748432	DESLYN ROBERTS FOR SHARIE ROBERT	ST.CLOUD'S, ST. ANDREW, GRENADA
106531496	DEBBIE L. LOGIE-CLYNE	PLAINS, ST. PATRICK, GRENADA
106531511	DEBBIE L. LOGIE-CLYNE	PLAINS, ST. PATRICK, GRENADA
106531537	DEBBIE L. LOGIE-CLYNE	PLAINS, ST. PATRICK, GRENADA
4075918	JOSEPH MARTIN FREDERICK	14 FRERE STREET, BATTERSEA, SW11 2JA, ENGLAND
106436141	HILDA JUDITH PHILLIP	CHANTIMELLE, ST. PATRICK, GRENADA
4192193	MIRANDA &/WENDY FLEARY	33 WHEATON VALE, HANDSWORTH WOOD, BIRMINGHAM B20 1AH, ENGLAND
5085560	EUSTANIST S PASCHAL	GRENADA
5484147	JOSEPH SYLVESTER	BAY GARDENS, ST. PAUL'S, ST.GEORGE, GRENADA
5577358	MR DANFORD &/OR NORA TROTMAN	INDEPENDENCE AVE, TEMPE GRENADA
5659524	PETER LIONEL WILLIAMS	MORNE JALOUX ST. GEORGE, GRENADA
5306400	SAL E RICHARDS	GOUYAVE ST. JOHN, GRENADA
5420068	JOYLE & CHRISTINE ST JOHN	65 WYVERNE RD CHARLTON CUM - HARDY MANCHESTER M21 OZW, ENGLAND
5572593	HOWARD E. &/LILLIAN TINGLE	31 CLAREMONT ROAD, EALING, LONDON W13 ODF, ENGLAND
5661855	RITA & PATRICIA WILLIAMS	110-2737 KIPLING AVE, REXDALE ONT M9V 4C3, CANADA
3511260	JOANNA ADAMS FOR KIZZIE ADAMS	LA BORIE, ST. PAUL, GRENADA
3531598	F ALEXANDER FOR FLOYD ANDREW	STAFF GRENADA
3560520	MAUREEN &/NEILON ALEXIS	PERDMONTEMPS, ST. DAVID GRENADA
3599346	GEORGE FOR ANNA ANTOINE	WINDSOR FOREST, ST. DAVID, GRENADA
3695361	RHONDA BEAUSOLEIL FOR BILL	C/O BB PLC, ST. GEORGE, GRENADA
3910033	CHARLES EMMA FOR JONNICA	RIVER ROAD, ST. GEORGE, GRENADA
4105355	FRANCINE DOUGLAS FOR CLAUDELL	SALISBURY ROAD, GRENVILLE, GRENADA
4280904	KYRON FOR DESRON FREDERICK	NEW HAMPSHIRE, ST. GEORGE, GRENADA
4281072	LYSTIA FREDERICK FOR AKEEM	GRAND ROY, ST. JOHN, GRENADA
4439377	DOSLYN FOR DAVID HARFORD	GENERAL P.O., LOWTHER'S LANE, ST. GEORGE, GRENADA
4535864	CARLON JAMES &/OR J HORSFORD	MARIAN, ST. GEORGE, GRENADA
4637446	ALISTER JOSEPH FOR MARIO REDHEAD	P.O BOX 46, ST. GEORGE, GRENADA
4765509	RODNEY &/SANDRA LEWIS	MT. PARNASSUS TEMPE P.O. ST. GEORGE, GRENADA
4791348	RHONDA LUCAS FOR K BEAUSOLEIL	C/O BARCLAYS BANK PLC. STAFF ST. GEORGE GRENADA
4794584	AGNES MCLAWRENCE FOR ALISA	PETITE BACAYE WESTERHALL ST. DAVID GRENADA
4807481	SITA MARECHEAU/CURT MITCHELL	GRAND ROY ST JOHN GRENADA
5102228	NORRIS PAUL FOR NORISSA S J	VICTORIA ST. MARK GRENADA
5506906	PATRICIA TELESFORD FOR KAMAL	C/O GEO F HUGGINS P.O. BOX 46, GRENADA
4457782	GEORGE G W &/SEAN HENDERSON	MILL STREET, BIRR COUNTY, OFFALY IRISH REPUBLIC
4688067	KNIGHT &/KENT KNIGHT	WOBURN P.O. ST. GEORGE GRENADA
5686114	KENNETHIA &/OR WILLIAM YOUNG	602 HEMPHILL CIRCLE NC 28303 U.S.A
3689078	CARL K BENNETT/P VICTOR/JONATHON	VINCENNES ST. DAVID GRENADA
4009992	CYNTHIA PHILIPPA BHAGWAN & JOHANNA D C LALITE	DUNFERMLINE C/O GRENVILLE PO GRENADA
106342356	RONDA LILIUS COBB	BEAULIEU ST. GEORGE GRENADA
3622905	NADINE COX FOR JEFFREY	GRENADA
3623146	PRINCESS ISABELLA/PETER E COX	23 GRANVILLE COURT, NYNEHEAD STREET, NEW CROSS LONDON, ENGLAND
3630266	JOHANNA/MARY/WINIFRED CUDJOE	HARVEY VALE, CARRIACOU, GRENADA
3657091	DORAN/RUTH DUNCAN	10 ROSE GARDENS, SOUTHHALL MIDDLESEX UBI 2XL ENGLAND
3778468	ESTHER MARCELLE/SOLOMON/JACOB LANG	71 WOODSTOCK RD. SHEFFIELD S 71 HA SOUTH YORKSHIRE, ENGLAND

Please note that should the subject property not be claimed within 90 days - funds will be transferred to the Eastern Caribbean Central Bank.

# Abandoned Property for CIBC FirstCaribbean International Bank Grenada as at 31 October, 2022



**FirstCaribbean**  
International Bank

In accordance with Section 168 of the Banking Act we publish details of property which has been classified as abandoned. Account holders can claim ownership should they visit any of the branches of the bank with some means of identification.

## SAVINGS ACCOUNTS

ACCOUNT NUMBER	NAME	ADDRESS
3860679	COSMOS/BARBARA PHILLIPS	303 NORTH BROOKSIDE AVE, FREEPORT NY 11520 USA
63673658	THERESA MARIA FRANCIQUE	57 BRADLEY ROAD, HUDDERSFIELD HD2 1UZ WEST YORKSHIRE, ENGLAND
3647657	RUDOLPH/JILL DELISLE	528 SNEDIKER AVE, BROOKLYN NEW YORK 11207 USA
3682002	PILGRIM GABRIEL/THERESA GABRIEL	2 EVELYN HOUSE W12 LONDON ENGLAND
3683955	ARTHUR &/OR MILDRED GAY	HARVEY VALE CARRIACOU GRENADA
3826756	LESTER/GEORGE C NELSON	TOP HILL CARRIACOU GRENADA
3949459	MR SAMUEL &/OR GREGORY WILSON	C/O MS ELSA MARTINEAU WINDWARD, GRENADA
63942675	MS AGNES &/OR SHARON WHYTE	4 WHITBREAD AVE. BEDFORD BEDFORD ENGLAND
3530407	DEVON ANTHONY BAPTISTE	BRUNSWICK, CARRIACOU GRENADA
3660246	ABIGAIL EMMANUEL FOR A PETERS	HILLSBOROUGH, CARRIACOU GRENADA
3791782	LISA MC GILLIVARY FOR T J ALEXIS	PROSPECT HALL, CARRIACOU GRENADA
3825563	KIOLA NEDD FOR KYLE ST BERNARD	PETITE MARTINIQUE GRENADA GRENADA
3854180	JOSHUA N P PERROTTE	MAIN STREET, HILLSBOROUGH CARRIACOU, GRENADA
63747279	WAYNE S JOSEPH FOR JAMAL J JOSEPH	L'ESTERRE CARRIACOU GRENADA
3564999	CHRISTOPHER BOATSWAIN	309 SHELLEY ROAD, WELLINGBOROUGH, NORTHANTS, NN8 3EW ENGLAND
3630703	SYLVIA/MS LINDA CUDJOE	BELVEDERE, CARRIACOU, GRENADA
106551642	PETRONA LYNETTE EMMONS	BEAUSEJOUR, CARRIACOU, GRENADA
3792906	CARMEN PERROTTE	RADIX , TEMPE P.O. ST. GEORGE, GRENADA
3920203	HANNEY MONIC SYLVESTER	M/R
3513594	CECILIA BAPTISTE FOR RENEE	RICHMOND HILL, ST. GEORGE, GRENADA
3515139	SHIRLEY ANN/AKIM BENJAMIN	GRAND ANSE, ST. GEORGE, GRENADA
3620013	RENORL FOR RENELLE GOODING	NEW HAMPSHIRE, ST. GEORGE, GRENADA
3796707	LORRISIA T P PHILBERT	GRAND ANSE P O, ST. GEORGE, GRENADA
3960213	SALLY WALCOTT FOR TARA	GRAND ANSE, ST. GEORGE, GRENADA
106565990	JANINE M GHATT	MORNE JALOUX, ST. GEORGE, GRENADA
3570288	BECKY FOR COREY A K FERREIRA	P.O.BOX 1866, ST. GEORGE, GRENADA

Case Number :GDAHCV2022/0443

FILED  
HIGH COURT  
GRENADA

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

Submitted Date:01/11/2022 11:21

GRENADA  
CLAIM NO. GDAHCV2022/0443  
BETWEEN:

Filed Date:01/11/2022 11:21

Fees Paid:12.00

IN THE MATTER OF THE POSSESSORY TITLES ACT

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

FREDERICK PETERS

APPLICANT

APPLICATION FOR DECLARATION OF POSSESSORY TITLE NOTICE

Whereas **FREDERICK PETERS** of Pearls in the parish of St. Andrew in the State of Grenada presently residing at Montreal, Canada by his application filed in the High Court on the ~~21<sup>st</sup>~~ day of ~~October~~, 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 the Notice which is being published twice in the newspapers.

SCHEDULELot 1

All that lot piece or parcel of land situate at Pearls in the parish of St. Andrew in the State of Grenada containing by admeasurement 3 Acs. 0 Rd. 2.5 Pls English Statute Measure and abutted and bound by its many sides by Public Roads and an Allowed Road as shown on the plan drawn by George Alexander, Licenced Land Surveyor and surveyed on the 15<sup>th</sup> day of December, 2020.

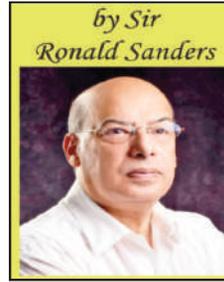
Lot 2

All that lot piece or parcel of land situate at Pearls in the parish of St. Andrew in the State of Grenada containing by admeasurement 37,929 Sq. Ft English Statute Measure and abutted and bound by its many sides by the lands of Jean and Frank Alexander, a 10 Feet Allowed Road, the Lands of Estelle Taylor and the Public Road as shown on the plan drawn by George Alexander, Licenced Land Surveyor and surveyed on the 8<sup>th</sup> day of December, 2020.

  
Registrar  
Registrar Supreme  
Court Grenada

The court office is at York House, Church Street, St. George's Grenada; Telephone number 1-473-440-2030, Fax 1-473-440-6695. The office is open between 8.00a.m and 4.00p.m Mondays to Fridays except Public Holidays.

# America's Democracy not trumped in mid-term elections



In my commentary last week entitled, US Mid-term elections: a defining moment for the World, I pointed out that no less a person than Joseph R Biden Jr, the President of the United States of America, proclaimed that democracy is at stake in his country.

President Biden was not alone in this judgement. Many others, including former President Barack Obama, former and current members of the U.S. Congress, media commentators and academics voiced the same opinion. They all cited many occurrences and public statements by leading far right figures in the Republican party, including candidates for election to the House of Representatives and the Senate at the mid-term elections for which voting culminated on November 8.

Amongst the matters for deep concern were voter intimidation, death threats and physical assaults on high profile politicians, most particularly on the husband of Nancy Pelosi, the then Speaker of the House.

On Election Day, there were many instances of voters abandoning their right to vote because they were terrified at the menacing presence of armed persons gathered around the polling stations.

All these factors played a part in the mid-term elections, whose final result is still unknown as this commentary is being written two days after all the votes were cast. Control of the House of Representatives and the Senate is not yet decided. With a run-off to be held in Georgia for its Senate seat, it will be December before control is settled. As for the House of Representatives, it appears fairly certain that the Republicans will win the 218 seats required for a slender majority.

The leaders of the Democratic Party, including President Biden, are taking comfort that an enormous swing to the Republican Party did not happen, despite the toxic atmosphere in which the mid-term elections were held. The Republicans will have only a slender majority in the House

and may yet not gain control of the Senate that could revert to the 50-50 split that obtained over the last 2 years.

Indeed, even with all the results not yet certain, President Biden is being praised for success in containing an increase of the Republican's numbers in the Congress. Biden has fared far better in his first midterms than the two most recent Democratic presidents, Barack Obama and Bill Clinton, did in theirs. In this case, it would be fanciful to write his political obituary.

The Biden Administration will face opposition in the House if the members of the Republican Party vote in concert to block legislation. Similarly, unless the Senate passes to Democratic control, or remains equally divided between the parties as it is now, giving Vice President Kamala Harris a casting vote, it can also frustrate President Biden's legislative programme. But none of this is a foregone conclusion.

In these mid-term elections, the expected large victory by the Republicans did not occur for many reasons. One of them is clearly an objection, by a large number of voters, to the tactics of intimidation by the far-right that was encouraged by Donald Trump. This includes the January 6, 2021 mob attack on a joint session of Congress that sought to prevent the formalization of Biden's victory in the 2020 Presidential elections.

The failure of the Republicans to win a wide sweep of victories is also a rejection by many voters of the persistent claims of Mr. Trump and his principal advocates that the 2020 election was fraudulent – a claim he repeated about the November 8 mid-term elections where some of his sponsored candidates lost, including, famously, the TV personality, Dr Oz. At the end of the day, the body politic of the United States placed great value on the democratic principles that they believe are important to them.

Two other factors would have influenced votes against the Republicans. One is the strong objection by women against the official Republican stance against abortions - not only the considerable feminist movement but also the sentiment of a large number of women who insist that they should have the right to choose whether or not to have an abor-

tion. These groups of women turned toward the Democratic Party.

The second issue is the mindless support of the Republican Party for the gun lobby, which insists on retaining permissive policies on buying and carrying guns. The recent spate of attacks on schools and murdering of children influenced votes for the candidates of the Democratic Party who advocate stricter gun control.

Exit polls, conducted by the Pew Foundation, suggest that the rapid increase in consumer prices was the top issue for only 32% of voters. Many voters would have voted against the government for this reason, but others would have calculated that the high prices of oil and foodstuffs, the increase in interest rates and the cost of borrowing and mortgages is a worldwide phenomenon, resulting from the COVID-19 pandemic and Russia's war against Ukraine.

The Republicans failed to make this issue a dominant reason for voting against the Democratic administration of Joe Biden.

Preliminary figures indicate that around 115 million votes were cast in the midterm elections. The number will rise when all the votes are counted, but even if it is marginally more than the preliminary estimate, it is a high voter turnout even in the face of intimidation and threats.

In the end, despite the continuing efforts to disrupt the rule of law and democratic practices and institutions, the voters in the U.S. chose balance and rights, but it is doubtful that this will stop the autocratic rhetoric that continues to be the bully pulpit of those who want a different America.

Mr. Trump is expected to announce his run again for the Presidency if he has not done so by the time this commentary is published. But the mid-term results are already not what he expected. He failed to gain the wide support he wanted to underpin his declaration to "save America". The opposite happened.

*(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)*

# “Embarrassing to the Office of the Governor General”

\* From pg 19

I think that the authorities indicate the converse of the defendants' position. In their submission: the defendants argue that, even if Ms. Benoit had a right to a hearing based on the complaints against her, the authorities have held that the right to be heard does not require any specific type of hearing. In other words, the rules of natural justice are adaptive based on the specific circumstance.

Counsel relies on the House of Lords decision in *Lloyd v McMahon* to support her submissions, where Lord Bridge stated:

“My Lords, the so-called rules of natural justice are not engraved on tablets of stone. To use the phrase which better expresses the underlying concept, what the requirements of fairness demand when anybody, domestic, administrative or judicial, has to make a decision which will affect the rights of individuals depends on the character of the decision-making body, the kind of decision it has to make and the statutory or other framework in which it operates.

In particular, it is well-established that when a statute has conferred on anybody the power to make decisions affecting individuals the courts will not only require the procedure prescribed by the statute to be followed, but will readily imply so much and no more to be introduced by way of additional procedural safeguards as will ensure the attainment of fairness.”

The above authority seems to suggest that with respect to natural justice, the requirements of fairness are based on the nature of the decision-maker, the kind of decision it has to make and the statutory framework under which it operates.

The decision in *McMahon* is not an authority for saying that the right to a hearing is dispensed with in cases where there is a specific allegation of misconduct and there is no specified procedure for a hearing before dismissal.

On the contrary, the authorities seem to be clear as to what is required where a decision to terminate the services of an office holder is based on a specific allegation.

Webster JA in *Darius-Clarke* noted that:- “The duty to act fairly would have arisen if the decision to terminate Mrs. Clarke’s appointment

was based on a specific allegation made against her. In that situation, she would have been entitled to respond to the allegation. On the facts, there was no evidence of the advice given by the Prime Minister to the Deputy Governor General. In the absence of evidence of allegations against Mrs. Clarke in the termination process the principle of fairness did not apply to her and there was no requirement that she be heard before her termination. Ministry of Foreign Affairs & Prime Minister Patrick Manning v Feroza Ramjohn and Ganga Persad Kissoon.”

In essence, his Lordship recognises that while the Prime Minister in that case had the right to advise the Governor-General to revoke Mrs. Darius Clarke’s appointment as ambassador without cause, the duty to act with fairness may have dictated that the Governor General permitted her an opportunity to be heard where a specific allegation was made or where the decision was taken based on a complaint.

In support of this *Darius-Clarke* relied on the decision of the Privy Council in *Ministry of Foreign Affairs et al v Feroza Ramjohn et al*. Webster JA summarised the facts of the *Feroza Ramjohn* case and stated:

“The Board found that the veto power allowed the Prime Minister to object to an appointment on general grounds without advance notice to the affected person, but where there is an allegation against the affected person that is considered in the decision making process the person should, as a matter of fairness, be given an opportunity to be heard.

The evidence in the case was that the Prime Minister considered a letter from the Minister of Agriculture about Mr. Kissoon. Mr. Kissoon was not given an opportunity to respond to the contents of the letter and the Board found in his favour on the facts applying the fairness principle.”

Additionally, I refer to the defendants’ extraction from *Hosford v Minister for Social Protection*, where the court at paragraph 19 stated that:

“The Applicant accepts that he was and remains liable to transfer at the sole discretion of the Respondent. It

could not realistically be suggested that every decision to reassign a civil servant to different duties engages the full panoply of Constitutional and Convention rights and that the party thereby affected must be afforded fair procedures including for example the right to make submissions or be given reasons. That would be evidently absurd.

There is clearly a range of decisions in the context of employment that may be taken which are merely administrative or managerial in nature and do not give rise to such rights or which are amenable to judicial review. The position may be different where the decision complained of is disciplinary in nature and involves the imposition of a penalty or perhaps dismissal. On occasion, a civil servant may not like being transferred from one role to another but that is an incident of the job and not a matter for judicial review. It is debatable whether there is any public law element arising in such circumstances.”

The *Hosford* case, in my view, recognises that while a public servant is liable to be transferred or reassigned within the public service at the sole discretion of the respondent, the position may be different where the decision to transfer is based on a complaint or is as a result of the imposition of penalty.

There is a long line of cases on decisions being taken by public bodies without affording the affected person an opportunity to address the charges or complaints against them, such as the *Council of Civil Service Unions v Minister of Civil Service* which formulated the term “procedural impropriety” that is grounded on principles of fairness and the rules of natural justice.

Further, the words of *Byron CJ* in *Corporal Philbert Bertrand v The Secretary, PSC*, are apt in the circumstances, where his Lordship summarised the rules of natural justice:-

“However, it seems clear from this case that three essential elements of the rule require restatement. One is the duty to disclose the information on which judgment is likely to be based in order to give an opportunity to controvert, correct and comment on it. Another is the necessity to give particulars of the charges on which judgment will be based. The



Judy Benoit - was sacked as Supervisor of Elections

third is the elementary and obvious imperative that judgment should not be reached until the parties have had an opportunity to be heard.”

With respect to the

issue of fairness, the House of Lords in the case of *Doody v Secretary of State for the Home Department* and other appeals, Lord Mustill stated at page 106 of the judgment

that:

“What does fairness require in the present case? My Lords, I think it unnecessary to refer by name or to quote from, any of the oft-cited authorities in which the courts have explained what is essentially an intuitive judgment. They are far too well known. From them, I derive the following.

(1) Where an Act of Parliament confers an administrative power there is a presumption that it will be exercised in a manner which is fair in all the circumstances.

(2) The standards of fairness are not immutable. They may change with the passage of time, both in the general and in their application to decisions of a particular type.

(3) The principles of fairness are not to be applied by rote identically in every situation.

What fairness demands is dependent on the context of the decision, and this is to be taken into account in all its aspects.

(4) An essential feature of the context is the statute which creates the discretion, as regards both its language and the shape of the legal and administrative system within which the decision is taken.

(5) Fairness will very often require that a person who may be adversely affected by the decision will have an opportunity to make representations on his own behalf either before the decision is taken with a view to producing a favourable result, or after it is taken, with a view to procuring its modification, or both.

(6) Since the person affected usually cannot

(Continue on pg 27)

**GRENADA:**

**Claim No. GDAHBP2022/0417**

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

**IN THE ESTATE OF GABRIEL HADDON LA TOUCHE, 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 Ladybell Sylvia La Touche of Westerhall in the parish of Saint David in the State of Grenada, the lawful wife of the deceased and one of the persons entitled to share in the estate of the said deceased, the deceased having died intestate on the 19<sup>th</sup> day of May, 2022 at Westerhall in the parish of Saint David in the State aforesaid

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 7<sup>th</sup> 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](mailto: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 Public Holidays

# School teacher loses case against NNP regime

GRENADA

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

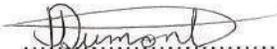
IN THE ESTATE OF AGATHA REDHEAD LATE OF LA MODE  
ST GEORGE GRENADA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by Errol Redhead of La Mode in the parish of Saint George in the state of Grenada for a Grant of Letters of Administration to the applicant who is son of the deceased, the deceased having died intestate on the 10<sup>th</sup> day of August 2019.

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

Dated the 10<sup>th</sup> day of November 2022

  
.....  
Thira Dumont  
Attorney-at-law  
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.



File photo of teachers protesting in the streets of St George's on the issue of pension

\* From page 18

my view ought to put to rest the question of whether the Government had the right to refuse to pay Ms. Lusan for the days that she did not work. However, before departing from this discourse I must address shortly Ms. Lusan's almost whispered allusion to (3) other matters. Firstly, Ms. Lusan says that she is a tenured worker. Counsel for Ms. Lusan makes the point that the PSC regulations in Part IX thereof makes a distinction between what Counsel terms the "regular employees" and Ms. Lusan, "tenured workers". Counsel contends that it is only with respect to the former class of workers that a "regular employment contract" applies. By the description "regular employment contract", Counsel explains that those are cases to which the "no work, no pay rule" may apply. With respect, I do not agree. For one thing, there is no explanation of the differences between the categories of workers identified by Counsel and how the common law ought to be applied in either case. I am fairly certain that my reading of the referenced provisions of the PSC Regulations and in fact the entirety of the PSC Regulations does not disclose a distinction between categories of workers for the purposes of the application of the common law rule in question. This ground of the claim is without substance and is accordingly dismissed.

[29] Secondly, counsel contends that in any event the dispute between the parties must move beyond this preliminary discourse. The court will have to conduct a factual hearing to determine whether Ms. Lusan was in fact at work on the days in question. I would have thought that this issue was now moot having regard to the fact that the Government paid Ms. Lusan for the days that

she allegedly did not work. More significantly, in her own evidence Ms. Lusan averred that she turned up for work on the morning of the days in question, but she left her place of employment when she saw "no activities" at the school. I think Ms. Lusan by that statement puts to rest any factual dispute as to whether she worked on the days in question.

[30] Finally, counsel for Ms. Lusan argues that the deduction of the sums from her salary amount to a deprivation of property in violation of the terms of section 6 of the Grenada Constitution. I will say quite frankly this view is beyond misplaced. Section 6 of the Constitution reads –

"6. Protection from deprivation of property

(1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except where provision is made by a law applicable to that taking of possession or acquisition for the prompt payment of full compensation.  
(2) Every person having an interest in or right over property which is compulsorily taken possession of or whose interest in or right over any property is compulsorily acquired shall have a right of direct access to the High Court for –

(a) the determination of his or her interests or rights, the legality of the taking of possession or acquisition of the property, interest or right and the amount of any compensation to which he or she is entitled; and

(b) the purpose of obtaining prompt payment of that compensation:

Provided that if Parliament so provides in relation to any matter referred to in paragraph

(a) of this subsection the

right of access shall be by way of appeal (exercisable as of right at the instance of the person having the interest in or right over the property) from a tribunal or authority, other than the High Court, having jurisdiction under any law to determine that matter..."

[31] At a basic level, for a section 6 application to be successful, the claimant would have to show that there was property in existence which was taken by the Government in a manner that violates the Constitution. There could be no argument that property exists in this case. Ms. Lusan did not work for the days in question and as such did not accrue income for those days which could be said to be her property. Indeed the rulings and reasoning in Sykes and Wakefield discussed above in this discourse could not make the position any clearer. Particularly, in Wakefield15 it was said that in order for the claimant to be successful in an action for wages in this context, he or she must show that at the material time he or she was ready and willing to work. An employee who is absent from work would undoubtedly be unable to prove the same. This ground of the claim cannot succeed as well and is dismissed.

[32] The long and short of it therefore is that this claim must fail. For the purposes of the laws of Grenada and in particular the relationship of employer and employee subsisting between the Government and public servants in Grenada, the common law rule of "no work, no pay" is quite alive. Accordingly the Government was not acting illegally or in violation of Ms. Lusan's constitutional rights when it refused to pay her salary for the days that she did not work.

(TO BE CONTINUED)

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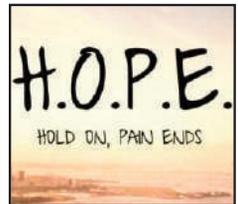
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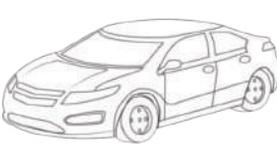
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IN THE SUPREME COURT OF GRENADA AND THE WEST INDIES ASSOCIATED STATES  
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 (PROBATE)

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 Filed Date:09/11/2022 15:02

GRENADA

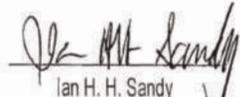
IN THE ESTATE OF ADRIAN CLEOPHAS SMART (also known as ADRIAN SMART, LATE OF MOLINERE ST. GEORGE, GRENADA, DECEASED

ADVERTISEMENT OF APPLICATION FOR GRANT

TAKE NOTICE that an application has been filed by Shenna Kemmicor Murrell-Joseph of New Hampshire, St. George, Grenada for a Grant of Letters of Administration to the Applicant who is the daughter of the deceased, the deceased having died intestate on the 28<sup>th</sup> day of December 2021.

Any persons 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 29<sup>th</sup> day of July 2022

  
 Ian H. H. Sandy  
 Amicus Attorneys  
 Attorneys at Law for the Applicant

Filed by Amicus Attorneys, Chambers, Upper Church Street, St. George's, Attorneys-at-Law for the Applicant.

The Court Office is at Church Street in the Parish of Saint George, Telephone: 473-440 2030/0870, Fax: 473-440-6695. The Office is open between 8 a.m. and 4 p.m. Monday to Friday except Public Holidays.

# A new regional agenda for tourism

London, England - No one should be in doubt. A toxic economic mix consisting of a war in Europe, surging inflation, slowing Chinese growth, a probable global recession, and a decision to cut production to increase oil prices by OPEC+ – the cartel that now includes Russia – threaten to setback Caribbean tourism recovery.

Put more directly, some already relatively high-cost tourism destinations in the Caribbean may experience next year a significant decline as household budgets are stretched, particularly in Europe, as personal post-pandemic savings evaporate, and higher airfares and input costs for hotels make the Caribbean less affordable to middle and lower-end long-haul travellers.

The implication in the

short term is that many visitors may choose to vacation closer to home. This will likely make the United States and Canadian markets of greater significance, see a surge in the numbers cruising to avoid higher onshore costs, require new emphasis on encouraging airlift for visitors from Central and South America, and offer competitive advantage to lower input cost destinations such as Cuba and the Dominican Republic.

Despite this, Caribbean tourism is unlikely to lose its long-term economic pre-eminence. As the pandemic proved, an absent industry spells economic disaster for most Caribbean nations.

According to regional research, hospitality is now linked to almost every aspect of the Caribbean economy. It is a huge employer of

labour both directly and indirectly (43 per cent), is the single largest generator of foreign exchange in 16 Caribbean nations, is responsible for 53 per cent of export earnings, is the sector receiving the most foreign direct investment, and by global standards has a higher percentage of GDP (33 per cent) derived from tourism. It also indirectly supports in many nations governments' ability to fund education, healthcare, and social services through corporate-related and other taxes imposed on visitors.

The pandemic was a watershed for the sector. It has caused many Caribbean tourism ministers to recognise the importance of consolidating past success and the need to restructure the tourism value chain on a regional and subre-

gional basis to ensure that in the long term, the industry's economic benefits are sustainable, resistant to misfortune, and are spread more widely across the whole region.

Discussing this recently with Jamaica's Tourism Minister, Edmund Bartlett, and the longer-term initiatives the region might take to future proof and strengthen the sector, he pointed to the exchanges that took place last month within the framework of the Ministerial Council of the Caribbean Tourism Organisation.

Describing the CTO meeting as the best he had attended, he said that the focus was on the need to take a longer-term, non-traditional, and much broader view of what the Caribbean has to offer and to whom, the impor-

ance of creating new international alliances, and the need for a whole-of-government whole-of-region approach, bringing with it an industry sometimes at odds with public policy.

"Recovery cannot come without growth, and to grow, we need to diversify, both within our tourism product and the markets we expand into," he said.

Some of the solutions he and others propose have been well trailed in the media – the need to develop further intra-regional multideestination tourism as is the case in Central America; the harmonisation and development of single-visa schemes to ease pan-Caribbean travel, especially by visitors from new markets; the creation of regional marketing, product development, and investment strategies; joint airlift agreements; and much improved linkages between regional- and internationally based airlines as part of a strategy to boost tourist arrivals.

But much less commented on, however, has been his view, also expressed separately by his counterpart in Barbados, Lisa Cummings, and Cuba's former tourism minister, now Prime Minister, Manuel Marrero, that the future fortunes of Caribbean tourism lie in economic convergence between complimentary economies – that is to say, the construction of a new tourism architecture that better integrates the industry and its offering in the north-western and south-eastern Caribbean and their subsets.

This they believe could result in collaborative strategies to jointly develop product and offerings attractive to



new markets, enable economies of scale, and see the pooling of resources to achieve common goals, knowledge sharing, and skills transfer.

There are already signs of real progress in relation to new markets. The development agreement signed in May between Jamaica and Saudi Arabia is likely to be followed by one with Barbados with, it is hoped, both bringing new airlift able to open visitor markets in the Gulf, the Far East and Africa, and new investment.

Another intention that could revolutionise Caribbean tourism if delivered regionally is a policy that could see all workers in the sector being able to share in the industry's success.

Expanding on comments made in a recent speech at a Caribbean Hotel and Tourism Association conference in Puerto Rico, Minister Bartlett suggests that those who work in the industry must "remain at the core of tourism's recovery and future growth" and have "tenure, mobility, and portability". To achieve this, he believes that tourism must professionalise, build human capital, and offer permanent employment. Central to this, he says, should be the linking of employees' wages to the US dollar the currency in which most hotels transact business, an issue that is under review in Jamaica.

He is also promoting internationally the view that the Commonwealth and the Commonwealth Secretariat should be

playing a much greater role in tourism development as a force for integration between Commonwealth countries. In a little noticed but thought-provoking speech delivered in Rwanda when Commonwealth Heads met in June, he suggested that a much stronger Commonwealth focus on the sector could see the global grouping recalibrate their economic relationship and encourage convergence.

The CTO Ministerial Council has asked Ministers Cummins and Bartlett to recommend a work plan that identifies how many of these ideas might be delivered. According to the body's new chair, Cayman Islands Minister of Tourism Kenneth Bryan, the two ministers will present a plan by January 2023 that could lead to a new sustainable growth agenda for tourism.

Speaking recently about this in Barbados, Minister Cummins made clear that a far more comprehensive approach to tourism is needed to help grow and sustain the industry. She, like Minister Bartlett, sees tourism development as requiring a whole-of-government policy.

The opportunity now exists, perhaps for the first time, for tourism to be led by Caribbean-centric economic thinking. A new regional agenda for tourism would be a welcome step towards future-proofing what has become the region's primary industry.

(David Jessop is a consultant to the Caribbean Council)

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

### GRENADA

In the Estate of **THERESA BENOIT** (also known as **Marva Benoit**) late of St. Paul's, in the parish of Saint George and State of Grenada, deceased.

**TAKE NOTICE** that an application has been filed by **JANET MILLER**, of St. Paul's, in the parish of St. George and State of Grenada presently residing in Brooklyn, New York in the United States of America, for a Grant of Probate of the will of the above named deceased who died on the 30<sup>th</sup> of March 2022 without revoking a will bearing the date of 6<sup>th</sup> February 2021 where the applicant is the named 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 this 7<sup>th</sup> day of November 2022.

  
Celene Edwards

Law Office of George E.D. Clyne

Attorneys-at-Law for the Applicant

Filed by the Law office of George E.D. Clyne on behalf of the Applicants with its office situate at Old Fort Road, St. George's. Telephone numbers 440-2545/435-2545.

The court office is at Church Street, St. George's Grenada; Telephone number 440-2030, Fax 440-6695. The office is open between 8:00 a.m. and 4:00 p.m. Mondays to Fridays except Public Holidays.

## A Response to Country Man - Transition Politics

\* From page 12

of the department, he was able to mobilise over three hundred million United States dollars' worth of project funding from international donors.

Many of these projects including the St. Patrick's Road Rehabilitation Project, CDB Schools Rehabilitation, Agricultural Feeder Road and St. John's River Mitigation project took over six years to get started after he was sent packing because of being labeled an NDC supporter.

The long delay in getting those projects

started caused some donors to pull out funding from a few projects such as St. John's River Mitigation Project. To attempt to malign a competent senior officer with decade old unsubstantiated allegations is ridiculous and buffoonery to say the least.

In addition to Country Man being under a rock it is either he is a sycophant of the defeated regime who is trying to get in the way of those competent senior officers who were sidelined by the defeated government, returning to their sub-

stantive positions by spreading false and unfounded allegations as was done a few weeks ago on Justin Rennie, the Chief Fisheries Officer sidelined and maligned by the defeated regime or a false flag operation by persons close to the government or around the orbit of the transition team who feel threatened by the return of the competent senior officer to his substantive position.

I await to see how the government and the new Public Service Commission will respond.

# Miss Grenada copps 2nd Runner-Up spot in Miss OECS Pageant 2022

Grenada's 2022 Carnival Queen, Reesa Mc Intosh is back home after participating in the return of the Miss OECS Pageant held in Dominica last week Saturday for the first time since the COVID-19 pandemic. The 26-year-old Teacher of Tempe, St. George, who was Crowned 'Miss Grenada,' after winning

this year's National Carnival Queen Show competition in July, competed against six (6) other Caribbean beauties from Anguilla, St. Lucia, Antigua, and Barbuda, St. Kitts and Nevis, St. Vincent, and the Grenadines, and Dominica for the coveted Miss OECS title. She finished as the

Second Runner Up and the 2022 Miss OECS pageant judges also bestowed upon her titles for best promotional video, talent, interview, and Ms. Congeniality, categories she had also won when she competed in the national Queen Show competition, as part of the return of Spice Mas 2022, after a 2-year



From left to right: Miss Grenada Reesa Mc Intosh- First Runner Up, crowned Miss OECS 2022 - Kerriann Thomas from Antigua & Barbuda, and First Runner Up - Kejean Smith from St. Lucia (Credit: ABS TV Radio)

Intosh's performance in a telephone interview with **THE NEW TODAY** on Tuesday, Kirk Seetahal, who coached, and designed all of her pageant wear said, "I think she did Grenada Proud."

"She excelled in each category...you know the judges' decision is always final but to me, she represented us very well." Seetahal remarked.

Mc Intosh's journey into the spotlight began in 2013 when she won the GBN Gospel Challenge competition.

"I hope that during my reign I can use my platform to push education, and creative arts, and especially I want to encourage all the youths that whatever they are good at, whether it be technical skills or talent, go for it with confidence and that what they have to offer, though small in their minds, it can have a big effect on Grenada," Mc Intosh told reporters in an interview backstage after being crowned this year's national Carnival Queen.

She currently teaches Spanish, French, and Religious Affairs at St. Joseph's Convent, St. George's, and has described herself as a cultural enthusiast who is highly passionate about the creative arts, with a strong affinity for singing and dancing.

## "Embarrassing to the Office of the Governor General"

\* From page 23

make worthwhile representations without knowing what factors may weigh against his interests fairness will very often require that he is informed of the gist of the case which he has to answer."

The above authorities reveal that where public authorities like the Governor General are conferred with administrative powers, those powers must be exercised in accordance with principles of fairness.

In particular, the power to remove a person from office where there are complaints or allegations against the affected person enjoins the decision-maker to afford that person with an opportunity to be heard before the decision is taken to remove them from office.

It would further appear from the authorities that where the Governor General is exercising the powers given to her by the constitution, the courts will not normally investigate the exercise of those functions except where there is a patent breach of the law or as put in one case, where there is a "manifest, glaring and capricious exercise..." of those powers.

I would venture to say that a removal from office by the Governor General that violates the principles of fairness would justify a departure from the rule that the court will not normally interrogate the exercise of the powers granted to the Governor General by the Constitution.

In this case, the defendants do not deny or contradict Ms. Benoit's allegations that the Governor-General grounded the decision to remove her from the office of Supervisor of Elections with immediate effect based on the complaints received. Notwithstanding, the defendants at paragraph 3(g) of their defence plead, simpliciter, that those facts,

even if accepted, do not render the Governor General's decision irrational or unreasonable.

I disagree with the defendants' posture on those facts and I am of the view that their position cannot be maintained in light of the above stated authorities. For one thing, it is clear from the Governor-General's communication to Ms. Benoit that the reasons for her termination were based on complaints with respect to her performance in the office of Supervisor of Elections.

The first complaint was with respect of a complaint from one Glynis Roberts and the other complaint concerned the implementation of the MPID under the EGRIP project.

Further, Ms. Benoit's uncontroverted evidence is that the Governor-General handed her a written document outlining the termination of her services as Supervisor of Elections after informing her of the nature of the complaints against her and the reasons for the termination. This act, in my view, further compounds the unreasonableness of the decision, in that it suggests that the Governor-General had already taken the decision to remove Ms. Benoit as Supervisor of Elections and had previously prepared the termination letter without first giving Ms. Benoit an opportunity to address the charges against her. This suggests to me that the meeting was in essence a formal communication of the decision to terminate her position as Supervisor of Elections.

The principles of fairness dictated that Ms. Benoit ought to have been afforded a reasonable opportunity to address those complaints or allegations prior to the decision being taken to remove (her) as Supervisor of Elections.

It is for this reason that I find the Governor-General's decision to be in breach of the rules of

natural justice. I find that the decision taken by the Governor-General on 30th September 2013 to terminate Ms. Benoit's appointment as Supervisor of Elections was unlawful, null and void.

### Relief

I have stated above that at trial, Mr. Ferguson indicated that Ms. Benoit abandons her entire claim against the Attorney-General for declarations, damages and costs in respect of the actions of the Cabinet. I do not think that Ms. Benoit acted unreasonably in bringing that claim and in accordance with CPR 56.13(6) I make no order as to costs of the claim against the Attorney-General.

However, Ms. Benoit is successful in her claim against the Governor General and is entitled to costs in that claim assessed in the sum of \$5000.00.

### Conclusion

It is hereby ordered that:

(1) The application for judicial review filed by Judy Benoit (Ms. Benoit) on 18th December, 2013 against the first defendant is granted.

(2) The decision of the Governor-General to terminate Ms. Benoit's appointment as Supervisor of Elections with effect from 1st October 2013 was in breach of natural justice, principles of fairness and was unlawful, null and void.

(3) The claim against the second defendant, the Attorney-General, in respect of the actions of the Cabinet is dismissed with no order as costs.

(4) Ms. Benoit is granted costs in the sum of \$5000.00 in respect of her claim against the First Defendant.

**Raulston L.A. Glasgow**  
High Court Judge

hiatus, which was also due to the pandemic.

At the end of the OECS competition, it was Kerriann Thomas, a 21-year-old law enforcement officer from Antigua and Barbuda, who was declared Ms. OECS 2022, to take over the reign from Earlyca Frederick of St. Lucia, who has had a two-year reign after winning the regional competition in

2019, when the show made a massive comeback following a 20-year hiatus.

Miss Antigua & Barbuda, also won prizes for the Best Creative National Wear, Best in Swimwear, Best Evening Gown, and Best in Evening Gown.

Copping the first runner-up spot was Miss St. Lucia, Kejean Smith, 21, who was the Second Runner Up this year, in

that country's national Carnival Queen competition.

Held under the theme 'The Caribbean, a tropical utopia', the Miss OECS pageant allowed each contestant to promote her country, and culture as an idyllic location, and highlight the extraordinary attributes of the young women throughout the OECS.

Commenting on Mc



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CHORES (Children's Health Organization for Relief and Educational Service) returned to Grenada on Saturday, November 5th, for a week of work in pediatric cardiology, special needs, and Autism support. They had a cardiology clinic earlier this year but were able to return with a full team on this occasion.

The cardiac limb continues to be supported by the CHORES telemedicine clinic at the General Hospital, supported by team members Dr's. Fleary, Hamlet, and Brathwaite. CHORES remains grateful for the leadership of Dr. Jose Etedgui, who initiated this limb in October 2018 and continues to lead the project's cardiac clinics. The telemedicine unit generated four hundred and five (405) clinic visits for pediatric cardiac patients to date.

The special needs team brought providers in speech, occupational therapy, and physiotherapy. For the first time, two autism therapists joined the group to work with families and educate teachers in a question-and-answer session slated for later in the week. CHORES continues to provide gratis cardiac surgical care at Wolfson Children's Hospital in Jacksonville, Florida. Two children are in Jacksonville, having had successful surgical repairs and awaiting return.

We at CHORES support Grenada, are thankful for the community support extended to this project. Volunteers for the clinics, Ministry of Health, General Hospital, Grenada Heart Foundation (sponsors travel for patients traveling for surgical repairs) Grenlec, Digicel, Glenelg, SGUSOM, University Club, True Blue Bay Resort, Aquarium Restaurant, Island Catering, Ministry of Education, Grenada Bottling Company, Y & R car rentals, Avis (Spice Isle rental). We continue to depend on the diligent members of CHORES Support, Grenada, without whom this project would not succeed.



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VOL. 15 NO. 03

Week Ending Fri., NOVEMBER 18, 2022

## ATTORNEY-AT-LAW BOWS OUT IN DISGRACE

A high court judge in Grenada will today (Friday) deliver a judgment which brings to an end the legal career of disgraced Attorney-at-law, Brenda Wardally-Beaumont.

Earlier in the week, the judge had informed the court that a decision was taken to disbar the female attorney-at-law for not handing over \$304, 000.00 that was collected for a client, Joel Ganpot as part of a settlement in a divorce proceeding.

The judge announced that the full written judgement in the case brought against Wardally-Beaumont will be delivered Friday in open court, an event that will attract most members of the local legal profession.

Attorney-at-law Alban John who represented the aggrieved party approached the high court seeking an order for Wardally-Beaumont to be censured for

failing to hand over the money to his client.

British attorney Gerhard Wallbank who was on a short assignment in Grenada as an acting High Court Judge heard the matter and took the decision for disciplinary proceedings to be sent to the newly reconstituted General Legal Council, headed by retired high court judge, Roslyn Wilkinson.

THE NEW TODAY understands that the Roslyn Wilkinson-led legal body is likely to recommend that action be taken against some other members of the legal profession following serious allegations made against them by clients.

As a public service, THE NEW TODAY reproduces an edited version of the Justice Wallbank ruling that led to the downfall of Brenda Wardally-Beaumont as a practicing attorney-at-law on the island:

### RULING

(Jurisdiction of Court to discipline Attorneys-at-Law; suspension or striking off from Roll; misappropriation of client funds; professional misconduct.)

[1] WALLBANK J. (Ag): On 17th December 2014 the Court delivered a decision that conduct by the Defendant Attorney-at-Law should be referred to a disciplinary tribunal comprising at least two Judges of the Supreme Court for a determination whether the Defendant should be suspended from practice or struck from the Roll for professional misconduct. Given the gravity of the potential consequences for the Defendant I directed that the decision would be deemed to take effect upon the delivery of reasons for the decision. These are the reasons.

### Opening remarks

This matter has manifestly and understandably attracted a degree of public interest. At an earlier hearing of this matter Learned Counsel for the Claimant invited the Court to make a pronouncement to reassert fundamental principles for the benefit of Attorneys-at-Law and the public in general.

I therefore make the following opening remarks.

### Misappropriation of funds by an Attorney-at-Law

This matter concerns alleged misappropriation by an Attorney-at-Law of funds belonging to a client, the Claimant.

Misappropriation by an Attorney-at-Law of client funds breaches a number of fundamental principles that an Attorney-at-Law is bound to uphold.

One of these is an obligation on such an Attorney-at-Law to protect a client's money and assets. This principle goes to

the heart of a solicitor's duty to act in the best interests of a client.

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 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.

Betrayal of an oath is a form of perjury. Historically, even when oaths were made generally and extra-judicially and thus not punishable by common law or statute, breach of an oath was treated as aggravation for offences committed by officers.

The slightest glance at our legal system demonstrates that oaths pervade it.

They are the cornerstones of testimony and formal confirmation. Specially appointed officers commission them. Their form is carefully prescribed. They still are – or should be – the ethical guarantee that enables matters to be progressed with a high degree of confidence.

The Legal Profession Act, by Section 21 prescribes the current form of oath for Attorneys at-Law, as follows:

"I, [name], do swear, that I will truly and honestly conduct myself in the practice of law as an attorney-at-law, according to the best of my knowledge, skill and ability, and in accordance with the laws of Grenada."

### The Courts' treatment of misappropriation by its officers

Grenada has prescribed oaths, some of which invoke God's help, others, such as the oath to be taken by Attorneys-at-Law, which do not. Examples of states with purely secular oaths are avowedly atheistic societies such as the former USSR.

Let it be thought that the Court is more solicitous of the interests of an Attorney-at-Law than of the victims of his or her alleged professional misconduct, I must state categorically that that is not so.

Furthermore, lest it be thought that the Courts are slow to punish such wrongdoing by suspension or striking off, it should also be explained that that is an incomplete perception of what the Court tries to achieve.

As with the Solicitors Regulation Authority in the United Kingdom, the Court's first priority is always to find a solution for the immediate victims. Often that is complex. In the absence of a centralised compensation scheme and a regulatory body to which Attorneys-at-Law must report financial difficulties in time to enable practices to close or merge with more financially viable firms



Female attorney-at-law Brenda Wardally-Beaumont can no longer make appearances as an officer of the court

(to which no shame attaches), such as has been established in the United Kingdom, part of the solution may sometimes be to permit an Attorney-at-Law to continue to practice, with or without conditions, such as supervision, where practical, particularly where the victims themselves do not press for suspension or striking off.

In no cases should this be taken to imply that the Court is content to permit an Attorney-at-Law who has shown him or herself by such misconduct to be of unsuitable character to continue in office. It is not.

By section 75 of the West Indies Associates States Supreme Court (Grenada) Act, Cap. 366, this Court has a summary jurisdiction to fine an officer of the Court for misappropriating funds. That aspect is, currently at least, not in issue, for a number of reasons which need not be rehearsed here.

### The apparent facts of the present case

The pertinent facts in the present case appear as follows. It should be stressed that a disciplinary process has its own standard of proof to establish whether or not professional misconduct has occurred, and there has as yet been no finding of professional misconduct against the Defendant:

In April 2005 the Defendant received a sum of \$304,419.99 on behalf of one of her clients, Mr. Joel Ganpot, representing settlement sums in matrimonial proceedings between Mr. Ganpot and his ex-wife Mrs. Lester Ganpot.

Despite demands made by or on behalf of Mr. Ganpot the Defendant failed to pay over the said sum.

Mr. Ganpot sued the Defendant. Judgment in Default of Defence was entered against the Defendant in favour of Mr. Ganpot on 13th July 2007 in a total sum of \$308,248.69.

Despite Consent Orders subsequently being entered making provision for liquidation of the Judgment in instalments, a substantial portion of the debt currently remains unpaid.

(Continue on page 13)