



CARIBBEAN COURT OF JUSTICE

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MEDIA RELEASE

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CCJ DISMISSES APPLICATION FOR REVIEW OF ITS PREVIOUS ORDER

Port of Spain, Trinidad and Tobago. On Thursday, 25th April 2024, the Caribbean Court of Justice (CCJ) issued reasons in *Graham Bethell v Royal Bank of Canada (Barbados) Limited* [2024] CCJ 11 (AJ) BB for declining to review its own previous Order. This was an application for review from Barbados which the CCJ dismissed.

On 29 March 2023, Mr Bethell had applied to the CCJ for permission to appeal a Court of Appeal decision. On 18 August 2023, after reading the application, the CCJ issued an Order based on the documents filed, dismissing Mr Bethell's application. On 29 January 2024, Mr Bethell applied to the CCJ for a review of the Order denying permission to appeal. He sought to have that decision quashed and asked permission to present legal arguments in support of his earlier application for permission to appeal to the CCJ. An Order was issued on 25 April 2024 denying Mr Bethell's application for review and ordering costs to Royal Bank of Canada (Barbados) Limited.

In reasons authored by Mr Justice Adrian Saunders, with Justice Winston Anderson and Justice Maureen Rajnauth-Lee concurring, it was explained that Mr Bethell's application for review was denied as he relied exclusively on the merits of his substantive claim and its prospects of success. There was no material, however, that addressed the question as to whether and how the Court of Appeal was wrong in its reasoning when it dismissed his earlier application to it or what special circumstance existed warranting the CCJ's review of its order.

The application was considered by CCJ President the Honourable Mr Justice Saunders and Justices Anderson and Rajnauth-Lee. Mr Bryan Weekes acted for Mr Bethell. Mr Garth Patterson KC and Mr Khayyam Nakhuda acted for Royal Bank of Canada (Barbados) Limited.

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About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of six judges presided over by CCJ President, the Honourable Mr Justice Adrian Saunders. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, four states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

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