



CARIBBEAN COURT OF JUSTICE

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MEDIA RELEASE

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CCJ DENIES APPLICATION FOR PERMISSION TO APPEAL IN WRONGFUL DISMISSAL MATTER

Port of Spain, Trinidad and Tobago. On Friday, 26th April 2024, the Caribbean Court of Justice (CCJ) dismissed the application for permission to appeal to the CCJ in *Levi Maximea v The Chief of Police, The Police Service Commission and The Attorney General* [2024] CCJ 12 (AJ) DM. This application was from the Court of Appeal of the Eastern Caribbean Supreme Court (Dominica). The CCJ dismissed the application for permission to appeal on the basis that there was no reasonable possibility of a favourable outcome.

This case concerned a claim for wrongful dismissal and constructive dismissal which was brought by Mr Maximea who was a member of the Police Service from February 1982 up to the time of his dismissal. In the High Court, Mr Maximea's claim failed because it was an abuse of process as he had brought these issues to the same Court on previous occasions. Mr Maximea appealed to the Court of Appeal and his appeal was dismissed as that Court agreed with and saw no reason to interfere with the High Court decision. He then applied for permission to appeal in the CCJ and was denied.

In reasons authored by CCJ President Adrian Saunders, with Justice Maureen Rajnauth-Lee and Justice Peter Jamadar concurring, it was explained that Mr Maximea's application was denied because his intended appeal had no realistic prospect of success. It was an attempt by Mr Maximea to re-litigate the same issues of wrongful dismissal and constructive dismissal, matters on which the courts had previously decided.

In addition to denying the application for permission to appeal, the CCJ ordered Mr Maximea to make written submissions stating why the CCJ should not make an Order that he shall not file any further claims in the High Court relating to his dismissal from the Commonwealth of Dominica Police Force without first obtaining the permission of a High Court Judge.

The application was considered by the Honourable President Saunders and Justices Rajnauth-Lee and Jamadar. Mr Levi Maximea acted on his own behalf. Ms Nadira Lando acted for the Chief of Police, the Police Service Commission, and the Attorney General.

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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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