



Dominica Official Gazette

Published by Authority

VOL. CXL

ROSEAU, THURSDAY SEPTEMBER 14, 2017

No. 40

Departmental and Other Notices

IN THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
COMMONWEALTH OF DOMINICA
(CIVIL)

CLAIM NO. DOMHCV2009/0054

Between:-

Levie Maximea

Claimant

and

The Chief of Police
The Police Service Commission
The Attorney General of Dominica

Defendants

Before Justice Birnie Stephenson in Chambers
Dated the 30th day of January 2015

Appearances:

Claimant/Respondent in person
Miss Pearl Williams with Mrs. Joanne Xavier-Cuffy and
Ms. Tara Leevy State Counsel on behalf of the Defendants

ORAL RULING:

[1] STEPHENSON J: The Claimant in this matter represents himself. On the 6th April 2009, he filed an amended fixed date claim form which after a trial on the issue on the 13 July 2013 Justice Cottle

declined to grant the reliefs sought by the claimant. He successfully appealed the Learned Trial Judge's decision and on the 14th November 2014, the Court of Appeal made the following order:

- a. A declaration that the Chief of Police was in breach of the Police Service Regulations in so far as he failed to forward to the Secretary of the Police Service Commission and the Permanent Secretary responsible for the Police Service a report each year in relation to the Appellant.
- b. The matter is remitted to the lower Court for a determination as to whether or not the Appellant is entitled to damages resulting in breach of regulation 31 and if so, in what quantum.
- c. Costs to the Appellant in the sum of \$2,500.00.

[2] On the 3rd December 2014, the Defendants sought an order for directions of the Court. At the hearing of the application the Learned Judge based on the submissions presented, made the order that both parties file and exchange written submissions on the question as to whether the claimant is entitled to introduce new evidence for the purposes of assessment of damages by the 23rd January 2015.

[3] Both parties filed documents pursuant to the Court Order. The claimant filed his on the 13th January 2015 and the defendants filed theirs on the 23rd January 2015. The matter is now before me for ruling.