

Renraw Investments Ltd and 2 others (Respondents) v Real Time Systems Ltd (Appellant) (Trinidad & Tobago)

Case ID: JCPC 2021/0013

Jurisdiction: Court of Appeal of the Republic of Trinidad and Tobago

Case summary

Issue

Did the Court of Appeal err in finding that (a) it was entitled to set aside factual findings made by the High Court or (b) the High Court's findings were invalid due to bias?

Facts

In 2007, the Appellant paid to the Respondents a total of TT$1.5m by instalments. The Appellant claims these sums were a loan which was due to be repaid and started a claim to recover the sums when they were not repaid. The Respondents claimed that the sums were not loans, but that the Appellant provided the funds to finance an election campaign.

In 2018, the High Court found the payments were loans based on a series of factual findings about the reasons for the payments.

The Respondents appealed to the Court of Appeal on the basis that the High Court had made factual findings and drawn inferences which was not open to him on the evidence.

In February 2020, the Court of Appeal agreed that the High Court Judge had made an important finding for which there was no evidence and that he had failed to properly assess oral evidence given in the hearing. The appeal was allowed and the orders of the High Court Judge were set aside (e.g. deleted).

The Appellant sought permission to appeal to the Board, which was granted on 2 October 2020.

The Appellant appeals to the Board on the basis that the Court of Appeal erred in finding it was entitled to set aside the factual findings of the High Court Judge.

Parties

Appellant

Real Time Systems Ltd

Respondent

- (1) Renraw Investments Ltd
- (2) CCAM and Company Ltd
- (3) Austin Jack Warner T/A Dr. Joao Havelange Centre of Excellence

Appeal

Justices

Lord Hodge, Lord Lloyd-Jones, Lord Kitchin, Lord Hamblen, Lord Stephens

Hearing start date

15 May 2023

Hearing finish date

15 May 2023

Watch hearing

15 May 2023 [Morning session](#) [Afternoon session](#)

Judgment details

Judgment date

13 November 2023

Neutral citation

[2023] UKPC 39