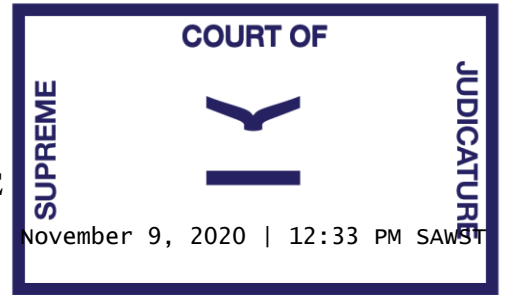


REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

Claim No: **CV2017-01389**



**IN THE MATTER OF THE FUNDAMENTAL RIGHTS AND FREEDOMS
GUARANTEED BY THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD
AND TOBAGO (“THE CONSTITUTION”) ENACTED AS THE SCHEDULE TO
THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO ACT,
CHAPTER 1:01**

AND

**IN THE MATTER OF AN APPLICATION FOR REDRESS PURSUANT TO
SECTION 14 OF THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO FOR THE CONTRAVENTION OF SECTION 4 OF THE SAID
CONSTITUTION IN RELATION TO THE APPLICANTS**

BETWEEN

**NADIA PHILLIPS
ZORISHA HACKETTE
JARED PRIMA
DEVON OLIVIER
REAH BARTON
KION ORR
DEIDRE ARCHIE
ADEKA DANIEL
DANIEL LYONS
CAMESHA PHILLIPS
AISHA ANDERSON
ROMAINE WILSON
KRISTAL GRIFFITH
KWASI BAPTISTE**

Claimants

AND

THE TOBAGO HOUSE OF ASSEMBLY

First Defendant

THE ATTORNEY GENERAL OF TRINIDAD AND TOBAGO

Second Defendant

ORDER

Before the **Honourable Mr. Justice David Harris**

Dated 10th January, 2020

UPON this matter coming up for Trial

IT IS HEREBY ORDERED that:

1. The case against the First Defendant is substantially dismissed save for “2-4” below.
2. It is declared that the failure and or refusal of the First Defendant to pay the Claimants, any or some of them, the said Claimants’ (any or some of them) outstanding gratuities earned as THA Contract Teachers (Educators) employed in Tobago amounts to a contravention of the Claimants’ rights to equality of treatment from any public authority in the exercise of any function as expressed in Section 4(d) of the Constitution of Trinidad and Tobago.
3. It is declared that the failure and or refusal of the First Defendant to pay the Claimants, or any of them, the said Claimants’ outstanding gratuities earned as THA Contract Teachers (Educators) employed in Tobago also constitutes a breach of the Claimants’ rights to enjoyment of property as set out in section 4(a) of the Constitution of Trinidad and Tobago.
4. The First Defendant by this order of Mandamus is compelled to immediately pay all outstanding monies and/or gratuities lawfully due and owing to the Claimants.
5. The other substantive reliefs claimed are dismissed in their entirety.
6. Interest at the rate of 2.5% per annum on the gratuity and/or monies due and owing to the Claimants from the date of the filing of the Claim to the date of this judgment.
7. Statutory interest at the rate of 5% per annum on the gratuity and/or monies due and owing to the Claimants from the date of this judgment until full satisfaction.
8. Each party to bear its own Costs.



**Assistant Registrar
Supreme Court**



TO: **MARTIN ANTHONY GEORGE**

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