



THE SUPREME COURT

[Appeal No. 91/20]

**McKechnie J.
MacMenamin J.
Baker J.**

BETWEEN:

KEITH HARRISON

PLAINTIFF

V.

PETER CHARLETON

DEFENDANT

Ruling on Costs dated the 12th day of April, 2021

1. The issues in this case were originally argued in some detail before the High Court. The High Court dismissed the applicant's claim. The applicant then appealed to the Court of Appeal. The appeal was dismissed.
2. The applicant applied for leave to appeal to this Court. In its determination, this Court declined to grant leave, setting out its reasons extensively. The applicant then applied to this Court to set aside its determination. This Court declined to do so. The applicant then lodged a wide-ranging submissions seeking to criticise the decisions of other courts. This Court indicated that those submissions, which should have been confined to costs, were improper. The Court granted the applicant the opportunity to lodge an appropriate response to the respondents' application opposing the application for costs. The applicant has not availed of that opportunity within the timeframe set out.
3. Accordingly, this Court must now deal with the issue of costs of this application for leave. The respondents are entitled to the costs of their opposition to the application for leave. The Court did not consider it necessary to call on the respondent to address the subsequent application to set aside the determination, or the inappropriate submission in the application for costs. The ordinary rule, Order 99, RSC 1986, is that costs should follow the event. (See, also, s.169 Legal Services Regulation Act, 2015).
4. In the view of this Court, there is no reason to depart from this principle in the instant case. Accordingly, this Court will award the respondents the costs of their opposition to

the application for leave, but no additional costs concerning this application. Having already determined that leave should not be granted, this Court has no role in addressing any awards of costs by the High Court, or the Court of Appeal.