

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 85 OF 2020

IN THE MATTER OF THE IMMIGRATION TRANSITION 2018 LAW  
(2012 REVISION)

AND

IN THE MATTER OF AN APPEAL PERSUANT TO ORDER 55 OF THE  
GRAND COURT RULES (1995 REVISION)

AND

IN THE MATTER OF A DECISION OF THE IMMIGRATION APPEALS  
TRIBUNAL DATED 9 MARCH 2020 AND RECEIVED 24 MARCH 2020

BETWEEN: CAROL MAE WATSON WHITE

Appellant

AND: THE IMMIGRATION APPEALS TRIBUNAL

Respondent



**NOTICE OF ORIGINATING MOTION**

Take Notice that the Court will be moved on the \_\_\_\_\_ day of \_\_\_\_\_ 2020  
at \_\_\_\_\_ a.m. /p.m., or soon thereafter as Counsel can be heard on behalf of the  
above Appellant, Carol Mae Watson White on Appeal from a decision of the  
Respondent, the Immigration Appeal Tribunal dated the 9 March 2020 and  
received on 24 March 2020.

## GROUND OF APPEAL

And Further Take Notice that The Grounds of Appeal are as follows:-

1. The Immigration Appeals Tribunal and the Permanent Residency Board erred in effectively in Law against the Appellant when they concluded that she had ignored the obligation to sit the history test when proper inquires by the Tribunal and the Board would have revealed that she was not duly notified of the time, place and the date when the history test was to be held.
2. The Immigration Appeals Tribunal erred in Law as it failed to treat the Applicant's Appeal as a hearing de Nova.
3. The Immigration Appeals Tribunal decision is wrong in law as it is not supported by all the evidence that it had before it and that it could have obtained if it had addressed its mind to all the circumstances as a whole and took a narrow approach to the assessment.
4. The Cabinet of the Cayman Islands Government in not publishing a list of occupation specified as priority occupations as set out in schedule 2(1) of the Regulations (2017 Revision) has and continues to deprive the Appellant of a fair hearing and the Appellant in a an inferior category from those Applicants who can put themselves in a higher points category.
5. The decisions of the Immigration Appeals Tribunal and the Permanent Residency Board are contrary to the Rules of Natural Justice.
6. The Immigration Appeals Tribunal and the Permanent Residency Board assessment under the established new point system and or the new points system established under the Immigration Regulations (2017 Revision) are in breach of the Cayman Islands Constitutional Order 2009.
7. The Immigration Appeals Tribunal and the Permanent Residency Board decisions should be set aside because those decisions are unreasonable as the decision makers did not apply a reasonable standard in their assessments.
8. The Immigration Appeals Tribunal and the Permanent Residency Board failed to consider and failed to give sufficiently serious consideration to the

Appellants application the circumstances and took a narrow approach to the assessment.

And Further Take Notice that the Appellant crave leave to file Additional and/or Supplementary Grounds of Appeal on receipt of the notes of evidence from the Immigration Appeals Tribunal.

And The Appellant Therefore Prays That:

1. The Decision of The Immigration Appeals Tribunal made on the 9 day of March 2020 be set aside; and or, be sent down to the Immigration Appeal Tribunals for a hearing.
2. The Immigration Appeals Tribunal be ordered to re-review the Appellant's Appeal with the view to giving the Applicant. Additional points necessary to Qualify on her Application.

Dated this 30 day of March 2020



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**A. Steve McField & Associates**  
**Attorneys-at-Law for the Appellant**

To: The Clerk of The Court

And To: The Immigration Appeals Tribunal

**THIS APPEAL** was **FILED** by **A. STEVE MCFIELD & ASSOCIATES** of George Town, Grand Cayman, Cayman Islands, Attorney-at-Law for the Appellant whose address for service is that of her said Attorneys-at-Law.