



Ian Benjamin SC

"Covers a broad range of work, including financial services regulatory, insolvency, insurance and tax disputes. He is a well-known figure in Trinidadian advocacy and is respected for his abilities in court."

Chambers & Partners

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Ian Benjamin SC practises throughout the Caribbean region, principally in Trinidad and Tobago.

Ian was one of the founders of and is now the head of Bethany Chambers in Port of Spain, Trinidad. He is also admitted to practice in Dominica, Grenada and Anguilla.

Ian practises primarily in the broad commercial areas of banking, financial regulation, insolvency, insurance, professional negligence and contentious pension and tax and construction disputes. In addition, he undertakes significant public law work including Commissions of Enquiry. He is well-regarded for his strategic advice and advocacy, particularly in appellate work and has made several appearances before the Privy Council. He is a member of the Chartered Institute of Arbitrators and is a CEDR Mediator. He also accepts appointments as an arbitrator and has appeared in several ICC and ad hoc arbitrations.

For further information about the scope of Ian's work at Fountain Court Chambers, please contact [Alex Taylor](#).

Recent Highlights

Commission of Enquiry chaired by Sir Anthony Colman (2011-2013) into the failure of Colonial Life Insurance Company (Trinidad) Ltd & Other entities in the CL Financial Group and multiple ongoing commercial litigation matters arising therefrom, acting on behalf of Central Bank of Trinidad & Tobago.

[Trinidad & Tobago Securities and Exchange Commission v Hassan Philip Rahaman](#)

Acting for the Securities & Exchange Commission in enforcement proceedings arising out of an IPO.

[Law Association of Trinidad & Tobago v Dr Keith Rowley, Prime Minister, and the Attorney-General and the Chief Justice and: The Hon. Chief Justice of Trinidad & Tobago v The Law Association of Trinidad & Tobago \[2018\] UKPC 23](#)

Acting for the Chief Justice in a public law challenge to the Prime Minister's decision not to impeach.

In the matter of CL Financial Ltd and of joint liquidators, acting for CLICO in establishing claim in trust.

National Gas Company of Trinidad & Tobago Ltd v C Kelshall, Liquidator of Arcelor Mittal Point Lisas Limited

Acting for NGC in a claim against the liquidator to determine the court's power and jurisdiction to review liquidator's decisions.

Expertise

Administrative & Public Law

Reported Administrative & Public Law cases

The Attorney General of Trinidad and Tobago and (2) The Director of Public Prosecutions v Lennox Phillip also called Yasin Abu Bakr and 113 Others Co (Trinidad and Tobago) [1994] UKPC 33

Acting for the Attorney-General to argue validity of pardon granted after attempted coup.

Sharma v Deputy Director of Public Prosecutions & Ors (Trinidad and Tobago) [2006] UKPC 57

Acting for the Government to ascertain whether decision to charge Chief Justice with perverting course of justice should be made by judicial review or through criminal process

Sherman McNicholls v Judicial and Legal Service Commission (Trinidad and Tobago) [2010] UKPC 6

Acting for Chief Magistrate seeking judicial review of Judicial and Legal Service Commission decision to prefer disciplinary charges.

Fishermen and Friends of the Sea -v- Environmental Management Authority and others [2018] UKPC 24

Acting for Environmental Management Authority in resisting claim for extending time for leave to apply for judicial review.

Ferguson, Maritime Life (Caribbean) Ltd & Ors v The Attorney General of Trinidad and Tobago (Trinidad and Tobago) [2016] UKPC 2

Acting for Director of Public Prosecutions in judicial review proceedings to determine validity and effect of retrospective repeal of legislation to introduce statutory limitation for criminal prosecutions.

Notable Administrative & Public Law cases

Acting for the Judicial and Legal Service Commission in respect of High Court judge challenge to revocation of appointment.

Banking & Finance

Reported Banking & Finance cases

Deslauriers and another v Guardian Asset Management Limited [2017] UKPC 34

Acting for property development company resisting liability to repay principal loan and enforcement by order of sale.

Commercial Disputes

Reported Commercial Disputes cases

Mohammed v Gomez & Ors [2019] UKPC 46

Acting for the appellant in challenging decision that the respondents were entitled to equitable interests in the homes built and maintained by them on appellant's property during the ownership of his predecessors.

L'Anse Fourmi Trust Holding Co Ltd v Anse Fourmi Beach and Rainforest Resort Ltd and ors

Successfully acting for property development company re dispute to title for proposed hotel and condominium development.

Financial Services

Notable Financial Services cases

Advising a Big Four accountancy firm in respect of potential libel and regulatory action.

Insurance

Reported Insurance cases

Super Chem Products Ltd v American Life and General Insurance Co Ltd & Ors (Trinidad and Tobago) [2004] UKPC

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Successfully acting for insurers in repudiating liability for insurance cover.

Media, Entertainment & Sport

Reported Media, Entertainment & Sport cases

Independent Publishing Company Ltd v Attorney General of Trinidad and Tobago & Anor (Trinidad and Tobago) [2004] UKPC 26

Acting for newspaper in contempt of court proceedings.

Professional Negligence

Reported Professional Negligence cases

Petroleum Company of Trinidad and Tobago Ltd v Ryan & Anor (Trinidad and Tobago) [2017] UKPC 30

Acting for respondents regarding a claim for damages for lung disease and whether or not caused by oil fumes emanating from appellant company.

Notable Professional Negligence cases

Acting for private hospital medical negligence claim where damages of TT\$40 million claimed.

Tax

Notable Tax cases

TT oil company - tax liability

Acting successfully for a TT oil company in respect of indemnity for tax liability.

Acting successfully for a TT energy company in tax dispute before the Tax Appeal Board.

Directory Quotes

"He's got an amazing advocacy style. He is the master of his brief and is extremely dynamic."

Chambers & Partners

Directory Rankings

Chambers & Partners – Global

- General Business Law: Advocates – Trinidad & Tobago

Education

- LLM, University of Sydney (2002)
- LLM, Cantab (1987)
- BA, Cantab (1986)

International Bar / Court Appointments

- Called to Bar Anguilla (2016)
- Called to Bar Grenada (2013)
- Called to Bar Dominica (2008)
- Called to Bar Trinidad & Tobago (1989)
- Called to Bar England & Wales (1988)

Memberships

- CEDR Trained Mediator (2011)
- CIArb Member (2017)
- Honourable Society of Middle Temple
- University of Sydney Law Faculty Graduates Medal for Most Outstanding Masters' Thesis (2003)
- International Postgraduate Research Scholarship, University of Sydney, Australia (2000-2002)
- Middle Temple Harmsworth Scholarship, London, England (1988-1990)
- Cambridge Commonwealth Trust Scholarship, England (1987)



- Wright Rogers Scholarship in Law, University of Cambridge (1984, 1985 & 1987)

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