

## Kryo Group Ltd v Securus Co Ltd and Another [2025] CIGC (FSD) 93

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SEPTEMBER 2025

**Court:** Grand Court of the Cayman Islands

**Subject:** GCR Order 63, rule 3, open justice, application to seal court file to protect allegedly confidential information in pleading, whether pleaded information is confidential

**Judge:** Asif J

### Summary

The Grand Court dismissed an application to seal a number of documents on the court file and anonymise proceedings in a commercial dispute involving estate and tax planning transactions.

The decision provides a helpful summary of relevant law, and highlights that open justice, protected by the Constitution and the GCR, remains the default position under Cayman Islands law, such that restrictions on access will only be granted where strictly necessary in the interests of justice.

### Further details

Kryo Group argued disclosure of the names of lenders and borrowers breached contractual and common law duties of confidentiality, and risked commercial harm if made public. The Defendants opposed the application, noting the pleadings were already restricted to the parties and the court file was not open to public inspection without leave.

Asif J accepted the information was confidential between the parties under relevant agreements, but held that there was no breach since the information was already known to both the Plaintiff and the Defendants, and material remained accessible only to the parties and the Court. The Court therefore declined to seal the requested documents, observing the GCR already prevented non-parties from inspecting the court file without leave. The Court emphasised that sealing orders are exceptional and confidentiality concerns should instead be managed through targeted preventative measures if third party access is later sought, including redactions or applications to prevent inspection.

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