



Summary of Proceedings

Public Hearing

Joint Select Committee on Finance and Legal Affairs

Held on Friday March 18th, 2016

Subject matter: An Inquiry into Criminal Case Flow Management in the Judicial System

Venue: A public hearing was held on Friday March 18th, 2016 from 10:21 a.m. to 12:39 p.m. at the J. Hamilton Maurice Room, Mezzanine Floor, Office of the Parliament, Tower D, The Port of Spain International Waterfront Centre, 1A Wrightson Road, Port-of-Spain.

Committee members

The following committee members were present:

- Ms. Sophia Chote, SC (Chairman)
- Mr. Michael Coppin (Vice-Chairman)
- Mr. Randall Mitchell, MP
- Mr. Clarence Rambharat
- Mr. Wayne Sturge

Witnesses who appeared

The following officials of the Ministry of the Attorney General and Legal Affairs appeared:

- Ms. Ingrid Seerattan, Permanent Secretary;
- Ms. Lydia Jacobs, Permanent Secretary;
- Mr. Roger Gaspard, SC, Director of Public Prosecutions (DPP); and
- Mr. Nicholas Suban, Senior Project Manager.

The following officials of the Legal Aid Advisory Authority appeared:

- Mr. Israel B. Khan, SC, Director/Chairman of Legal Aid Advisory Authority;

- Ms. Nancy A. Arneaud, Secretary;
- Mr. Richard Ragoobarsingh, Assistant Secretary; and
- Ms. Joan Eversley-Gill, Head of Legal.

Mr. Travers Sinanan, Barrister and Attorney-at-Law, also appeared in a private capacity.

Key Issues Discussed

The following are the main issues highlighted during the hearing:

- i. The challenges faced by the Office of the Director of Public Prosecutions in relation to the recruitment and retention of staff, in particular Legal/State Counsel;
- ii. The security risks encountered by prosecutors and their families due to their involvement in criminal cases;
- iii. The status of the relocation/completion of DPP Offices (Port of Spain, Tobago and San Fernando);
- iv. The need for customised and reliable information and records management systems at the Office of the DPP;
- v. The ratio of attorneys to criminal matters in the Assize courts. The following are some statistics presented by the DPP on the Port of Spain Assize courts:
 - In 2010, 1 attorney: 66 matters
 - In 2012, 1 attorney: 78 matters
 - In 2014, 1 attorney: 84 matters
 - In 2016, 1 attorney: 150 matters
- vi. The fact that Public Prosecutors in Jamaica and Grenada have smaller caseloads compared to Trinidad and Tobago. An acceptable ratio for Trinidad and Tobago would be 1:20-25;
- vii. The training of State Counsel assigned to the Office of the DPP;
- viii. Legislative and administrative strategies to address problems in the criminal justice system such as:
 - Establishing of a Public Defenders Department;
 - Granting prisoners the right to vote;

- Categorizing the offence of murder into Category 1, 2 and 3. Categories 2 and 3 can may have the option of bail and the Death penalty can be applied to category 1 murders;
 - Implementation of a Plea Bargaining System;
 - Plea and Case Management Hearings;
 - The use of mediation for matters involving minor offenders;
 - Review of committal bundles by the DPP;
 - The decriminalisation of marijuana;
- ix. The role of the Legal Aid and Advisory Authority in effectively monitoring the performance of Attorneys assigned to cases;
- x. Mechanisms to monitor and evaluate the service of attorneys-at-law at Legal and Aid and Advisory Authority;
- xi. The in adequate number of Criminal Defence Lawyers available in the country;
- xii. The unique challenges faced by rural residents in accessing the courts;
- xiii. The establishment of specialized courts as a means of improving the rate of disposition of criminal matters. Specialised Courts may include:
- Remand Court
 - Gun Court
 - Drugs Court
 - Murder Court

Contact the Committee's Secretary

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Committees Unit

Friday 18th March 2016