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CJ given until Monday

JADA LOUTOO Saturday, May 27 2017

ONE of the accused men in a five-year-old murder inquiry which is among 53 cases ordered by the Judicial and Legal Services Commission (JLSC) to be started over from scratch, has given JLSC head and Chief Justice Ivor Archie until Monday to withdraw this decision.

Akili Charles, one of six men who last month staged a near-riot at the Port of Spain Magistrates Court, which led to the resignation of former chief magistrate Marcia Ayers-Caesar as a high court judge, has written to Archie calling on him to rescind the decision taken at a stakeholders meeting on Wednesday.

At that meeting, it was decided that the 53 cases left in abeyance when Ayers-Caesar was elevated to the high court bench, will be restarted from scratch. A mere two weeks into her appointment as a judge on April 12, Ayers-Caesar resigned admitting she failed to inform the JLSC about part-heard matters she left behind in the magistrates court.

Charles' attorney Gerald Ramdeen, in the letter to the CJ, questioned the source of the jurisdiction of the persons who met on Wednesday to make the decision on his client's case. He has threatened to file a constitutional claim if CJ Archie does not rescind the decision taken last Wednesday to have the 53 cases - including the one involving his client Charles - start over from scratch.

Ramdeen reminded the CJ that the jurisdiction to determine the manner in which Charles' case proceeds _ was vested exclusively in the court hearing that matter, in accordance with provisions of the Summary Courts Act.

"For this body, led by you Chief Justice, to arrogate unto itself the power to determine the future conduct of my clients' judicial proceedings is unlawful, unconstitutional, in breach of the rule of law and violates the fundamental tenets of due process and protection of the law to which my client is entitled. Any decision intended to determine how the future conduct of my clients' proceedings are to be conducted are null and void and of no effect," Ramdeen told the CJ.

He also noted that neither Charles nor his attorneys were invited to Wednesday's meeting or told about it beforehand.

Charles has been incarcerated at the Frederick Street Prison since 2010, when he and Chicki Portello, Anton Cambridge, Kareem Gomez, Levi Joseph and Israel "Arnold" Lara were charged for the murder of Cepep employee Russell Antoine at Covigne Road in May of that year.

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