



Law Association <ttlassociation@gmail.com>

Meeting of Wednesday 24th May 2017

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To: The Law Association of Trinidad and Tobago <ttlassociation@gmail.com>

Colleagues,

I received a telephone call from the Vice President last Monday, asking whether I would be prepared to attend a meeting together with himself and two other persons on behalf of the Law Association. The meeting was carded for Wednesday and was being convened by the Honourable Chief Justice to discuss matters pertaining to the administration of justice.

Since I have represented the Association before, I had no problem doing so again. As it happened, the two other members of the private Bar who were invited did not attend.

I took the precaution of taking notes of this meeting which was chaired by the Chief Justice. Other attendees were Soo Hon JA, Mohammed JA, Pemberton JA, Brown-Antoine J., Lucky J., Ag. CM Busby-Earle, HW Forde-John, HW Gonsales, HW Mohammed, VP of the Law Association, and Ms S. Pierre of the CJ's office.

May I add, that I had received a telephone call from Ms Pierre the week before advising me of this meeting. She also sent me a copy of the letter sent to the President of the Law Association and suggested that I should attend as one of the Association's representatives. I told her that I was not a member of Council but if I were to be asked by the Council to attend I would do so.

While the letter sent out was broad in its remit, the Chief Justice at the start of discussions made it clear that the meeting was called to hear the views of persons at the table with respect to Mrs. Ayers-Caesar's outstanding matters. As it happens, both Mr. Persad and I represent persons who are affected by this imbroglio and both of us held different points of view.

Mr. Persad for example, said that his client was willing to waive the jurisdiction issue in order to have his matter completed. I was of the view that the matters ought to start *de novo*.

The Ag. CM and some of the Magistrates expressed the view that if there was waiver of the jurisdiction issue, if convicted, the person could not take the point on appeal. The DPP and I disagreed with that.

May I say, that I found that no useful purpose was served by the presence of the Judges of the Assizes. Indeed when the DPP, Rajiv and I were making the point that if these matters were being heard *de novo*, before they could get off the ground we would require the notes of evidence of the earlier hearing we were met by a loud and lengthy discourse by Brown-Antoine J who disagreed, and who went on to say that she wanted to be "put down" there so she could wrap up the cases. I must say this was alarming to say the least.

The DPP told me that he would like to meet with the Council of the Law Association at the earliest opportunity and I asked Rajiv to bring this to the Council's attention.

At the end of the meeting, I would say that the majority of persons expressed the view that perhaps it was better for these matters to be started *de novo*. There was certainly no decision taken on the matter nor were we individually polled for our views. The Ag. CM indicated that she was not resiling from the view she held at the beginning, but if this is what had to be done she had a team assembled.

Rajiv and I left the meeting at its conclusion. We were not asked to view any press release nor were we told that

there was going to be a press release. There was certainly no collective decision taken at the meeting. It would have been out of place for us to participate in a decision-making process.

I wish to add that on Thursday, I met Sen. Ramdeen at the sitting and during one of the breaks he showed me his iPad with the CJ's release. That was the first time I was seeing it. I told Mr. Ramdeen that no decision had been taken at that meeting and that I could say so because I had attended. He asked me who makes the decision for matters to begin *de novo*. I said that as far as I could remember it has always been the Chief Magistrate.

Should any member of Council wish to have any additional information please feel free to contact me.

Regards,
Sophia Chote SC

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