



LAW ASSOCIATION OF TRINIDAD AND TOBAGO

MEDIA RELEASE

The Law Association was contacted by a member of the media for a comment on the question whether the press conference held by Senator Renuka Sagrarsingh-Sooklal, Minister in the Ministry of the Attorney General may be seen as an attempt to influence the Director of Public Prosecution's (DPP) exercise of his powers to determine whether the criminal proceedings in what is referred to as Piarco No 1 should be continued or discontinued. This is the considered response of the Council of LATT.

The DPP holds an office which is established by the Constitution. He is empowered to commence criminal proceedings, and he is empowered to discontinue criminal proceedings which have already been commenced. In making his decision one way or the other, he is expected to take into account a number of factors which bear upon the principles of fairness and the public interest. He is expected to make his decisions independently, and to that end, he is assured financial security and security of tenure under the Constitution. He is expected not to succumb to pressure of any sort from any quarter, and it would be wrong for anyone to seek to exert undue pressure on him in order to influence any decision he might make. But that does not mean that there is any prohibition against anyone, including from the office of the Attorney General, expressing a view as to how the DPP should exercise his powers in any particular case. The DPP has a constitutional function to perform and must have the character and fortitude to perform that function independently and fairly. The DPP cannot be expected to be oblivious to or insulated from the views of others. But he must do his duty, regardless of those views.

The Council has had the opportunity of viewing a recording of the press conference given by Minister Sagrarsingh-Sooklal. We have not been able to detect any effort on her part to suggest what course of action the DPP should take in relation to Piarco 1, far less any attempt to put undue pressure on him to make a decision one way or the other. We have noted a press release by the DPP setting out the factors he will take into account in deciding his next step. We expect that he will make his decision in accordance with his accustomed deliberation and independence.

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30th June 2022