



LAW ASSOCIATION OF TRINIDAD AND TOBAGO

MEDIA RELEASE

STATEMENT OF THE LAW ASSOCIATION OF TRINIDAD AND TOBAGO ON CORRUPTION PERCEPTIONS INDEX

The Trinidad and Tobago Chapter of Transparency International (TTTI) recently presented the international body's 2023 Corruption Perceptions Index (CPI). The accompanying report lamented a lack of judicial independence among the countries of the Americas and reported considerable challenges in fighting corruption.

In the CPI report, countries such as Brazil, Peru, Ecuador, and Jamaica came in for special mention under the rubric 'checks and balances, lack of justice and impunity,' while countries such as Honduras and Venezuela were highlighted as having particular problems of 'corruption of power and violation of human rights.' Nowhere in the CPI report is there any specific mention of Trinidad and Tobago beyond the award of the relatively low score of 42 out of 100.

That notwithstanding, the TTTI's Chairman, Donna Jack-Hill, in her address when the 2023 CPI Report was presented, made remarks which suggested that this year's results focused on the weakening of the Trinidad and Tobago Judiciary and the Judiciary's consequential failure to control corruption or to fulfil its role as a crucial check on other branches of Government.

Indeed, the overall comments of the TTTI's Chairman gave the impression that the 2023 CPI Report contained a broad-brush condemnation of the Trinidad and Tobago Judiciary as one that is riddled with political interference, and which is frequently susceptible to bribery and other forms of undue influence. However, it is not apparent to the Law Association of Trinidad and Tobago (LATT) how these comments about the Judiciary are fair or justified.

In its 2023 CPI report, Transparency International identified the following goals for countries in the region:

- Strengthening the independence of justice systems, including merit-based appointments and promotions and adequate resourcing;
- Introducing integrity and monitoring mechanisms, adequately resourcing them, and refraining from abusing them;
- Improving access to justice and making procedures accessible to qualified civil society organisations in bringing forward corruption.

Achieving many of these goals is in process in Trinidad and Tobago. There are, of course, challenges. The LATT is on record through its 2017 report on the Judicial and Legal Service Commission reform, with proposals for comprehensive reforms to the system for appointing judges. Further, the Judiciary is still struggling to achieve financial autonomy from the Central Government. This plight is shared by other agencies, such as the Integrity Commission and the Equal Opportunity Commission.

Trinidad and Tobago undoubtedly must do better in providing transparency. Procurement legislation was passed but severely watered down before its recent introduction. In fact, the LATT supports the TTTI's call for Whistle-Blower legislation and Campaign Finance legislation. Civil society can do much more to impress on the Government the need to prioritise social and economic goals and allocate taxpayer resources accordingly.

LATT, as a civil society organisation, is very mindful of its duty to bring corruption to the fore. Critical institutions, such as the Judiciary, must be subject to scrutiny. However, no useful purpose is served by unfair or unfounded criticisms of our country's critical institutions. One of the LATT's functions is to promote, maintain, and support the administration of justice and the rule of law. By extension, it must also defend the Judiciary against unwarranted attacks.

LATT, therefore, deplores the recent non-specific and unfounded characterisation of Trinidad and Tobago's Judiciary as failing in its duty to control the Executive and as being riddled with corruption. We call upon the TTTI to issue a statement correcting the false impression that its statement may have given to the public, which led to headlines in at least one local newspaper questioning the independence of the local Judiciary.

LAW ASSOCIATION OF TRINIDAD AND TOBAGO

5th February 2024