



LAW ASSOCIATION OF TRINIDAD AND TOBAGO

MEDIA RELEASE

The Law Association of Trinidad and Tobago (LATT) wishes to express its deep concern over statements recently attributed to the Commissioner of Police(COP) regarding the reasons for his decision not to place on suspension, those police officers who were involved in a shooting which resulted in the death of one individual, and the maiming of another, following a police chase.

The COP is reported to have said that he reviewed footage circulating on social media and that having reviewed such footage, he saw nothing which suggested that placing the police officers involved in the said shooting on suspension was warranted. The LATT cannot say which footage the COP reviewed. It can say however that the footage which it viewed appeared to show police officers opening fire on the occupants of a vehicle which appeared to have crashed following a police chase. One of the occupants of the vehicle appeared to be attempting to surrender. Neither of the occupants appeared to be engaging in an exchange of gunfire with the said police officers.

The criminal law in operation in Trinidad and Tobago applies equally to law enforcement and to civilians. The use of deadly force may give rise to a defence of self-defence, if such force is proportionate and justified given the existing threat to personal safety. Self-defence is a complete defence to the offence of murder.

The COP did reportedly advert, in a previous statement, to an exchange of gunfire between police officers and the occupants of a vehicle. LATT has not seen footage of such an exchange, which could raise a defence of provocation, a partial defence to the offence of murder, which could reduce a conviction for murder to manslaughter. Self-defence, however, does not avail any individual who engages in retaliation against individuals, arising from action previously taken, if the threat to personal safety created by such action no longer persists.

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