

November 10, 2005

The Honourable Patrick Manning M.P
Prime Minister
White Hall
Queen's Park West
Port of Spain.

**Law Association
of Trinidad and Tobago**
established by the
Legal Profession Act 1985



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Dear Prime Minister,

The Council of the Law Association shares with the rest of the national community the deep concern over the unacceptable levels of crime in our country. The Council of the Association has formulated a number of specific proposals which it feels will go a long way towards reducing crime in the society. We take this opportunity to share these proposals with you.

Legislation

- 1) DNA legislation must be enacted and put into effect by January 1, 2006. We are aware that steps have been belatedly taken to have appropriate legislation drafted but the process must be expedited.
- 2) Enact laws to provide for electronic monitoring of persons convicted of certain crimes.
- 3) Enact laws providing for adequate sentencing options to Magistrates and Judges to give effect to restorative justice principles and thereby reduce prison overcrowding.
- 4) Enact modern Rules dealing with Prison conditions.
- 5) Enact legislation to provide for treatment of addicts and alternatives to prison sentences.
- 6) Enact laws to provide for the introduction of the breathalyzer and speed guns.
- 7) Enact laws to provide for adequate support for victims of crime.

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- 8) Amend the existing laws to provide for an increase in the number of judges so that more courts will be available to deal with criminal prosecutions.

The Police

There is also an urgent need to deal with matters relating to the Police Service

- 1) Qualification for entry into the Police Service must be made higher than at present.
- 2) There should be extensive training programmes to improve investigative techniques of police and their competence in taking witness statements, case analysis, preparation of case dockets, and to improve their forensic skills.
- 3) There is need for an increase in the number of police officers. We have received reports of times when there have been no more than 2 police officers on night duty at police stations in "hot spots".
- 4) Introduce measures for a quicker response time to reports e.g. within 10-15 minutes of a report police officers should be on the crime scene.
- 5) There is need for an increase in police patrols of all types including helicopter and mobile patrols.
- 6) Computerization of all police records so that they are easily available to police officers wherever stationed.
- 7) Replace Police prosecutors with attorneys-at-law in Courts. This is a measure which was approved by Parliament more than 25 years ago. It will ensure that preliminary enquiries are better conducted.
- 8) There is need for police officers to make greater use of forensic crime scene investigation techniques. This will assist in the preservation of the integrity of crime scenes and retention of evidence.
- 9) All police stations must be in a satisfactory state of repair and provide accommodation conducive to police officers performing at a high level.

Prisons

The Council is of the view that prison reform is essential to any improvement in crime situation in the country. Inhumane prison conditions will make criminals of persons who are not that way inclined.

- 1) Implementation of the recommendation in the Report on prison reform to provide for restorative justice programmes, training and education of inmates and the immediate improvement of prison conditions.
- 2) Encourage prisoners to learn to read by literacy training, provision of proper library facilities and expansion of the prison school system.
- 3) Utilize fully the Maximum Security Prison at Golden Grove which was constructed about a decade ago.
- 4) Reduce over crowding and inhumane conditions in prisons. It is no use talking about refusal to grant bail to persons not yet convicted if there are no proper prisons in which to keep them.
- 5) Construct a proper prison in Tobago The facilities there are merely of a holding bay.
- 6) The Inspector of Prisons must be made to report to Parliament on matters relating to prison conditions so that the public will be made aware of them.

The DPP

We believe that there is need for the Office of the Director of Public Prosecutions to be given adequate staff and resources.

- 1) The number of attorneys-at-law in the Department must be increased to cope with the growing incidence of serious crime. This is particularly so at the higher levels.
- 2) Attorneys-at-law should be assigned to each Magistrate's Court to prosecute cases thus replacing police prosecutors with attorneys. Urgent steps should be taken to accomplish this.

- 3) State attorneys should be assigned to all police districts to guide police officers on procedural matters and investigations.
- 4) There is urgent need for proper accommodation for the Office of the Director of Public Prosecutions. Accommodation which was given to that office was recently made available to another body. The Office of the DPP is not treated with the priority which it deserves.

Judiciary

There are matters relating to the Judiciary which call for urgent action

- 1) Increase complement of Magistrates and Judges with a view to all trials being completed within 3 years of the commission of the offence.
- 2) The CAT system of reporting should be introduced in all courts to improve court efficiency and reduce the length of trials.
- 3) Immediately repair all Magistrates Courts that are in a state of disrepair.

Education and Schools

As part of a long term programme the country's education system must be addressed.

- 1) There is need for proper mentoring programmes in schools
- 2) Emphasis should be placed on the teaching of reading and writing to achieve literacy among students.
- 3) Proper library facilities should be provided in all schools (persons who read are shown to be less likely to commit violent crimes).
- 4) Educational and training programmes should be introduced in all vulnerable communities to reduce the impact of "gangs" in communities.

Miscellaneous Matters

There are other steps which can be taken to deal with crime and which should be taken urgently

- 1) There should be an adequate witnesses protection programme.
- 2) Measures should be taken to protect children who are or risk being abused.
- 3) The State should train and increase the number of forensic science officers.
- 4) There is need to establish forensic science centers in San Fernando and Tobago.
- 5) The Police Complaints Authority must be strengthened in an effort to reduce the number of errant police officers.
- 6) Closed Circuit Television Cameras should be used in cities, towns and busy places to detect crimes and provide evidence in criminal cases.

The Council of the Law Association is committed to work with any group in civil society which is willing to assist in alleviating the present crisis. We are satisfied that what is required is speedy and effective implementation of the above proposals.

Yours faithfully,


Russell Martineau S.C
President