

Statement by the Honourable Minister of National Security

Madam Speaker, I have been authorized by the Cabinet to make the following Statement:

On March 29, 2023, a request was received by the Commissioner of Prisons, from the Registrar and Marshal of the Supreme Court of Trinidad and Tobago, for an intended visit by the Honourable Mr. Justice Frank Seepersad, to the Port of Spain Prison on April 20, 2023, with accompanying persons. Court Order CV2023-00792 accompanied that request.

On the basis on this Court Order, declarations were made in relation to the substantive matter and the Order stated that costs were to be assessed. No mention was made of “Damages.”

In the course of the usual arrangements for such visits, requests were made for the submission of the names and designations of all the persons, who the Judge intended to accompany him on this visit. A preliminary list was submitted to the Commissioner of Prisons, on April 4, 2023 in this regard.

Via subsequent oral communications, the Registrar and Marshal informed the Commissioner of Prisons that the Judge intended to be accompanied by the Media.

Given that the Order had made no mention of “Damages” to be assessed and hearing of intended accompaniment of the Media, the Commissioner was unclear as to the purpose of the Judge’s visit. However, he proceeded to make the necessary provisions.

As required, the Commissioner of Prisons informed the Minister of National Security, of the intended visit of the learned Judge and of the persons who were to accompany the Judge.

As Minister of National Security with responsibility for the Prison Service, I requested that the Commissioner of Prisons, ascertain the reason for the visit, given that the Order had made no mention that “Damages” or damages to be assessed.

As a consequence of the subsequent publicly expressed disquiet in relation to this series of events, I wish to remind this Parliament that the Trinidad and Tobago Prison Service is an arm of the Criminal Justice System and a Division of the Ministry of National Security. As such, it was well within my authority and purview, as the Minister with responsibility for National Security, to ascertain the nature of the visit, and particularly so since a journalist, who was named, was to be a member of the intended entourage.

While an *official visitor* as defined in the Prison Regulations, is entitled to visit the prison pursuant to the Prisons Rules, this privilege certainly does not automatically extend to members of an accompanying entourage. Thus, in circumstances where the intended visitors are not themselves official visitors, the Commissioner of Prisons, is duty bound to make the requisite enquiries.

Finally, as articulately and accurately described by a media release issued by the Judiciary dated 21 April, 2023, visits to the Prison by judicial officers are regularly facilitated by the Commissioner of Prisons. However, the nature of each request must be evaluated, so that the necessary safety measures and logistical preparations can be made to ensure that these visits are without incident. In this

particular case, questions were asked; and for good reason! Answers were provided and the visit was therefore properly planned. The visit, like many others that have been arranged over the years, came off quite successfully; and without incident.

I wish to reiterate that as a member of the Executive arm of the State and a long standing legal practitioner, I certainly recognize, understand and fully appreciate the mutual respect and comity required to ensure that the separation of powers is strictly observe, while all arms of the State work together cooperatively and in the interest of the State.

I therefore thank you for the opportunity to deliver this Statement and to clarify this issue.

Minister of National Security
April 26, 2023