

## CCSJ calls for urgent action to create a just and merciful criminal justice system

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Press release

All people of goodwill have been invited by Pope Francis to join the Catholic Church in observing this Extraordinary Jubilee Year of Mercy which he has initiated, under the theme: “Merciful Like the Father”. It is taken from the Beatitudes. Jesus said in His Sermon on the Mount: “Blessed are the merciful, for they shall obtain mercy”.

In response to this call, and in keeping with the Church’s duty to read the signs of the times and to interpret them in the light of the Gospel, the Archdiocese of Port of Spain has identified several initiatives through which T&T may become, in the words of Archbishop Joseph Harris, “a more merciful place”.

One such initiative is His Grace’s request to those in authority to free some of the remand prisoners who have been behind bars longer than the maximum term that could have been imposed on them if they had been tried and found guilty of their crimes.

CCSJ supports this initiative and also calls on those in authority to act swiftly to address the injustice of warehousing people on remand because they cannot meet the requirements to secure bail. CCSJ understands that while some Magistrates release persons on their own recognisance, others insist on surety and land. Is there a need for consistency in this practice? Such a discretion may very well impact adversely on the poor.

CCSJ notes the statistics made public recently by Hon Faris-al-Rawi, Attorney-General, that there are 2,300 persons on remand, of which 1,000 are facing murder charges and are not entitled to bail, and that of the remaining 1,300, between 650 to 680 have been granted bail but “are still in remand because they cannot access bail because the stricture of bail is too tight” (AG).

CCSJ agrees with Seenath Jairam, SC, former President of the Law Association, former member of the Police Service Commission, and member of the Law Reform

Commission, that the State should “reset the bail system” which is unfair to the poor. As reported in *Newsday* on 24 July, “he warns that it is unfair and unconstitutional for persons who have already been granted bail to be denied their liberty simply because they cannot afford to satisfy technicalities”. The nation should take note of his caution of the possible effects of overcrowding in prisons in inhumane conditions while on remand.

CCSJ urges the AG and his team to speed up the process of “factoring the access to bail” for those who have been granted bail “but cannot get out of the system” (AG). It is more than time that systems are put in place to ensure that conditional release for those affected do not languish in our prisons. We also ask for urgent action on Archbishop Harris’ aforementioned appeal for mercy, where appropriate.

Leela Ramdeen, Chair of CCSJ, says: “If we are to build a just and peaceful society, we must reflect on the fact that, as stated in a Vatican II document, *Gaudium et Spes*, ‘A just society can become a reality only when it is based on the respect of the transcendent dignity of the human person. The person represents the ultimate end of society. The social order and its development must invariably work to the benefit of the human person... not the other way around’. We should be seeking to develop our people, not to further diminish their dignity. We are our brothers’ and sisters’ keepers. Too many of our key institutions in T&T are broken, including our criminal justice system. Now is not the time to sit and wring our hands in despair. Let us turn this scandal and crisis into an opportunity for urgent and decisive action.”

“Mercy! Mercy!” is the cry of those who feel the brunt of these injustices. Are we listening?

CCSJ calls on Catholics and all people of good will to reach out in love and compassion to the victims of crime and their families, as well as to offenders who may be released so that, together, and with God’s mercy, we will heal our land. We encourage Parishes to allocate responsibility to specific Ministries in your respective Parishes to provide practical re-entry assistance to those who are released/to be released and to their families. Let us promote restorative justice by helping to rebuild lives and strengthen family life.

Remember: “God’s mercy can make even the driest land become a garden, can restore life to dry bones (cf. Ez 37:1-14). ... Let us be renewed by God’s mercy, let us be loved by Jesus, let us enable the power of his love to transform our lives too; and

let us become agents of this mercy, channels through which God can water the earth, protect all creation and make justice and peace flourish. (Pope Francis, Easter *Urbi et Orbi* message on March 31, 2013).

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