

Training Workshop for Police Prosecutors – 26 April 2019

The Institute for Judicial and Legal Studies organised a second training workshop for 27 police prosecutors on “the law of evidence and rules of advocacy in court” on the 22 February 2019. The full-day event was a resounding success inasmuch as the participants were in a position to familiarise themselves with, and deepen their knowledge of, the theoretical and practical underpinnings of the law of evidence by two resource persons from the Office of the Director of Public Prosecutions with significant expertise on prosecution matters. The resource persons were Mr Denis C D N Mootoo (Senior Assistant DPP) and Mr Azam M I Neerooa (Assistant DPP), as well as the participation of Ms M Pertaub. The event was structured to have the lectures in the morning and to have a mock trial after lunch break in order to enable the participants to immediately put into practice what they have learnt in the earlier lectures.

In the first lecture of the event, Mr Mootoo provided comprehensive guidelines for police prosecutors on how to prepare a case for prosecution. He elaborated on the theoretical aspects of the trial process and how those are to be implemented in practice, in particular focusing on case theory, and how the police prosecutors should present their case before magistrates and how to handle witnesses in court.

This was followed by the lecture of Mr Neerooa, who tackled examination-in-chief, cross-examination, and re-examination. He took the police prosecutors through the entire process of examining a witness. He then elaborated on the rules of cross-examination to enable the participants to get a hang of how to work on their conduct and demeanour during cross-examination in order to get the best results for their case. He then touched upon the rules of re-examination and finished his lecture on what amounts to perjury (lying in court) under domestic law, and how should police prosecutors deal with witnesses who knowingly and wilfully commit an act of perjury.

Ms M Pertaub, director of the IJLS, then intervened on the topic of communication and professional etiquette in court, and on the art of questioning in court. She also emphasised the importance of proper case preparation and case theory and strategy. At the end of the brief address of Ms Pertaub, a Q&A session was held with the panel dealing with further issues raised by police prosecutors when prosecuting in court.

For the mock trial, the participants were divided into two groups, with Mr Mootoo and Mr Neerooa overseeing and training courtrooms 1 and 2 respectively. The participants had the opportunity to examine and cross-examine witnesses on the most significant issues which the prosecutors have identified as being the most difficult to deal with during trial: namely (i) how to refresh the memory of a witness and the stringent rules applicable thereby; (ii) the inconsistent statement of a witness; (iii) hostile and unfavourable witnesses; and (iv) perjury. The mock trial was a complete success which enabled the police prosecutors to have a deeper understanding of the theoretical side of the law of evidence as well as an opportunity to develop the key skills that are required to win their case. All the participants were delighted and satisfied with the organisation of this event by the IJLS, with the unflinching support of the MPF and ODPP.