



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

COMMUNIQUE

PROSECUTIONS INITIATED BEFORE THE SUPREME COURT

1. A few high-profile cases were referred to this Office by the Financial Crimes Commission (FCC) for a decision.
2. Today, this Office lodged the following cases before the Financial Crimes Division of the Supreme Court pursuant to section 41A of the Courts Act:
 - (i) **State v Lilram Deal** – for making use of his position for a gratification and money laundering charges in breach of section 7 of the Prevention of Corruption Act, section 3 of the Financial Intelligence and Anti-Money Laundering Act and section 36 of the Financial Crimes Commission Act;
 - (ii) **State v Rajanah Dhaliah, Harryduth Ramnarain & Maneesh Gobin** for corruption offences in breach of sections 7 or 10 of the Prevention of Corruption Act; and
 - (iii) **State v (Ken) N Poonoosamy** for making use of his position for a gratification in breach of section 7 of the Prevention of Corruption Act.
3. In all criminal matters, the decision to prosecute is based on the application of the evidential and public interest tests. This Office, having properly assessed the evidence gathered in the course of the investigation in the 3 above cases, has concluded that there is a reasonable prospect of securing a conviction after having applied the evidential test. Further, the nature of the alleged offences and the circumstances of their alleged commission are such that prosecution is required in the public interest.
4. The above cases have been lodged before the Financial Crimes Division of the Supreme Court, having regard to the applicable legal criteria under the Courts Act. Further consideration was also given to the interests of all parties concerned, so as to

ensure that the cases are heard and determined within a reasonable time, consistent with the practice that criminal proceedings before the Supreme Court are heard *day in day out* and more specifically in line with section 41AA of the Courts Act which provides for the fair and timely determination of cases before the FCD of the Supreme Court.

5. The FCC has been informed of our decision and copies of the charges have been communicated to them following the lodging of the cases in Court.

CASES RETURNED TO FCC FOR CLARIFICATIONS OR FURTHER ENQUIRIES

6. The following cases, involving several individuals, were also referred to this Office for a decision:

- (i) the "SBM" case;
- (ii) the "St Louis" case; and
- (iii) the "Reward Money" case.

7. Law Enforcement Agencies are expected to carry out in-depth and vigorous criminal investigations to the highest standard prior to sending cases to this Office for a decision.

8. Following its normative assessment of the evidence gathered so far, this Office referred the above 3 cases back to the FCC for further investigations as well as for queries/clarifications with a view to enable us to take an informed decision.

9. The FCC has been requested, to the extent possible, to expedite all the above referred investigations and to submit them anew to this Office for a final decision.

10. All cases will be decided in accordance with the applicable law and the evidential and public interest tests governing prosecutorial decisions. This Office shall also ensure that the constitutional rights of suspects/defendants are respected at every stage of the criminal process.

