

Matadai Roopnarine (Appellant) v Attorney General of Trinidad and Tobago (Respondent) (Trinidad and Tobago)

Case ID: JCPC 2022/0057

Jurisdiction: Court of Appeal of the Republic of Trinidad and Tobago

Case summary

Issue

In respect of a claim of malicious prosecution, did the Court of Appeal err in holding that the High Court was entitled to find that the Appellant had failed to lead the evidence necessary to establish:

- That the prosecution of the Appellant had been instituted without reasonable and probable cause; and
- That the prosecution was actuated by malice?

Facts

On 5 February 2000 the Appellant was arrested and charged in respect of a range of conspiracy events which were alleged to have taken place on 23 September 1999. The alleged conspiracy events relate to the granting of bail to three individuals in Trinidad and Tobago. It was alleged that the Appellant and his co-accused had impersonated two individuals, including forging their passports and signatures, to assist an individual to obtain bail. The Appellant denies the allegations, and claims that the evidence against him was fabricated.

On 14 April 2008, the Appellant received a Notice of Discontinuance dated 11 April 2008. On 3 May 2011, the Appellant issued proceedings for malicious prosecution against the Respondent. The Appellant led evidence and was cross-examined in the High Court. At the close of the case the Respondent elected not to lead any evidence and made a no-case submission, which was upheld by the High Court. The Court of Appeal by majority dismissed the Appellant's appeal. The Appellant now appeals to the Judicial Committee of the Privy Council.

Parties

Appellant(s)

Matadai Roopnarine

Respondent(s)

Attorney General of Trinidad and Tobago

Appeal

Justices

Lord Hodge, Lord Lloyd-Jones, Lord Hamblen, Lord Leggatt, Lady Rose

Hearing start date

7 June 2023

Hearing finish date

7 June 2023

Watch hearing

7 June 2022 [Morning session](#)