

**STATEMENT
FROM THE HONOURABLE ATTORNEY-GENERAL**

The criminal proceedings in the case of the Commissioner of Police v. Gavin Scott Hapgood is underway before the Courts of Anguilla.

Under the Constitution everyone is guaranteed the right of freedom of expression. Equally, every person charged with a criminal offence is presumed to be innocent until proven guilty on evidence presented in Court. The course of justice requires that the accused person's fundamental right is assured, regardless of their rank or station in society.

Freedom of speech must always be tempered by the overarching requirements of fundamental justice and the rule of law. Freedom of speech does not extend to saying or expressing anything that is injurious or harmful to the fundamental rights of others, and it must never be permitted to bring the administration of justice into disrepute.

In recent times I have noted that local and social media chatter regarding this case has reached the point where it is scandalising the Court, the officers of the Court, and the justice system.

Therefore, I want to advise all persons, media outlets, social media platform operators and contributors, and, indeed everyone concerned in this course of conduct, not to engage in utterances and publications, of whatever kind, which undermine, or are calculated to undermine, or are likely to undermine the integrity of the judicial system and the course of justice in this particular case. All persons are asked to be circumspect in their media commentary and to be respectful of the rule of law.

The Attorney-General has a duty to safeguard the course of justice and due process before the Courts. In that regard I am empowered to do all necessary things within the jurisdiction of the Eastern Caribbean Supreme Court and the law to do so.

Accordingly,

I will take immediate action, to the full extent of the law, against anyone when I believe their conduct constitutes: a contempt of court; an effort to scandalise the Court; or to pervert the course of justice. This case is to be resolved by the courts and the courts alone.

I wish to take the opportunity on this occasion following the first hearing of the Preliminary Inquiry in this matter to commend the Anguillian public for their peaceful and respectful comportment.

All persons are asked to govern themselves accordingly and comply.

Hon. Dwight Horsford
Attorney-General
22 August 2019