

The Legislator

"One must spend time in gathering knowledge to give it out richly"



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Rule of Law

For the United Nations, "the rule of law" refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency."

The essential characteristics of **the rule of law** include:

- ❖ The supremacy of law, which means that all persons (individuals and government) are subject to law;
- ❖ A concept of justice which emphasizes interpersonal adjudication, law based on standards and the importance of procedures;
- ❖ Restrictions on the exercise of discretionary power;
- ❖ The doctrine of judicial precedent;
- ❖ The common law methodology;
- ❖ Legislation should be prospective and not retrospective;
- ❖ An independent judiciary;
- ❖ The exercise by Parliament of the legislative power and restrictions on exercise of legislative power by the executive
- ❖ An underlying moral basis for all law.

In Trinidad and Tobago, these elements of the rule of law have been formulated into a document known as our Constitution; a full version of this document can be obtained from this website: <http://www.ttparliament.org>.



TALK YUH MIND!

"Do you think citizens demonstrate sufficient respect for the Rule of Law in Trinidad and Tobago?"



**Trisha Ramlogan-
Paralegal; SG Dept**

I don't think citizens really demonstrate sufficient respect for the rule of law in Trinidad and Tobago. Two major issues are firstly the lack of knowledge; people need to be more educated about the laws of Trinidad and Tobago and steps should be taken to improve the public's knowledge. Secondly, there are rules and legislation that we all must abide by in society but the lack of enforcement of such allows citizens to disobey and disrespect the rule of law.



**Lisette Chablal-Edmund –DPP
Library**

I believe that contrary to how it may appear, the average citizen is law abiding. However, there are the few who continually disregard the law because they have been able to evade authority thus far, or somehow minimize the effect of any punishment meted out to them. The purpose of the law though, is to ensure the safety and well being of all citizens and therefore once the law is being flouted in some way so as to impugn the rights of even one person, then it is my view that sufficient respect is not being shown.



**Vishanna Gobin-
G. A. Registry**

Yes, generally the citizens are aware of the legal process of the courts. Being a democratic state, people in this country guard it and an increase in litigation is an indicator that we are willing to use the legal process rather than tribal justice.



Tiffany Lucas- Clerk I

Citizens do not display sufficient respect for the rule of law in T&T because if they did there would be less crime and fraudulent activities and the country would not be experiencing such high levels of criminal activity.

Profile

Head, the Civil Child Abduction Authority

Mrs. Kandice Rampersad-Rambally



(1) What aspects of this Office motivated you to accept the appointment as Legal Consultant and Head of the Civil Child Abduction Authority (CCA) to the Honourable Attorney General?

Being a private practitioner for over seven (7) yrs I wanted a change of environment, in terms of both my role as a litigator and the people I interacted with. The CCA appealed to me because of my passion for family law and all child related matters. I welcome the opportunity to embrace a role that encompasses aspects of research, advisory, being an agent of, and a key component in, the decision making process and formulation of policy in relation to family law and other areas of the law.

(2) Who would you say has had the most impact on your life?

No one person in particular. I think at different junctures of my life various people have played a key role, for instance, my mother has given me everything a daughter could ever want. I'm not referring to material things, but in shaping me into the person I have become and helping me overcome the challenges life throws at me...My husband for his love, faith and continuous support, and of course our Attorney General ... working with the AG has taught me to embrace every opportunity and inspires me to be the best no matter what challenges you face.

(3) What would you say has been your personal motto?

I have several ... but two that comes to mind are –'In all things trust in God' and in difficult and challenging times 'This too shall pass'

(4) What is the best book you have ever read?

Hmmm... Two Minute Bedtime tales by Enid Blyton ...I read it to my daughter and it truly gets the job done, with a bit of therapy (laugh)

Book Talk



Sentencing Referencer 2012

Author: Dr David A Thomas, QC

ISBN: 978-0-414-04772-3

Price: £47.50

The **Sentencing Referencer** provides you with clear and practical guidance on over 100 different sentencing topics, laid out in an easy to navigate A–Z format. This is an invaluable tool to be used both in court and in the office and is the first source of information when seeking basic sentencing guidance.

Content information includes:

- the duty of a court to warn an offender that he is liable to be included in a barred list maintained by the Independent Safeguarding Authority
- sentencing an offender convicted after a retrial ordered by the Court of Appeal
- dealing with a person who has been found unfit to plead
- legislation most applicable to the case is highlighted, followed by advice and the procedures to follow in court

www.sweetandmaxwell.co.uk

Law Libraries Worldwide:



Bodleian Law Library

Oxford Libraries are the most celebrated in the world, not only for their incomparable collections of books and manuscripts but also for their historical buildings. The chief among the University Libraries is the **Bodleian Library**.

The Bodleian Library is a reference library only, which provides material for research, teaching and learning. In addition there are extensive holdings in legal history, Jurisprudence, Private and Public International Law, Roman law and Criminology.

The aim is to cover primary and secondary material for a wide range of jurisdictions. As a reference collection, books cannot be borrowed but the majority of books are housed on open shelves for easy browsing. The collection has particular historical depth in the United Kingdom and Irish materials.

For more information please see their websites

<http://www.bodleian.ox.ac.uk/bodley/home>

Statistics of Materials Received by the Library for the months of June-August, 2012.

ITEMS	DPP	AG
Books	27	7
Legal Journals/ Periodicals	69	117
Judgments	0	29
Other Publications (Statutes/Law Reports)	17	90

Resource Tip - Eagle-i

Eagle-i (Electronic Access to Global Legal Information) is a free to use dedicated portal to high quality legal information sources on the Web being developed by the Institute of Advanced Legal Studies as a national service for law- www.ials.sas.ac.uk/eagle-i.htm

- **Coverage includes:** UK, European, Foreign, Comparative and International law
- Searches can be focused on sites concerned with a particular country or jurisdiction
- Over **4,500** resource records in Eagle-i primary and secondary legal materials such as: legislation, law reports, treaties, government sites, journals, professional organisations, resource guides, and social media.
- Subject keywords are assigned to site records to help identify a full range of legal topics



Be the Change.....

'You may never know what results come of your action, but if you do nothing there will be no result'
M M K Gandhi 1869 - 1948



Words of PEACE

Je

When the power of love overcomes the love of power the world will know peace.

~ Jimi Hendrix (American rock Guitarist, Composer and Singer 1942-1970)

Ed

It isn't enough to talk about peace. One must believe in it. And it isn't enough to believe in it. One must work at it.

~ Eleanor Roosevelt (American United Nations Diplomat, Humanitarian and First Lady (1933-45)

Cambio



Imagine all the people living life in peace. You may say I'm a dreamer, but I'm not the only one. I hope someday you'll join us, and the world will be as one.

~ John Lennon (English Singer, Songwriter and Political activist, member of the "Beatles", 1940-80)

If we have no peace, it is because we have forgotten that we belong to each other.

Peace begins with a smile

~ Mother Teresa (Albanian-born Indian Roman Catholic Nun, 1910-1997)



CELEBRATING WITH THE WORLD

International Day of Peace – Friday 21st September

Each year the International Day of Peace is observed around the world on 21 September. This year, world leaders, together with civil society, local authorities and the private sector, will be meeting in Rio de Janeiro, Brazil for the United Nations Conference on Sustainable Development to renew political commitment to long term sustainable development.

It is in the context of the Rio+20 Conference that **"Sustainable Peace for a Sustainable Future"** is the theme chosen for this year's observance of the International day of Peace. There can be no sustainable future without a sustainable peace. Sustainable peace must be built on sustainable development.

My Experience.....

**Renata Joseph
In Service Trainee
July-August 2012**



The library of the Attorney General's Chambers is the yardstick by which I believe all other libraries should be measured. The staff was hospitable, efficient, prompt, professional, exceedingly competent and friendly. They were service oriented and this added to the overall experience of using the library.

The library was a very quiet place and as such very conducive to research but I was also able on many occasions to share my ideas and solicit the opinion of others. It helped me piece together a map of where I intend to go before delving deep into the necessary research. I could spend hours in the library reading, thinking and formulating my ideas.

On days when I was overwhelmed with the sheer magnitude of responsibility that falls upon the back of a lawyer, I could escape to the library and read a few newspapers until I regained my composure. It was then I would reflect on just how much more the library was than just a place of learning. It was more than just a treasure trove of legal knowledge. It was the centre of my in service training and helped mold those ten weeks into an unforgettable, remarkable, and extraordinary learning experience.

Comments & Feedback

We would like to thank all individuals for their contribution and continued support as well as IT, the Communication Department, the participants of the Opinion Poll, also a special thank you to the Head, Civil Child Abduction Authority.

Let's hear from you, our valued readers. Share ideas and suggestions! Email our editorial team at:

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