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SUPPLEMENT TO THIS ISSUE

THE DOCUMENT detailed hereunder has been issued and is published as a Supplement to this issue of the *Trinidad and Tobago Gazette*:

Legal Supplement Part B—

Proclamation No. 13 of 2021—(Legal Notice No. 175 of 2021).

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REPUBLIC OF TRINIDAD AND TOBAGO

PRACTICE DIRECTION

SUPPLEMENTAL COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS WITH EFFECT FROM MAY 26, 2021 NO. 16.1

This Practice Direction is issued to provide clarification to certain provisions arising out of the Practice Direction dated May 25, 2021 and published in the *Trinidad and Tobago Gazette*, Vol. 60, No.84, dated Tuesday 25th May 2021, Item No. 523, under the heading *Court Operations Covid-19 Pandemic Directions with effect from May 25 2021 - No. 16*; which said heading was corrected in the *Trinidad and Tobago Gazette*, Vol. 60, No.85, dated Tuesday 25th May 2021, to read *Court Operations Covid-19 Pandemic Directions with effect from May 26 2021 - No. 16*.

Having regard to the closure of all the Virtual Access Customer Centres (including Virtual Centres at the Prisons) except where required in urgent matters.

Paragraphs 16 and 18 of Practice Direction No. 16 are hereby superseded and the following paragraphs shall take effect and continue to be in effect until June 30, 2021.

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PRACTICE DIRECTION No. 16.1—SUPPLEMENTAL COURT OPERATIONS—Continued

ADJOURNMENT OF SUMMARY COURT MATTERS

1. All matters in the Summary Courts (including traffic matters) listed to be heard on the below mentioned date and not deemed fit to be heard in this period are adjourned as follows:

ORIGINAL COURT DATE	NEW COURT DATE
May 26, 2021	August 27, 2021
May 27, 2021	August 30, 2021
May 28, 2021	September 2, 2021
June 1, 2021	September 1, 2021
June 2, 2021	September 3, 2021
June 4, 2021	September 6, 2021
June 7, 2021	September 8, 2021
June 8, 2021	September 10, 2021
June 9, 2021	September 13, 2021
June 10, 2021	September 15, 2021
June 11, 2021	September 17, 2021
June 14, 2021	September 20, 2021
June 15, 2021	September 22, 2021
June 16, 2021	September 27, 2021
June 17, 2021	September 29, 2021
June 18, 2021	October 1, 2021
June 21, 2021	October 4, 2021
June 22, 2021	October 6, 2021
June 23, 2021	October 8, 2021
June 24, 2021	October 11, 2021
June 25, 2021	October 13, 2021
June 28, 2021	October 15, 2021
June 29, 2021	October 18, 2021
June 30, 2021	October 20, 2021

PERSONS ON REMAND

2. All matters in which the accused is remanded in custody shall be adjourned for the statutorily provided twenty-eight (28) day period, unless the accused or defendant consents to a longer adjournment.
3. Unless the interests of justice require otherwise, remands may be conducted in absentia.

Dated this 28th day of May, 2021

/s/ Ivor Archie
Chief Justice

REPUBLIC OF TRINIDAD AND TOBAGO**PRACTICE DIRECTION**

PROCEDURAL GUIDELINES OF THE REVIEW TRIBUNAL
established under section 11(1) of the Constitution
of the Republic of Trinidad and Tobago, Chap. 1:01
and section 3 (5) of
The Emergency Powers (Tribunal) Regulations, 2021

1. Any person who is lawfully detained by virtue only of the Emergency Powers Regulations, 2021, or any Act or Regulation made under section 7 of the Constitution of the Republic of Trinidad and Tobago (hereinafter referred to as “the detainee”) has a right to have his or her case reviewed by the Review Tribunal established under section 11 (1) of the Constitution.
2. (1) Any detainee who is desirous of having his or her case reviewed by the Review Tribunal shall make a written request for a review dated and signed by the detainee, where applicable, or by the detainee's representative or legal representative and have the same emailed to the Secretary of the Review Tribunal (hereinafter referred to as “the Secretary”).

(2) Where the detainee or the detainee's representative is unable to sign the request for the detainee’s case to be reviewed by the Tribunal, the detainee or the detainee's representative may place his or her mark.

(3) The Secretary may be contacted via phone at (868) 223- 2452 Ext. 3793 or 498-8663 or email at tramkissoon@ag.gov.tt.
3. Virtual hearings shall be conducted, as far as practicable, according to the provisions as set out in the Practice Directions in force from time to time published in the Trinidad and Tobago Gazette in relation to Court Operations Covid-19 Pandemic Directions and the Practice Guide for Electronic Hearings issued on 21 April 2020.
4. Upon receipt of a request for a review under paragraph 2, the Secretary of the Review Tribunal shall promptly notify the Minister responsible for National Security (hereinafter referred to as “the Minister”) or authority by whom the detention was ordered who shall forthwith submit to the Secretary the grounds upon which the detainee is detained and such other particulars as the Minister or authority may think fit, due regard being had to the public interest.

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PRACTICE DIRECTION—PROCEDURAL GUIDELINES OF THE REVIEW TRIBUNAL—Continued

5. Upon receipt of the grounds referred to in paragraph 4, the Secretary shall furnish the detainee and person in whose custody the detainee is in, with notice of the place, time and date when the review will be held, so as to enable the detainee to present his or her case against the detention as soon as is reasonably practicable.
6. Hearings and/or sittings of the Review Tribunal shall be conducted virtually using such tools as the Review Tribunal considers appropriate.
7. The proceedings before the Review Tribunal shall be held in camera.
8. The detainee will be entitled to present his or her case to the Review Tribunal in person, through a representative or a legal representative.
9. Persons entitled to be present at a review before the Review Tribunal are:
 - a. the detainee, the detainee's representative; or legal representative;
 - b. a representative of the Minister or authority by whom the detention was ordered;
 - c. the law enforcement officer into whose lawful custody the detainee is placed for the purpose of the detainee's attendance at the review; and
 - d. any other person whom the Review Tribunal may consider appropriate.
10. The review of each detainee will be heard separately and in the absence of any other detainee.
11. The Review Tribunal shall not be bound by the rules of evidence or the rules of practice or procedure that apply in a court of law.
12. At the commencement of the review, the detainee will be asked to confirm that the request for review lodged in accordance with paragraph 2, is in fact, that of the detainee.
13. The detainee, the detainee's representative or legal representative may make such statements or representations to the Review Tribunal either orally or in writing as may be relevant to the review.
14. The detainee or the Minister may request that the Review Tribunal hear any person who has information relevant to the review.
15. The Review Tribunal, upon being satisfied that the information to be provided by the person referred to in paragraph 14 is relevant to the review, may allow that person to be heard.

PRACTICE DIRECTION—PROCEDURAL GUIDELINES OF THE REVIEW TRIBUNAL—Continued

16. Notwithstanding paragraphs 8, 9, 13 and 14 –
 - a. the Review Tribunal may exclude the detainee or any other person from the proceedings if that person misconducts himself by so interrupting the proceedings as to render the continuance of the proceedings in that person's presence impracticable; and
 - b. any proceedings may be held in the detainee's absence, if in the opinion of the Review Tribunal, it is unreasonable to require the detainee's presence thereat on account of the detainee's illness or for any other cause.
17. The Review Tribunal may, upon the application of the detainee, at any time, assign to the detainee a legal representative if, in its opinion –
 - a. it appears desirable in the interest of the just execution of the Review Tribunal's functions that the detainee should have legal aid; and
 - b. the detainee does not have sufficient means to enable the detainee to obtain legal representation.
18. The Review Tribunal may adjourn the proceedings from time to time and may invite the detainee or any other person to make any further communication to the Review Tribunal as it considers appropriate.
19. The detainee will be furnished with a copy of these Procedural Guidelines issued by the Review Tribunal and a copy of the Emergency Powers Regulations, 2021.
20. At the conclusion of the review, the Review Tribunal shall, after considering anything submitted, presented or communicated to it as hereinbefore mentioned, make such recommendations as it considers appropriate to the authority by whom the detention was ordered concerning the necessity or expediency of continuing the detention of the detainee.
21. The Chief Justice may supplement or amend these Procedural Guidelines as he considers appropriate.

Dated this 28th day of May, 2021.

/s/ Ivor Archie
Chief Justice