



THE GAVEL

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Mass Media: A Powerhouse on Earth

A visit by Amnesty International

BY MUDASSAR KARAMATH

“FREEDOM” –SIMPLE YET elusive. A concept which many have fervently defended and often reap nothing for it but a loss of it or their lives. This word forms the backbone of today’s premier Human Rights defenders/protectors/guardians/advocates- Amnesty International.

A visit by two representatives of this Organisation to the doors of Hugh Wooding Law School was most welcomed. From the onset, their mission was clear:

- Provide a background on Amnesty International and its successes over the years;
- Provide information on its current workings and function.

Representatives succinctly provided a timeline of the Organisation’s engagements- from its inception by Attorney-at-law, Peter Beneson’s letter in 1961, its first reports in 1965, to a major women’s campaign in 1994. Explanations were then given as to how Amnesty International carries out its mandate of ensuring:

“every person enjoys all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.”

If it is one body that has certainly proven the hypodermic needle theory beyond reasonable doubt, Amnesty International would be that body. With the absence of coercive

power, the body’s main weapon is the media. “The Media is indeed powerful and contributes directly to people’s perceptions”. The words used by one of the representatives was to the effect that, if we make enough noise States are likely to not commit human rights abuses nor permit their continuance for fear of international disfavour. As explained, this is achieved through various forms of mass media, which now includes modern social networking.

Technological advancements have made the world into a “global village”. This is critical, as noted by the representatives, as the body is often called upon to perform swift action to prevent dire consequences flowing from human rights violations. These advancements facilitate instantaneous publicity.

The foregoing is futile unless we know what we can do and how Amnesty International can be contacted. The representatives at this juncture first advised us of their comprehensive website and the establishment of a Caribbean office. We were then told of the little ways we can assist, for example, speaking out about human rights abuses, writing letters to daily newspapers, educating others on the importance of human rights etc. On a large scale, those who wish to join Amnesty International, may write directly to them informing them of violations or donate to their cause. ■

Credits

THE GAVEL is the official newsletter of the Hugh Wooding Law School situated at Gordon Street, St. Augustine, Trinidad and Tobago. It is published three times a year by a joint committee of staff and students.

Contributions and comments are welcome from staff, students or any other interested parties.

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We Salute You!

BY MRS. NISHA MATURA-ALLAHAR

THE TEAM AT the Gavel will like to take this opportunity to thank our outgoing team members, Miss. Vaasha Parag (design and layout) and Miss. Tamar Grant (editor and former SRC Publications Chairperson). Their dedication and hard work to producing issues despite the constant looming assignment deadlines is to be commended.

It was a pleasure beyond measure to work with these lovely, committed and enthusiastic individuals. As they leave to pursue their careers in the Law, we want to wish them all the best in their future endeavours. ■



Miss. Vaasha Parag



Miss. Tamar Grant

THANK YOU

THE GAVEL NEWS Team would like to acknowledge our appreciation of those members of the administrative staff, who help us to publish every issue. Specifically we wish to thank Michael Rampersadsingh, Shevkumar Singh, Marlene Herriera, Diane Williams and Roger A. Ramgoolam.

“Many hands make the work light.” ■

Price Media Law Mooters Regional Champs!



Price Media Law Team (L-R) Stephen Roberts, Cara Shillingford, coach, Akhail Khan and Carlon Mendoza

BY CARLON MENDOZA, STEPHEN ROBERTS AND CARA SHILLINGFORD

'**THREE HWLS STUDENTS**, Cara Shillingford, Carlon Mendoza and Stephen Roberts, together with their coach, Mr. Akhail Khan, have successfully represented the Law School in the Americas Regional Round of the Price Media Law Moot Court Competition, winning the Caribbean and Central America segment. Mr. Stephen Roberts was given an award for Outstanding Advocacy, having obtained a perfect score from one of the judges.'

This is a statement which we worked tirelessly towards making a reality, over the seven months preceding the competition. The HWLS

Price Media Law Team's journey to New York and back was one of courage, determination and ambition.

Having only three student participants, albeit accompanied by an exemplary coach, this appeared prima facie to be a case of *David v Goliath (500 BC) 3 ALL BR 19*. This is because most of the other participating teams registered between four and six members. Nonetheless, Team HWLS never doubted its ability to represent and excel.

How could we? Support and encouragement from staff and students of the HWLS was resounding and heartfelt. Our performance was a true reflection of the time, effort and interest invested in this competition.

Having been selected in June of 2012 and the statement of facts having been released in that very month, we wasted no time in beginning to prepare. The lengthy and quite frequent group meetings, coupled with long hours of research and writing enabled us to gain a thorough understand-

ing of Human Rights and Media Law.

In keeping with David's example, we overcame it all- the cold hostile weather, an anonymous team member having difficulties with the sub-way metro card (Cara) and even another anonymous team member almost fainting on the plane while airborne (Carlon). We enjoyed every bit of the journey- even the fainting ordeal!

Our zealous pursuit of success appears to be paying off. In April, Team HWLS will travel to Oxford to compete in the Advanced Finals with the hope of capturing the much coveted title of 2013 Winner of the Price Media Law Moot Court Competition. ■

Stetson Team advances to International Finals

BY TIMOTHY AFFONSO

THE NORTH ATLANTIC Regional Rounds for the 17th Annual Stetson International Moot Court Competition was hosted by the American University, College of Law, Washington DC. Students from sixteen schools from across the region eagerly fought for the opportunity to be one of the two regional finalists, who would advance to the International Finals.

The competition was keen and preparation was obvious from the very first moot. The competition spanned 3 days, beginning on Friday and ending on Sunday. Our team, comprising Miss Danielle Edwards and Miss Luan Harford had to moot a total of six times. They were required to moot for both the Applicants and the Respondents in the various rounds.

The fact-pattern, which formed the basis of the moot, dealt with the novel area of trans-boundary haze pollution and a State's responsibility to protect against specie extinction. Our team was able to engage in nuanced environmental arguments before environmental practitioners and academics, all of whom praised Miss Edwards and Miss Harford for exceptional advocacy ability. So much so, that Miss Harford and Miss Edwards received the awards for the second best advocate and fourth best advocate respectively.

The Hugh Wooding Law School team competed in the regional finals against the University of Pepperdine, California. Judges were split on the final decision but the Hugh Wooding Law School won on legal argument and merit and the University of Pepperdine won the moot overall. Both teams now, advance to the International Finals, which will be held at the Stetson University in Tampa, Florida on 21st - 23rd March 2013. ■



Future environmentalists (L-R) Luan Harford and Danielle Edwards with coach, Timothy Affonso.

Procedure to be Called to the Bar:

Trinidad and Tobago

BY SHEENA SOOKDEO

MANY OF US are often overjoyed upon leaving the premises of the Hugh Wooding Law School for the last time. We imagine the brink of the horizon where our names are adorned with the title of 'Attorney-at-Law'. However, before that joyous day can be realized, one must endure the arduous process of being admitted to the Bar of Trinidad and Tobago.

The following are some pointers of the procedure for petitioners:

1. You must file one original and two copies of the **Notice of Intention** to apply for admission to practice as an Attorney-at-law in the Courts of Trinidad and Tobago, at the New Civil Registry at the Hall of Justice six weeks before the date of the admissions ceremony.
2. Upon receipt of your Legal Education Certificate, you must apply for a **Certificate of Fitness** from the Law Association of Trinidad and Tobago ("LATT"). To do so, you must produce the following original documents to the LATT:
 - a. LL.B. degree;
 - b. Legal Education Certificate;
 - c. Birth Certificate or Passport;
 - d. Statutory Declaration (if applicable);
 - e. Deed Poll (if applicable);
 - f. Marriage Certificate (if applicable);
 - g. Two letters of recommendation from two Attorneys-at-Law not less than ten years in practice. The recommendations must bear the official letter head of the respective practising Attorney-at-Law. You are also required to show the Attorney-at-Law's payment of fees to the LATT for the current legal year. This is evidenced by producing either the receipt for payment of fees by the Attorneys-at-Law or the Attorneys-at-Law's practicing certificate for the current law term; and
 - h. Two passport size photos of yourself.

Upon receipt of your Certificate of Fitness, the next step involves the filing of your **draft petition** to be admitted to the practise as an Attorney-at-Law in the Courts of Trinidad and Tobago. The draft petition, draft affidavit and supporting documents outlined above along with the original Certificate of Fitness are to be submitted to the Court Office (Old Civil Registry) to be vetted by a Registrar.

In the petition, you must recite the requisite information which demonstrates that you have achieved all of the requirements for admission to practise law in Trinidad and Tobago. The petition must be printed on both sides of each page on standard letter size paper. Copies of the relevant original documents form exhibits to the filed petition.

During the vetting process errors on the documents may be highlighted by the Registrar. After the errors have been corrected, the documents must be re-submitted to the Registrar for further vetting and approval. Once the petition is approved, a receipt will be given to the intended petitioner indicating that the petition may now be filed. The intended petitioner may then proceed to have the requisite documents sworn to before a Commissioner of Affidavits.

Further, the intended petitioner is required to pay the appropriate stamp duty on the original petition at Inland Revenue, Stamp Duty Section. The stamp duty fee is \$250.00.

The original approved and stamped petition, the original sworn affidavit and the other supporting documents are to be presented in a bundle to the Court Office to be filed. It is advised that the petitioner file one original bundle (containing original petition and original affidavit and the supporting documents) and 4 additional bundles containing copies of all the documents.

The final step is the presentation of a copy of the stamped bundle of documents to the Attorney-at-Law who has the honour of presenting the petitioner to the Court at the admissions ceremony. This bundle must be rolled, tied with a ribbon and accompanied by an invitation to attend the admissions ceremony stating the date and time of the said event. If you are being called by Senior Counsel a red ribbon should be used to tie the bundle, in all other cases a green ribbon is used. ■

Barbados

BY SAFIYA MOORE

THE FIRST DOCUMENTS I and many of my colleagues ever filed with the Supreme Court of Barbados were our respective applications to be admitted to practice law. When we received the email from the Bar Association containing the precedent for the application, we hastily but prudently drafted the necessary documents in light of a looming filing deadline. The numerous documents which form this application are: the statutory declaration, two affidavits of good character, the affidavit in support of the application, the application, the notice of application, the oath and the order.

After filing the application, the next step was the paying of fees. This process began by paying fees to the Bar Association. Then, we travelled to the Supreme Court where we were required to submit an application form for professional registration as well as pay the

fees for both professional registration and the compensation fund. Next, copies of the three receipts evincing proof of payment were submitted to the Bar Association. This fee paying, photocopying and receipt submitting process took as little as a half hour for some persons and over two hours for others.

On Friday 19th October, 2012 all of our preliminary work was rewarded when the Attorney General and Solicitor General stood before the Chief Justice and deemed us persons fit and proper to be admitted to practice law in Barbados. The ceremony lasted approximately two hours and was witnessed by members of the judiciary and legal fraternity but most importantly our family and friends. By 6 p.m. on that evening, thirty new Attorneys-at-law had accomplished what for many was a lifetime goal. They had all been admitted to practice law in Barbados. ■

ICC Team Represented!

BY VAASHA A. PARAG

ON SATURDAY 2ND March, 2013, the regional preliminary round of the International Criminal Court Mooting Competition was held at Pace University, New York, USA and four Hugh Wooding Law School ("HWLS") students stood ready to make submissions based on the following factual matrix:

The State of Pontasia is dominated by two ethnic groups: the Hadad and Anots. The Hadad Liberation Army ("HLA") led by

Seaton, ever ready to advocate for the victims, *Mr. Mudassar Karamath*, who was tasked to defend the war criminals, *Mr. Russell Campbell*, who heeded the call of the prosecution and *Miss. Arianne Griffith* held them all together with the firm hand of instructing Counsel.

The HWLS team sought never to be out argued by their competitors and under the keen eye and skill of our very own, Mr. Roger Ramgoolam, they were coached to articulate and persuade the most stubborn of minds.



The HWLS ICC Team (L-R): Russell Campbell, Arianne Griffith, Aaron Seaton and Mudassar Karamath.

Womba Tulga commenced an attack on several cities in Pontasia. At the brink of defeat at the hands of the Pontasian National Army, Tulga ordered his troops to take young Anot boys and girls to replenish army ranks. Boys were treated as soldiers; girls were subjected to severe abuses under the pretext of forced marriages by HLA soldiers.

The youths escaped and entered the neighboring state of Edom but were recaptured by the HLA. Subsequently, a Peace Agreement was negotiated and a Truth and Reconciliation Commission ("TRC") was established in Pontasia to investigate the matter and issue pardons. Edom has referred the matter to the International Criminal Court. The prosecutor investigated and found Tulga to be in breach of Rome Statute provisions. An arrest warrant was issued and preliminary rulings were made by the Trial Chamber.

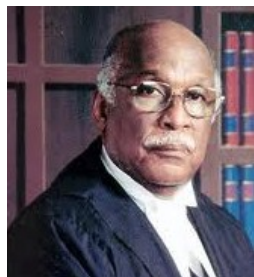
HWLS was represented by: **Mr. Aaron**

In addition, with a reputation preceding HWLS as housing the Best Defence Counsel trophy in 2012, guidance was sought from two esteemed individuals. Mr. Karl T. Hudson-Phillips, Q.C and Sir Dennis Byron rigorously trimmed any remaining fat from the team and bid them well on their journey.

Mr. Hudson-Phillips, Q.C. is a former Attorney General of Trinidad and Tobago and formed the first bench of the International Criminal Court. Sir Dennis Byron is the President of the Caribbean Court of Justice and is a former President of the International Criminal Tribunal for Rwanda.

As testament to their months of preparation, the HWLS ICC team did the Law School proud, as the Judges praised them for their finesse in advocacy. Now with their confidence in full throttle, the HWLS ICC team hopes to proceed to the International Criminal Court at the Hague, Netherlands for the final round of the competition.

The team also wishes to thank Mr. Joseph Layne for his contributions to their preparation. ■



(L-R) Coach, Mr. Roger Ramgoolam, Karl T. Hudson-Phillips, Q.C. and Sir Dennis Byron.

Meet Ms. Modeste— Our New Librarian

BY KHADIJA MAC FARLANE

WHY DID YOU pursue being a Librarian?

I started working at UWI Main library, St. Augustine after pursuing a Bachelors in Language and Literature. After some time, I went off to the University of London to obtain a Masters in Library and Information Systems. Librarianship requires you to have worked in a library before, so having had practical experience, all that was left was to do the theory and learn the management aspect of librarianship.

What 3 qualities should a great Librarian have?

Good idea of needs of the end user; providing excellent service and ensuring end user can easily access information and keeping abreast of the field and areas that may be relevant to the end user. Further, the end user may not always know what they want so the Librarian must have a fair idea of what information is out there.

Are there any new polices or procedures you are thinking about implementing at HWLS?

There would always be changes and new developments, so whatever I do would be enhance the service at HWLS. The former Librarian, Mrs. Renie, did a tremendous amount of work for the HWLS law library.

Do you prefer working in a law or non-law library?

A Law Library is categorised as a Special Library since it focuses on the law. I've previously worked at the headquarters of the ECSC in St. Lucia and even assisted in proof reading the Civil Proceedings Rules there. I further went on to pursue an LL.B. to enhance my exposure to the law. That being said, any good librarian could, over a period of time, become an expert without having actual qualifications of the area.

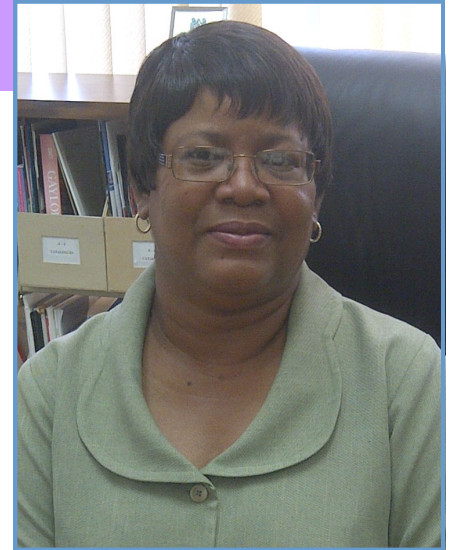
What do you like the most and least about working with students?

Least favourably, are students who do not get what they need but refuse to ask for assistance. These students do not get the benefit of what is available for them. Students who deface books by marking on them or even tearing out pages. This shows not only lack of consideration for other end users by destroying the books but also shows a lack of respect or caring for their tools. However, every student must get VIP treatment in the library both the interested users as well as the ones who refuse to ask for help.

What is the most rewarding part of your job?

Ensuring end user gets what they want. If they don't know what they want or are overwhelmed with information, then zooming in on relevant areas.

Name some challenges you may face as a



HWLS's New Librarian,
Ms. Janice Modeste.

Librarian.

Funding issues may prevent a library from moving in a direction you may see it going. Technology is expensive as well. The best approach sometimes is to take tiny steps. Sometimes you learn to make do appropriately with what you have so as to not get frustrated.

Is there a personal philosophy you live by?

Being prepared. ■

She Loves To See People Smile

BY EILEEN BENJAMIN-RYAN

STUDENTS KNOW HER as Ms Daniel; her colleagues in the Administration Office at HWLS call her "Debbie", while others think she missed her calling as a comedian. Ms. Deborah Daniel will retire at the end of June, after nine years at the Law School providing secretarial assistance to various Course Directors or "all the good guys".

Together with former colleague, Mrs. L. De Freitas, she was responsible for setting up the database for the Registrar's office. Since then, other databases have been implemented to improve efficiency of operations and to provide more effective systems.

She could not ask for a better group of people with whom to work. "It's more than family", is how she refers to management and staff at HWLS and admits that HWLS has enhanced her life with "people who you can depend on".



Ms. Deborah Daniel

When Ms. Daniel leaves these hallowed halls, she will have no shortage of skills and interests to keep her busy for a while. She will have the time to relax and have a good time but she also will focus on her many hobbies. These include sewing, graphic arts and photography. She may even pursue short story writing and "leave a legacy behind".

She loves to see people happy and to get people to laugh, her mantra being "hear this one.....". She believes that every person has good points and prefers to find goodness in everybody. Life is made to enjoy and Ms. Daniel knows that. She loves Carnival and religiously attends every 'school fete' (e.g. Soka in Moka, Fete with the Saints), while ensuring to keep the office 'au courant' with the Carnival itinerary. She loves soca and pan and is an avid "Trinidad All Stars" fan.

Best of luck and happiness to Ms. Daniel in her future endeavours! ■

Hamel-Smith Winners: TEAM#FIGHTERJET

BY SHEBA AUGUSTINE, KHADIJA SINANAN AND AARON SEATON

AS WE RUSHED up the stairs to the office, minutes before the deadline to sign up for the competition, we were still deciding on whether we should enter. We did so with the attitude that it would be a great experience and with the humble hopes that we would at least make it past the preliminary round.

We started as the Attorneys for Respondents in the matter, bearing the less than enviable and seemingly impossible task of arguing that the oral assignment of statutory tenancies is permissible. However, as time progressed it became a position that we believed in, at least in so far as we were tasked to argue it. It was a position that challenged us to make creative and bold legal arguments that would stand up to reason.

At our first meeting, we meticulously studied the entire obiter judgement of the Appeal Judges in *Balwant Capil Gayadeen v Chitranjan Gayadeen and Ramnard Gayadeen* Civ App No 43 of 2009, the case the moot was built around. The day was spent arguing about the interpretation of what the Judges meant, eating doubles, exploring whether their arguments and conclusion were syllogistic and made practical sense and watching viral youtube videos. In retrospect those intense initial thrashing out sessions with (more than) sporadic bouts of youtubing (read: repetitive viewings of Sweet Brown's greatest hit – 'Ain't nobody got time for that') provided the foundation that made our team strong. We constantly tested the veracity of any argument we crafted to decide which ones stood up to reason and which ones would falter under scrutiny and spent just enough time wasting time (note - notwithstanding Sweet Brown's insightful advice, in the mooting arena it serves you well to make 'time for that').

So much energy was put into preparing for the preliminary round of the moot, that we almost

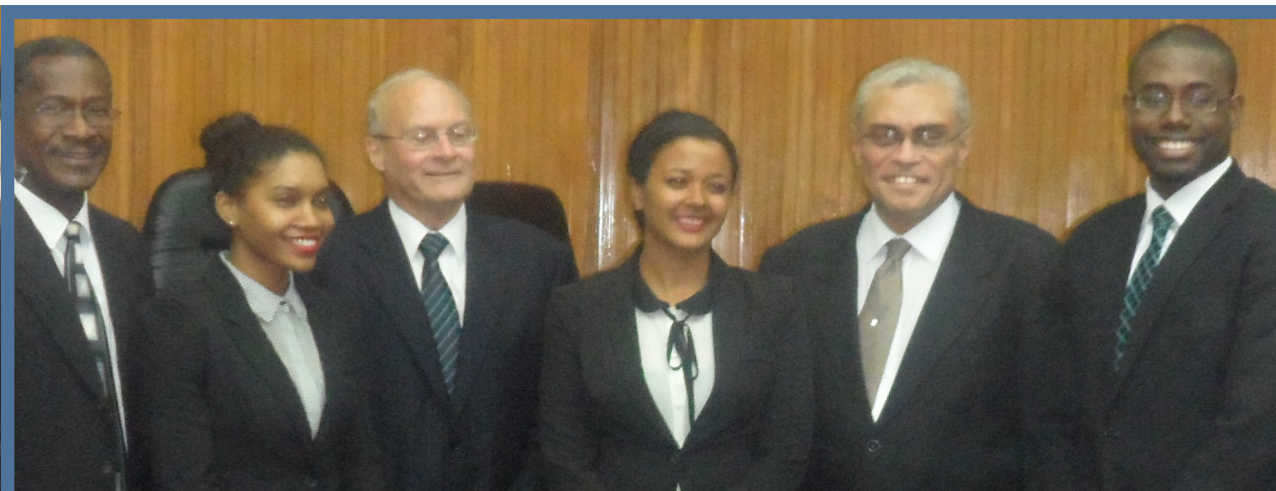


Victory pose by the Hamel-Smith winners: (L-R) Sheba Augustine, Aaron Seaton and Khadija Sinanan.

hoped that we would not make it any further because the work was simply exhausting. Each time we made it to another round of the competition we were pleasantly surprised. The pleasantries dimmed a bit at the final stage when we realised we were to be faced with yet another challenge - to argue before none other than the eminent C.V.H. Stollmeyer J.A., whose obiter dissenting judgment was directly in opposition to our case. Prevailing in such conditions was no small feat considering also the sound and spirited submissions of our learned

friends –Raphael Ajodhia, Bryan Basdeo and Jenna Gajadhar.

The hunger we eventually developed for winning the competition never eclipsed the positive and rewarding experience of working together as friends and colleagues. We cannot stress enough how much of a bonding experience effective mooting preparation can be. The synergy between the three of us was an indispensable aspect of our eventual success and having our names engraved on the trophy was just the sweet sauce on the doubles. ■



The Hamel-Smith mooting competition winners with the Judges.

Lex Caribbean Client Interviewing



LEX CARIBBEAN
Regional Client Interviewing Competition



Winning Team: Eugene Dupuch Law School



Norman Manley Team



HWLS Team

LEX CARIBBEAN

BY ANDREW RAMSUBEIK

HARD WORK, TENSE, tough, difficult, time consuming, just some of the words one would choose to describe the training for the Lex Caribbean Client Interview Competition and the actual competition itself. **FUN,** entertaining, informative and exciting, are some words that would more accurately describe the training for the competition, on competition day, pride, accomplishment and an overall rush of excitement!

A four person team was selected to train to represent the Hugh Wooding Law School at the Lex Caribbean Client Interview Competition after weeks of in-house competition. These four members included **Shivana Sharma, Devonne Miggins, Michael Matthews** and **Andrew Ramsubeik**. As one of these four, I can personally and undoubtedly say, the experience was a fantastic one. Our coach, **Mr. Justin Junkere** affectionately referred to as our “drill sergeant”, made the training process intense, informative, productive and **FUN**. The team worked together like a well oiled machine and we all built on each other’s strengths and helped each other work and overcome whatever little weaknesses we had, or as “drill sergeant” would put it, our subtle and unobtrusive gestures, be it hand movements while speaking to the client or excessive smiling.

Shivana Sharma was the best training partner one could ever ask for. Her abilities to play clients in different capacities and capture the essence of a com-

plete stranger coming to us as lawyers are second to none. She was an absolute delight to work with and an essential cog in that well oiled machine, I am sure my other teammates and our coach would definitely agree with this. Devonne, Michael and I were most times the ones who would practice interviewing Shivana. We worked together to become three week masters at the art of client interviewing with the hopes of representing the Law School and bring home the prize.

After all the training was completed, it was decided that Devonne and I would be the two that would compete in the actual competition. We all did our best and even though we were unable to bring the prize home to the Law School, we all had fun and were grateful for the experience. We are also very grateful to our coach and to all those that made contributions to the training process, by soliciting advice and pointing out minor errors that only a fresh pair of experienced eyes could detect. On behalf of my teammates and myself, we would like to say thanks to Mrs. De Freitas, the Principal, Ms. Samaru and to Justices Boodoosingh and Sealey for your guidance and efforts in making the training process as much fun and as efficient as it was.

The experience was one that I would hope that future year one students who attend our noble institution would jump at the chance to have and one which I am sure that my teammates and I will never forget. ■

Observing Proper Court Etiquette

BY ROGER RAMGOOLAM

WHEN ATTORNEYS SPEAK of etiquette, they are referring to the various customs and forms developed and prescribed by legal practice and convention. Etiquette covers quite a wide area and includes sartorial norms as well as norms of conduct. Student attorneys are often tempted (to their detriment) to pay no more than passing notice to court etiquette, since they fail to appreciate its true value. Indeed, young Attorneys soon discover that it will definitely be to their advantage if they pay close attention to the *de rigueur* norms of their profession.

Young Attorneys are reminded that proper etiquette should be observed both in the Magistrates and High Court, even though there is an unfortunate perception that proceedings in the Magistrates Courts are more relaxed with a consequent lowering of standards. Court etiquette demands proper standards of dress. Suits must be black, navy blue or dark charcoal grey. Pinstripes are both *à la mode* and permitted. Shoes should also be soberly coloured. Bands and collarettes should be starched. Attorneys of both genders are advised to avoid a preponderance of jewellery worn on the neck or hands.

Attorneys are also reminded to keep the suit jacket buttoned up in Court unless the Court grants leave to keep a few buttons opened. Open-toed or sandal-style shoes are normally frowned upon. Most Judges disapprove of unduly brief skirts and even some old-school Judges also dislike women's trouser suits. Men's suits should be three-piece or double-breasted. "Loud" ties are a "no no" and coloured or patterned shirts should be worn only in the Magistrates Courts.

When an Attorney is choosing their seat in Court, care must be taken to avoid sitting in the row of seats reserved for Senior Counsel. Preference is also given to senior Attorneys as regards having one's case called in Court. When addressing the Court, care must be taken in using the correct terms, such as "my Lord" "your Worship" and "your Honour" (Petty Civil Court Judge). Where discussions are held

with a Judge in chambers, the Judge is addressed as "Judge."

An Attorney should refrain from talking, walking around or into court when a witness is being sworn or a defendant is being arraigned. An Attorney should not walk between the Judge/Magistrate and anyone currently talking in court. That often means walking around the back of Counsel's benches. An Attorney should not turn their back to take instructions without asking permission from the bench. After the case is heard, the Attorney should ask for leave before leaving the court room.

Young Attorneys would do well to know that advocacy has its own etiquette. Advocates never think or have opinions in open court, because it is the role of the tribunal of

fact to decide the case. The Attorney's role is to present arguments and submissions.

When addressing the Judge, you don't say "I think the correct view is...". Instead you say "in my submission", or "the defence argues that...". When closing to the jury you don't say "in my opinion, Mr. X was an honest witness". You say "you may think that Mr. X was an honest witness".

If during the course of a trial a legal issue arises which should be dealt with in the jury's absence, the Attorney should indicate "my Lord, a matter of law arises". When citing cases to the Judge/Magistrate, full citations are required and Counsel should always provide a copy of the case for both the Court and the Prosecutor. Fellow advocates should be referred to as "my learned friend" or "my friend" and when one advocate is making an objection, the advocate to whom the objection is addressed, should take their seat.

These are just a few of the rules of etiquette that every aspiring Attorney should know. Few successful advocates fail to consistently observe these rules during their professional lives. Both your own practice and the legal profession will be all the better if they are diligently followed. ■



SPORTS



Raging Lions anchor down for the long haul (left)



Centipede race (above)



White Tigers Team snatches Sports Day Victory!



Mr. Maharaj leads the staff's March Past



DAY 2013



Smooches all round for the long distance kiss race! (left)



Purple Dragon men wok up! (below)



White Tigers close to tumbling during the island hop event (above)



Guest Lecture: Justice Michel

BY KHADIJA MAC FARLANE

A QUIET STILLNESS came over the Aubrey Fraser Lecture Theatre on the 6th February, 2012 when our usual Trial Advocacy Lecturer, Justice Boodoosingh, entered with a male figure. The man accompanying Justice Boodoosingh had a Gatley on Libel and Slander in



*His Lordship, the Honourable
Mr. Mario Michel.*

tow, which only fuelled our confusion as we expected to continue our exciting lecture on Pleas in Mitigation.

The suspense finally ended when Justice Boodoosingh introduced the gentleman as His Lordship, the Honourable Mr. Mario Michel, a Judge of the Eastern Caribbean Supreme Court. Born, in St. Lucia, Mr. Michel was involved in the political arena, where he held various ministerial portfolios and even served as Deputy Prime Minister at one point. We were informed that Mr. Michel had returned to his Alma Mater, to deliver a surprise guest lecture on Defamation, in light of the series of elections which were taking place in the Caribbean recently, where name-calling and slanderous statements seemed the order of the day.

Defamation is the lowering of a person in the eyes of right thinking members of society. The statement itself must be defamatory of the Claimant, whether spoken or written and it must have been published or in the case of slander, a third party must have heard it. More importantly, the statement should be considered in light of the cultural environment since what may be defamatory in one country may not be so in another. Following a very thorough examination on the law of defamation, students were allowed to bombard Mr. Michel with burning questions such as "Should Parliament have absolute privilege at all?" to which he replied that Parliamentarians should be allowed to debate issues freely without having to worry about lawsuits being brought against them and also that Parliament has certain Standing Orders, which allows the Speaker to caution Parliamentarians when they are threading on dangerous, possible defamatory waters.

It was quite a refreshing end to a year of engaging Trial Advocacy lectures and warm thanks is extended to Mr. Michel for carving out time to lecture us at his Alma Mater. ■

Mainstreaming Human Rights Protection

BY TEMPU NEFERTARI

IN COMMEMORATION OF International Human Rights Day 2012, the Hugh Wooding Law School collaborated with the Institute of International Relations to host a lecture and panel discussion sponsored by the Kingdom of the Netherlands.

Diplomats, distinguished guests from the academic community, civil society and students from both institutions were in attendance for the presentation by Professor Dr. Ernst Hirsch Ballin on "*The United Nations, Human Rights and Human Rights Defenders*" and to contribute to the discourse on "*The UN System of Human Rights and its Relevance to the Caribbean*" led by Dr. Hans Geiser.

According to the Professor, the

Human Rights Council was given the mandate to undertake Universal Periodic Review (UPR) to focus on the implementation of the recommendations States accepted under review. UPR is one of the mechanisms employed by the UN to protect and promote human rights. Another is the international prosecution of the most serious infringements of human rights, which qualify as crimes against humanity. In his presentation, he lauded the work and the role of human rights defenders in promoting an ethos of human rights.

Dr. Geiser highlighted the Caribbean's poor record in its implementation of policy measures and legis-

lation to give effect to the human rights conventions ratified by States. In questioning the region's understanding of the nature and value of economic, social and cultural rights in the International covenants, he made the salient point that the right to food, housing, decent work, etc., though not recognized by many as "claimable rights" before a national court, constitute specific entitlements to the people vis-à-vis the State.

Emanating from the event was the clear note that there is an unwillingness to embrace the benefits of the UPR and that there continues to be an absence of the awareness and understanding of the inalienable rights of all our people and the obligations of States to protect these rights. ■

Christmas festivity at HWLS

BY KARINA SINGH

T'WAS THE night of 8th December, 2012 and not a student lurked in the library. It was a night for relaxation and enjoyment and basking in the joys of Christmas.

The Law School was transformed! A Christmas tree surrounded with strings of light decorated the sub moot area. The feeling that pervaded the HWLS was unlike that of a typical day at school. The tone was set for a cheerful night and everyone felt that special Christmas feeling.

Everyone came out in their Christmas ensemble of red and white.

The main event featured a play embracing the true meaning of Christmas starring our very own school-mates. There was a balance of humour and drama in the story. Deloni Edwards left an impression as he moved the crowd with his performance. The entertainment featured not only a drama production but incorporated interludes showcasing the multifaceted talents of the cast members, ranging from interpretive dance to sign language to a musical number "Joy to the World".

The portrayal of the roles performed by cast members from the respective countries was evident of true 'Caribbean Unity'. Their enjoyment and spontaneity was self evident.

The well-organized play was followed by a buffet of the traditional 'Trini Christmas meal': turkey, pastel, sorrel, lasagna and festive rice. The dining hall was well-arranged and decorated with the traditional Christmas colours red, green and white.

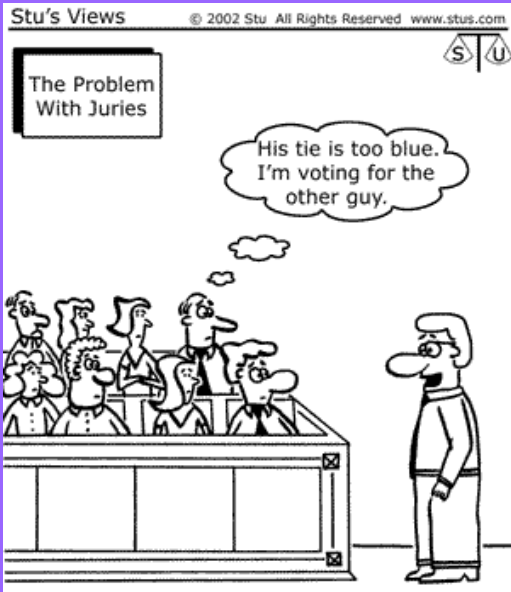
It was generally felt that the food met all expectations and we were ready to proceed with the next item on the programme...the fete. The organisers of this event should be proud as this event was a great success.



Food to make your mouth water all over again!



*Q: What's the difference between a lawyer and a herd of buffalo?
A: The lawyer charges more.*





Kaieteur Land

BY SASHA MAHADEO

23RD FEBRUARY, 2013 marked another anniversary as the Co-operative Republic of Guyana. As we have done every year for the forty-three years that we have been a Republic, people took to the streets celebrating with music and merriment. We call it Mashramani, meaning “celebration after hard work.”

However, the celebration wasn’t only in Guyana. That night Guyana’s culture and independence was celebrated in the twin islands of Trinidad and Tobago. The Guyanese students hosted a night of entertainment, food and dance.

The evening kicked off with a show put together by talented students. Dancers twirled across the stage in their Indian finery and African prints. Folklores were exhibited where we met “the Bush man” who had the herb for every problem and the ugliest man in the world. One look at his face and your heart stopped immediately!

Of course, no show at the law school is complete without law. There were demonstrations of caution state-

ments in three countries, much to the delight and amusement of the audience. Speaking of the police, have you ever been stopped by one? Well in Guyana we claim to be the 63rd cousin of the Minister of Health or provide the flirty policeman with a fake phone number. Don’t judge...we’ve all done it! What would the show be without a demonstration of “The Guyanese Wine.” Lovely young ladies romped around exhibiting Guyanese beauty with Guyanese moves.

After the show, our audience was treated to dinner consisting of traditional Guyanese cuisine. Guests sampled pepper pot and bread, cook up rice, baked chicken, chowmein, potato salad and garden salad, so that it qualifies as healthy.

The night didn’t end there, as is customary, there was a fete afterwards to allow all to burn off those calories. Music from all over the Caribbean was played. Some even got an introduction to Guyanese artists. Guests danced the night away shaking their hips and “rehydrating” with El Dorado. Guyana is infamous for its El Dorado rum, ranging from 5 year old to 25 year old.

For the Guyanese, it was a taste of home in a foreign land, far from home, far from our family and far from our friends, to a place where we found independence, warm hearts and forged lifelong friendships. ■



Faith in Humanity

BY JENNINE J. BERNARD

ON THE RAINY Sunday afternoon of 9th December, 2012, the day before Human Rights Day 2012, our group from the Human Rights Clinic culminated our goal to impact upon the community of Upper Corosal in Gran Couva under the caption "Faith in Humanity – the Corosal Homework Center". Our main focus was to contribute to the furnishing of the newly constructed Early Childhood Center – the initial intended use of the building was as a homework center but the current intended use is as an early childhood center.

Amidst getting lost multiple times in the winding roads of rural Trinidad, we first visited Upper Corosal on 23rd October, 2012. The heart of our initial project idea was to advocate for more efficient supply of water to the community by providing the infrastructure. Upon arrival, we were greeted by Mr. Joseph LaMothe (the community representative) and were given a tour of the community. Mr. LaMothe informed us that

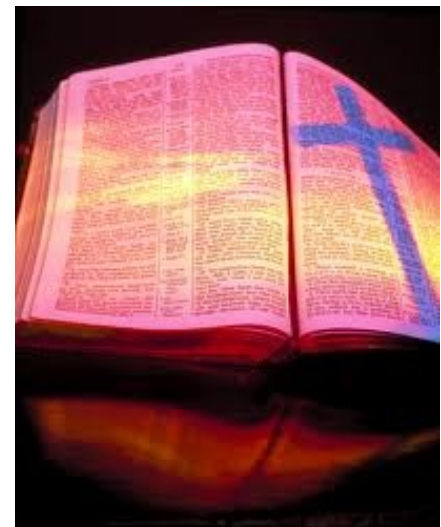
the necessary infrastructure for water storage was present but the community remained somewhat neglected and prone to poor water supply. We committed ourselves to advocating for more frequent supply of water to Upper Corosal but our project developed its major component upon realisation of the initiative to provide an educational facility for the children of the community.

The community was promised the building structure by governmental authorities but while the building was under construction, there was doubt from whence the furnishings would come. Thus, this became our priority for the next month and a half. We lobbied for sponsorship from corporate Trinidad and Tobago and the Desalination Company of Trinidad and Tobago Limited (DESALCOTT) responded favourably realising the acquisition of twelve tables, twenty-two chairs and two refurbished computers. Mr. Harry Cassie also donated an encyclopaedia set. While these were the items presented at the handing-over event on 9th December,

2012, other items have been pledged to the cause, including aids for early childhood education, bookshelves and human rights awareness and apparel for the children of the community.

As we promoted the human right to education we capitalised on the opportunity to promote awareness and education about human rights. With the sponsorship of skills and raw materials from local artist Lester Nelson we mounted a sign highlighting human rights concepts extracted from the *Convention on the Rights of the Child* with direct application to children at all stages and adults alike.

Our group comprised of Mudassar Karamath, Tempu Nefertari, Shervon Phillips, Nicole Samuel, LaToya Smith and myself. Throughout the handing over event it was evident that the community is very close knit and patriotic. Coupled with the deep gratitude expressed, this was a deeply moving experience for me and we are indebted to Justice Boodoosingh via the Human Rights Clinic for this opportunity.



Then came Wednesday, with a session conducted by Mrs. Ali-Gouveia of the Elpis Centre. She dealt with the rigors of Abortion, Post-Abortive issues and the mandate we have as believers in Christ to be unwavering pro-lifers. Mrs. Gouveia's presentation, supported by statistics or the occasional real life experience, was thought provoking and invaluable.

When last have you been to the movies? The answer to this question had persons pouring into the lecture theatre on Thursday for "Movie Night". Yes, the penultimate day of Bible Week offered a movie experience, complete with popcorn, a drink and the type of movie that one would not soon forget "Courageous".

Winding up Bible Week was a treasure hunt, with clues from the Bible and the school compound as the treasure ground, the search began...in the end it proved to be a rewarding experience for participants, who got a chance to focus on the Bible in a fun and enjoyable way.

IVCF is thankful for all those who would have contributed to making this year's Bible Week a success. All honor and glory to Christ our Lord! ■

IVCF Bible Week

BY REYNOLD PRICE

THE INTER VARSITY Christian Fellowship Hugh Wooding Chapter hosted its annual Bible Week event between 4th February - 8th February, 2013. The theme for this year was "The Word Became Flesh..." and it was focused on sensitizing persons throughout the Law School about God's word and the importance of abiding by the Holy Bible. Bible Week was not just about a week of activities but a learning experience created by a heightened awareness about the need for our spiritual growth and development and the role God's infallible word plays in it all. To begin Bible Week we had our Praise Concert in the Aubrey Fraser Lecture Theatre. This was held during the lunch period and it attracted a sizeable crowd. It was really refreshing to see the enthusiasm by students who took time out to worship and praise the only true and living God. The Praise Concert provided a good foundation for the activities that followed. The energy released during the Praise Concert provided a momentum that was sustained throughout the rest of the week.

On Tuesday we had our regularly scheduled meeting in Room 14. This time though it was different. Specially invited Guest Rev. B.M. Seenath of the Tunapuna New Testament Church of God shared with all in attendance on the Canonisation of the Bible and illustrated its relevance in today's world. This session was informative and impactful and featured a lively question and answer segment at the end.

The Transitional Experience

BY MICHAEL MADURO

THIS YEAR'S TRANSITIONAL class consisted of 28 common law trained practitioners, of which 15 qualified in England and Wales, 8 in the United States, 3 in Canada and 1 in New Zealand. The students came from as far as Jamaica and Anguilla to down south here in Trinidad and Tobago. They also had a wealth of experience, from new qualified attorneys to practitioners with over twenty years experience and included commercial and civil litigators, former criminal prosecutors, a construction attorney, a tax specialist and a legislative draftsman.

This has been the longest 6 months of my life but it has also been an interesting experience. Most former students give a false assessment of the programme, as though it is merely administrative. However, it is an intellectually and practically rigorous programme, as we are expected to attend class for two days per week and attend work placements for the remaining three days functioning under the demanding conditions of legal practice. There are also no breaks on the programme as the workload is constantly de-

manding and we were expected to complete research papers and assignments throughout the term including during our Christmas and Carnival holidays.

Our classes are Constitutional Law, Law and Legal Systems, Law Office Management, Accounting and Technology, Criminal Practice and Procedure and Trial Advocacy. I found that the Criminal Practice and Procedure and Trial Advocacy classes were most helpful in making the transition to practising law in the Commonwealth Caribbean.

I spent the time at my placement carrying out a wide variety of legal work from drafting pleadings and legal instruments, to preparing preliminary advice and legal submissions and arguments. I was also exposed to specialist areas of law such as judicial review, mediation and constitutional adjudication. The purpose of the work placement is to gain practical experience and sufficient exposure to law and practice of the Commonwealth Caribbean. One deals with

complex issues, often working under short deadlines, whilst looking after clients' best interests.

The work is challenging, however all the guidance and support necessary to excel is on hand. My supervising lawyer was approachable and keen to teach me. It really was learning by doing and my time on the programme was more rewarding for that.

The tutors have a wide variety of experience and training and are helpful in ensuring that you receive the necessary training to succeed in the programme. Assistance can be sought not only from one's supervisor or tutors, but also from a classmate, a judge or other practising members of the profession. Everyone is generally willing to help.

We also had the opportunity to socialize and interact with the wider Hugh Wooding Law School Community and for this I shall be eternally grateful for it allowed me to make contacts and build friendships which I hope will benefit all of us as we practice within the region. ■



CONGRATULATIONS TO HWLS Alumnus *Thomas Aquinas Carmona*, President-elect of the Republic of Trinidad and Tobago, 18th March, 2013.

WE WISH TO extend our congratulations to the *Honourable Mr. Justice Sebastian Ventour* on his appointment to the National Consultation On Constitutional Reform.

A retired Judge of the High Court, Justice Sebastian Ventour has served the Judiciary with distinction from 1998 to 2012. Justice Ventour practised as an Attorney-at-law with the law firm of Fitzwilliam Stone Furness-Smith and Morgan from 1978 to 1998, when he retired as a Senior Partner to take up his appointment as a Judge of the Supreme Court.

Justice Ventour has been teaching at HWLS since 1993 and is currently the Course Director of Civil Practice and Procedure II at the Hugh Wooding Law School. ■



Gavel Gives Back!

BY VAASHA A. PARAG

WE LIVE IN a society where some persons constantly worry where their next meal is coming from, where their rent money is coming from and with some having no money after paying rent to feed their family. What have you done recently to help feed that family?

On Thursday 13th December, 2012, 'The Gavel' partnered with the Legal Aid Clinic at HWLS and marked the commencement of "Gavel Gives Back", which realized the donation of over 30 grocery hampers to very poor persons on the eve of Christmas. The project was first suggested by Miss. Tamar Grant, the SRC's Publications Chairperson and The Gavel's designated editor.

We invited the Law School's population to give freely for the Christmas season and thanks to a kind soul's generous contribution and affiliation with the Social Welfare office, 13th December was a definite success.

The event was a momentous and joyous one but I found the event particularly heart-warming. On calling some of our intended donees, one could hear the surprise followed by joy in the voices of some persons on hearing that HWLS was calling to give them a hamper. On finally matching the names to the faces that I called and upon greeting them, all the efforts were made worthwhile and the event, golden.

The Gavel shall continue to partner annually with the Legal Aid Clinic to continue this venture and hopefully increase the number of intended donees. ■



Registrar's Write

BY THE OFFICE OF THE REGISTRAR

DEAR STUDENTS:

WELCOME TO REGISTRAR'S WRITE!!

We have been graciously given this column to carve a niche to establish on-going communication with you. Albeit this is coming at the end of the school-year, the Office has recognised that many of you are not acquainted with the persons who staff this Office and takes this opportunity to introduce its staff members to you in a formal way. While we would have been in contact with many of you by virtue of our official responsibilities, we outline hereunder the list of officers who consistently provide services to enhance your tenure at the Hugh Wooding Law School.

The officers who staff the Office of the Registrar are –

- **Miss Alana Humphrey:** Registrar
- **Mrs. Margaret Adams-Stowe:** Assistant Registrar
- **Mrs. Dianne Marshall-Holdip:** Assistant Registrar
- **Mrs. Angela Armorer-Conyette:** Secretary to the Registrar
- **Miss Shenika Cashie:** Clerical Assistant

GENERAL OFFICE

- **Mrs. Francisca Campbell:** Secretary- Evidence, Remedies and Civil Procedure and Practice I
- **Miss Deborah Daniel:** Secretary- Civil Procedure and Practice II, LOMAT, Legal Drafting and Probate.
- **Mrs. Indra Gosine:** Secretary- Trial Advocacy and Criminal Practice and Procedure
- **Miss Marlene Herriera:** Secretary- Conveyancing and ADR
- **Mr. Michael Rampersadsingh:** Computer Operator
- **Mr. James Allen:** Printing Officer
- **Mr. Shevkumar Singh:** Office Assistant

MAINTENANCE & SERVICES STAFF:

- **Maintenance and Services Supervisor:** Mr. Patrick Floyd
- **General Maintenance Assistant:** Mr. Aswad Daniel
- **Maintenance Attendant:** Mr. Jerry Abdool
- **Groundsman:** Mr. Brian Bharath
- **Watchmen:** Mr. Roland Anthony, Mr. Cleve Francois and Mr. Eric Francois
- **Cleaners:** Ms. Wendy Edwards, Ms. Jennifer Edwards-Maloney, Ms. Jennelyn Johnson, Ms. Christine Modeste and Mrs. Sherma Prescod
- **Drivers:** Mr. John Ali, Mr. Neal Gangerdeen and Mr. Harold Mischier

Given the approaching time of year, to wit, end-of-year examinations, we urge that you remember to use your time to consolidate your course material and notes respectively and choose a study technique which is most productive for you. The Office would be hosting a meeting with you in order to emphasise certain procedural matters of which you should be aware (including the Notice for you to indicate whether you have any special requirements). We trust that this would contribute to your overall understanding of the services which we provide with a view to constant improvement. Let us always strive to do the best we can, where we are, with what we have. ■

SINGLE

BY RONALD J. DANIELS

A WRITTEN WORD is worth a thousand spoken.

A mended heart is worth a thousand broken.
A single day outshines a thousand nights.
A moment's peace is preferred to a thousand fights.

A single smile dries-up a thousand tears.
A mere memory can live for a thousand years.
One beginning may lead to a thousand ends.
One mistreatment may cause you a thousand friends.

A single reality is birthed from a thousand dreams.
A simple prayer is a thousand sins redeemed.
A moment's joy outweighs a thousand sorrows.
I live today before a thousand tomorrows.

A single apology may prevent a thousand wars.
A sincere word may heal a thousand emotional scars.
A single death will kill a thousand ME;
But my lost life will set thousands FREE.

30th October, 2009. ■



Super Super **Trinbago** Night!

BY ALEEMA AMEERALI

TRINIBAGO NIGHT HERE at the Hugh Wooding Law School was AMAZING! People came out in their numbers to enjoy this outdoor event. Great entertainment!!! From the calypso renditions of Sasha Ann Moses (Chaguanas Calypso Queen), Heather MacIntosh singing 'Invisible' and 'Old Man's Lament', to Pink Panther, Kurt Allen (former calypso monarch) and Dillon Thomas from Tobago. We also had the pleasure of Asha Camachi, the Toco Chutney winner 2013, Ian Alleyne's flash appearance, our own Kublalsingh and our take on politics. But wait, that was not all; the bouncing really started when TRINBAGO's reigning Soca Monarch and 9 time Road March champ gave us a spectacular performance with his past winning songs and the renowned Fantastic Friday. You know us Trinibagonians love our soca, so the crowd 'bounced' and went crazy whilst chanting 'SUPER SUPER SUPER!!!'

Of course food was on the agenda; we love our bellies! The aromatic smell of doubles, corn soup, pelau, geera pork and chicken (just to name a few) was indeed inviting. People could not wait to eat; the line was long. Thank you to the lovely cooks for making it possible and worth the wait. After eating, people were mingling and relaxing; engaging themselves in conversation; patiently awaiting what was THE BEST part of the night- the party!

Once the music began pumping and blasting, everyone had an even better time. Trinbagonians love to party and we never let music go to waste. There were multiple DJs who did a great job and to make things even better, two soca artistes performed. The crowd's energy never once subsided and there were 'plenty vibes and action'. The bar was stocked with both alcoholic and non alcoholic beverages to quench our thirst from all of the hype!

Indeed, TRINBAGO night was a success! I can speak for everyone and say that we had a blast! It was a great way to wind down the school term as we get closer to exams. Special thanks to all of the hard working persons who made the night possible and of course thank you to everyone who attended. ■

Heather MacIntosh, former 2 time Calypso Queen and 3rd place winner in this year's Calypso Monarch competition (left).



Assistant Registrar, Mrs. Dianne Holdip is tantalised by Super Blue's rendition!



Ian Alleyne in the HWLS mix!



Citizen's arrest for our own Kublalsingh!



Former Calypso Monarch, Kurt Allen (above)



THE GAVEL

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MARCH 2013

Legal Aid Loses a Mentor— Mr. Bostic

BY EILEEN BENJAMIN-RYAN

ATIBA BOSTIC WILL soon retire from the Legal Aid Clinic as Head of Litigation. He has been an Attorney-at-law for some 35 years, 21 of which have been in full time service to the Clinic.

As a graduate of the Hugh Wooding Law School (HWLS), he is totally committed to the Caribbean Legal Education (CLE) programme and is proud of the competence throughout HWLS and the sense of professionalism. He sees the Clinic as a useful opportunity for students to get practical training in the application of the law. He explains that the Legal Aid Clinic, established by HWLS is utilized as a teaching instrument and also to provide service to members of the public in need of legal assistance. Tutors of the Clinic are also involved in assisting in the delivery of the programme at the HWLS, e.g. working on committees, second marking papers, etc.

Mr. Bostic graduated from HWLS in 1977 (third group). He regards the introduction of the CLE to train legal professionals in the region as an inspirational and historic decision of the founding fathers. He remembers the modest facilities with limited resources facing both students and academic/administrative staff during those pioneering years. But even then the quality of the training was high and has remained high.

He is proud of the progress in very difficult times. He recalls the intense work in the early years of the Clinic and the continuous development of infrastructure. Despite the challenges, there is an enthusiasm for change together with continuous development in the delivery of programmes through training and improvement.

He acknowledges the increased intake of students across the board in all three law schools, requires intensified efforts at curriculum reform and improvement of our administrative systems. He is positive that the programme is well suited to the needs of the modern day attorney - curriculum reform, development of improved systems to facilitate high level delivery, efforts to develop the programme and to implement change.

He is of the view that an Attorney-at-law must develop communication skills and leadership skills to overcome challenges. He sees today's lawyer as a problem solver/peace maker, involved in leadership as an instrument of peace. He/she must be aware of the history, culture, norms and values of our societies in order to function properly and must be committed to deepening his knowledge of society and his world outlook.



Mr. Atiba Bostic has been a stalwart at the HWLS.

Mr Bostic cites three maxims that attorneys-at-law must assimilate throughout their practice:

IRA – Investigation, research, analysis/application;

TEC – Timeliness, efficiency and courtesy;

PPP—Prior proper preparation..... prevents problems;

and the vision of HWLS and the CLE “to develop lawyers with a conscience who are social engineers of the present and creative leaders of the future” as one to be adopted by all Attorneys as they perform their functions.

He declines to be labelled a social activist, preferring to admit that he is “politically and socially aware”. He loves life in the interests of “fairness, peace, progress, justice, respect for human rights, due process and the establishment and maintenance of democratic principles”. He plans to relax but continue working with the Clinic and to deepen his involvement in voluntary social programmes for the advancement of our society.

Best of luck and happiness to Mr. Bostic in his future endeavours. ■