



COURSE NAME : INTRODUCTION TO CARIBBEAN LAW AND LEGAL SYSTEMS

COURSE CODE : ICLLS 3002

COURSE CREDIT: 3

COURSE DESCRIPTION:

This course provides an introduction to Commonwealth Caribbean Legal Systems with a particular focus on Trinidad and Tobago. The historical context and general characteristics of English law and legal systems are examined. In particular, the general divisions of law as: case law and statute; civil and criminal law (and their subdivisions) and equity will all be explored. The sources of law, with emphasis on precedent, legislation and custom and practice will also be considered.

The criminal and civil law procedures from commencement of proceedings to final disposition and the associated court systems in the Commonwealth Caribbean will be examined (including the jury system), using Trinidad and Tobago as the main example and model. The constitution as a source of law, the doctrine of judicial precedent, and the rules of statutory interpretation will be carefully considered as they relate to the interpretation of law. The roles of the Privy Council and the Caribbean Court of Justice will also be discussed.

Certain specialized courts will be considered, such as the Industrial Court, Family Court and Juvenile Court; as well as the roles of the Office of the Ombudsman and the use of alternative dispute resolution mechanisms (such as arbitration and mediation) in Caribbean legal systems.

AIM:

This course aims to:

- Develop a conceptual understanding of Commonwealth Caribbean legal systems.
- Provide a detailed insight into the procedures underpinning the civil and criminal justice systems in the Commonwealth Caribbean, using Trinidad and Tobago as the example and model.
- Develop an appreciation for key legal principles and methods, such as, the sources of law, the doctrine of precedent and the rules of statutory interpretation.
- Critically consider the roles of specialized courts and alternative dispute resolution mechanisms generally available in the Commonwealth Caribbean.

LEARNING OUTCOMES:

Students will be able to:

- Understand the origins and bases of Commonwealth Caribbean legal systems.
- Learn both the civil and criminal law procedures in the context of their related legal systems.
- Understand and be able to apply the rules of precedent and of statutory interpretation in the solving of legal problems.
- Develop appreciation for the variety of courts, tribunals and mechanisms available for the resolution of disputes.



COURSE CONTENT:

1. Explanation of English and Caribbean law and legal systems.
2. Explanation of the general divisions of law and legal systems.
3. Understanding of the main sources of law.
4. Learning the main civil and criminal law procedures and the hierarchy of courts in the relevant legal systems.
5. Understanding the doctrine of precedent and the principles of statutory interpretation.
6. Understanding of the variety of general mechanisms available for the resolution of disputes.

COURSE TEXTS:

Antoine, Rose-Marie. (2008). *Commonwealth Caribbean law and legal systems*. NY: Routledge-Cavendish.
Kiralfy, A.K.R. (1990). *The English legal system*. London: Sweet and Maxwell.
Kodilinye, G., & Kodilinye V. (2009). *Commonwealth Caribbean civil procedure*. NY: Routledge-Cavendish.
Seetahal, Dana. (2010). *Commonwealth Caribbean criminal practice and procedure*. NY: Routledge-Cavendish.
Supplementary articles and legislation will also be used.

TEACHING AND LEARNING STRATEGIES:

Lectures
Peer review
Debates
Group Work
Discussion

COURSE ASSESSMENT:

Peer review	5%
Class participation	10%
Class presentation (oral)	20%
Written assignments (3)	30%
Research paper	35%
TOTAL	100%

- Class attendance.
 - Completion of assigned readings on schedule.
 - Participation in class discussions, with demonstrated critical understanding.
 - Facilitation of oral and written class discussions/presentations.
 - Completion of written assignments on schedule.
 - Court attendance: civil and criminal courts, with written reports. [This will constitute one of the written assignments.]
1. Constructive participation in class discussions (10%). Students will be expected to demonstrate active listening skills and to engage in constructive dialogue on all topics.



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2. Assigned in-class presentation (20%). Presentation of oral arguments and supporting evidence for assigned topics, together with counter arguments for opposing views.
3. Peer reviewed facilitation of class discussions (5%).
4. Written course assignments (3x10% = 30%). There will be three (3) written course assignments, each 2-3 pages (typed, double spaced).
5. Final essay (35%). On a topic to be agreed with the course director. A 10 -12 page (typed, double spaced) paper with endnotes and bibliography.