



# READY SET KNOW

NAVIGATING  
LEGAL PROCESSES  
FOR LGBTQI+ PEOPLE  
IN TRINIDAD AND TOBAGO

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## PURPOSE OF THIS GUIDE

The purpose of this guide is simple – to educate. You have a right to not only know what your rights are in different situations, but also to know how different legal processes work. So, after reflecting on the legal processes most engaged by Wholeness & Justice clients and other LGBTQI+ people in Trinidad and Tobago, we developed this guide. We have broken down information about these legal processes, their benefits, and how you can access them (plus other useful tips). Of course, this guide does not serve as legal advice. **Persons who need advice and further assistance should consult an attorney-at-law or the relevant authority.** *LGBTQI+ people who have experienced a violation and need legal support should contact the Wholeness & Justice programme at 1 (868) 286-2827 and/or [wholenessandjustice@caisott.org](mailto:wholenessandjustice@caisott.org).*



## NOTE TO YOU

Before we begin, **ALWAYS REMEMBER:**  
No matter who you are, what you look like, where you come from, who you love and how you express yourself, you have a right to access legal processes. This right is found in The Constitution of the Republic of Trinidad and Tobago Chap 1:01.

# THE CONSTITUTION



**Here's why the Constitution is important:** The Constitution of the Republic of Trinidad and Tobago is the supreme law of the land. This means that all laws in Trinidad and Tobago must be consistent with the Constitution or else they will be considered void.

The Constitution tells us what our fundamental human rights are and provides rules for the preservation of our Republic's democracy.

Section 4 of the Constitution explicitly lists discrimination based on race, origin, colour, religion, or sex as prohibited.

The Constitution enshrines the rights of ALL people to access judicial proceedings after experiencing a human rights violation.




While not explicitly naming sexual orientation, gender identity, disability, and immigration status, the rights enshrined in sections 4 and 5 of the Constitution afford all individuals due process of law, the right to a fair trial, and the right to necessary judicial procedures to protect their fundamental rights.



**Fun fact!** Section 5(g) also guarantees the right of any person to an interpreter for court proceedings, which is especially important for disabled persons, migrants, and all other people who experience language barriers.

Here is a list of registered public translators for Trinidad and Tobago: [Registered-Public-Translators.pdf](#)  (nationalsecurity.gov.tt) and [Translation and Interpretation Unit – COSTAATT](#) 

## SIGN LANGUAGE INTERPRETERS

- Deaf Empowerment and Advancement Foundation (D.E.A.F)-   
(10) Facebook 868) 321-9512 or deaforgtt@gmail.com
- Caribbean Sign Language Centre- Interpretation - Caribbean Sign Language Centre 
- The Department of Modern Languages and Linguistics- Caribbean Interpreting and Translation Bureau | The Department of Modern Languages and Linguistics 

## SELF-REPRESENTATION AT COURT

**It is your legal right to represent yourself in court in Trinidad and Tobago**

...**BUT** it is highly advisable to consult an attorney-at-law. You can either do so privately or through Legal Aid.



The Legal Aid and Advisory Authority of Trinidad and Tobago provides legal advice and representation to people who cannot otherwise afford to pay for legal services.

You can contact the Legal Aid office closest to you via:  
The Legal Aid and Advisory Authority of Trinidad and Tobago:

### **LAAA Port of Spain (Head Office)**

No. 23 Stanmore Avenue,  
Port of Spain,  
Tel. 638-5222

### **LAAA Tobago, District Office**

Caribana Building,  
Bacolet Street, Scarborough  
Tobago  
Tel. 635-0779

### **LAAA San Fernando, District Office**

6 Harris Street  
San Fernando  
Tel. 638-5222

### **LAAA Chaguanas, District Office**

No. 62 Eleanor Street, Chaguanas  
Tel. 225-4522

### **LAAA Arima, District Office**

1st. Floor, Pennywise Building  
10-10a Devenish Street, Arima  
Tel. 638-5222 Ext. 340



You can contact The Law Association of Trinidad and Tobago to ensure that the attorney-at-law that you retain privately is in good standing: admin@lawassociationtt.com or 1(868)225-8715-7

There are also other organisations that offer legal services for specific groups, including vulnerable groups. They are:

**1. Hugh Wooding Law School – on Family, Civil and Estate matters**

Legal Aid Clinic

Nos. 100-114 Gordon Street, St. Augustine

Tel. 235-4960/235-6350

legalaidclinic@hwlsedu.com

**2. Living Waters Community (LWC) - Ministry for Migrants and Refugees**

109 Frederick Street | Port of Spain | Trinidad & Tobago  
(Mail/Head Office)

105 Frederick Street | Port of Spain | Trinidad & Tobago  
(Walk-In/Reception)

Tel. 612-7395

website [www.lwcrefugee.org](http://www.lwcrefugee.org)

**3. Coalition Against Domestic Violence (CADV) – for all survivors of gender-based violence**

1 Robinson Ville, Belmont, Port of Spain, Trinidad

Tel. 627-6844 or 624-0402

Email: [cadvtt@gmail.com](mailto:cadvtt@gmail.com)

**4. Women’s Institute for Alternative Development (WINAD) – for women and girls**

Tel. 680-0354

Email: [winad1999@yahoo.com](mailto:winad1999@yahoo.com)

Mail: P.O. Box 10134, San Juan, Trinidad and Tobago

**5. La Casita Hispanic Cultural Centre – for Spanish-speaking refugees and migrants**

Farfan Street, Arima

Tel. 714-9997

[lacasitatrinidad@gmail.com](mailto:lacasitatrinidad@gmail.com)

**6. Wholeness and Justice Programme, CAISO Sex and Gender Justice – for LGBTQI+ people**

1 Robinsonville, Belmont, Port of Spain

Tel. 282-2476

Email: [wholenessandjustice@caisott.org](mailto:wholenessandjustice@caisott.org)

website: [caisott.org](http://caisott.org)

# YOU GOT SERVED!

## SERVICE OF LEGAL DOCUMENTS

- 1) Pre action Letters or Letter of Demand
- 2) Summons- Criminal summons (private or public) or Family summons (legal custody, maintenance, access/child visitation, protection order applications)
- 3) Petty Civil Summons- Ordinary Summons, Default Summons or Judgement Summons
- 4) High Court Claim- Claim Form Statement of Case or Fixed Date Claim Form Statement of Case/ Affidavit in Support.

After being served, a defendant or respondent

This is the person who is served the legal documents

must do the following:

1. For pre-action letter – seek legal advice within the provided time, respond or request an extension to respond.
2. For summons (criminal or family) – the respondent should take note of the next date of hearing and contact the respective court office to receive the virtual court link.



If you do not have an electronic device or access to one, you should contact or visit the court office for a Judicial Virtual Access Customer Centres (VACCs) booking to be made for you on your scheduled court date.]



Judiciary Virtual Access Customer Centres (VACCs)		
Location		Address
North	Arima	Former UTT Campus 83-121 Industrial Estate, O'Meara Industrial Park
	Port of Spain	Judiciary Administration Building Kings Court, 110-112 Frederick Street
		Judiciary Administration Building 48 St. Vincent Street (Corner St. Vincent and Duke Streets)
		Children Court North 6 Elizabeth Street, St. Clair
South	Point Fortin	Point Fortin Magistrates' Court Cap de Ville Road
	Princes Town	Family Court and District Court 271 Edward Street, Naparima/Mayaro Road
Tobago	Scarborough	Hall of Justice, Tobago Bacolet Street
		Family Court 54 Calder Hall Main Road
		Scarborough Magistrates' Court Bacolet Street

3. For Claim Forms – you should seek legal advice as there is a requirement to file an Appearance within eight (8) days either admitting or disputing the claim against you. After that, if you deny the claim either wholly or partially, you are required to file a Defence within twenty-eight (28) days of being served. The Defence must be done in a particular format. It requires you to detail the facts and reasons for disputing any allegations in the claim.



Some procedures may have different requirements. So, it is important to seek legal advice from an attorney-at-law to ensure nothing is missing and the proper procedure is followed.

## **Who serves legal documents?**

Legal documents may be served by police officers, private process servers, bailiffs (privately or court-appointed), court marshals, and private individuals.

### **Please note the following:**

1. Police officers may serve all legal documents;
2. Private bailiffs and process servers may only serve civil documents and applications for protection orders;
3. Court marshals and bailiffs may serve all civil matters;
4. Private individuals may serve petty civil, high court claims, and applications for protection orders.

## **Service of legal documents**

The Interpretation Act Chap 3:01 states that the service of legal documents may be brought into effect by:

- a) Post (registered mail or international courier); or
- b) Leaving it for the named party at their usual or last known place of abode or business, with someone who is apparently over the age of sixteen years; or
- c) In the case of a corporate body or of any association of persons, whether incorporated or not - by delivering it to the secretary or clerk of the body or association at the registered or principal office of the body or association, or serving it by post to such secretary or clerk at such office; or
- d) If it is not practicable after reasonable inquiry to get the name or address of an owner, lessee or occupier of premises on whom the document should be served, the document may be addressed to the named party by the description of "owner" or "lessee" or "occupier", as the case may be, of the premises (naming them) to which the document relates, by affixing it, or a copy of it, to some easily visible part of the premises.



## DISCLOSURE

As the Applicant or Complainant,

the person initiating the legal action

you have a duty to produce to the Court and the other party/parties in the court proceedings, any documents in your control that are directly relevant to the matters in question in the proceedings. These documents include:

1. Medical reports
2. Citizen Report Receipts
3. Photographs/screenshots
4. Videos and audio on CDs/USB/Video links
5. WhatsApp/text messages/call logs
6. Station Diary extracts of reports
7. Witness statements
8. Report from Children's Authority, social worker, psychologist, psychiatrist, etc.



## TRIAL PREPARATION

### The Evidence

Lay proper foundations for exhibits. Do so by:



1. Preparing your testimony in a charted, chronological order, making reference to all supporting documents/exhibits, namely photographs, medical reports, station diary etc.
2. Ensure that you are able to recount orally, without reference to any document or aid, each incident/allegation vividly and clearly.
3. Ensure you know how you will be able to identify the exhibits.

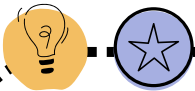
# SO, YOU'VE EXPERIENCED A VIOLATION: HERE'S WHAT TO DO:


## REPORT IT TO THE TRINIDAD AND TOBAGO POLICE SERVICE (TTPS)

### How to make a police report

A police report may be filed by:

- Calling 999
- Making a report on the TTPS "See Something, Say Something" application. **Here is the link:** [TTPS App - See Something Say Something](#) 
- Visiting any police station. **Here is the list of police stations in Trinidad and Tobago:** [List of Police Stations \(ttps.gov.tt\)](#) 



We know that going to the police station and interacting face to face with police officers can be very intimidating. Here's a guide to help you navigate these situations with confidence. [Navigating the Trinidad and Tobago Police Service as an LGBTQI+ Person \(caisott.org\)](#). 

- Submitting a report online on [ttps.gov.tt](#) under the "Report a Crime" tab.

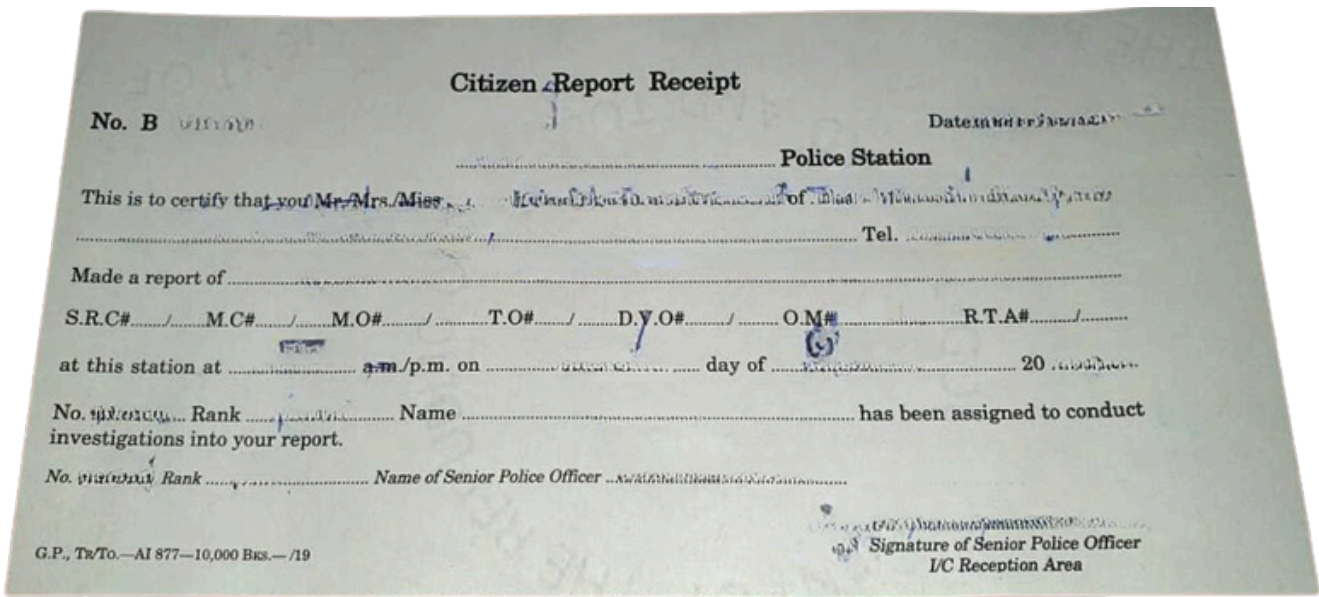
## GET A CITIZEN REPORT RECEIPT

**What is a Citizen Report Receipt?** This receipt acknowledges the filing of the report and includes date and time of filing, a reference or case number, a brief description of the incident and the name and regimental number of the investigating police officer.



You should always request a copy of your report and/or statement for future personal reference or legal proceedings.

The format of the Citizen Report Receipt may vary. Below is a specimen of what this receipt can look like.



## PREPARE A WITNESS STATEMENT

### Making a witness statement

After a police report is lodged, the assigned police investigator would request to interview you for the purpose of taking your witness statement, which may be used as evidence in an attempt to charge the perpetrator.

A perpetrator is the person who committed the crime or act of violence

You may also choose to submit your own written statement. Upon submission of your written witness statement, the police investigator may record further statements from you for clarity or for further explanation.



You are strongly advised to obtain the assistance of an attorney-at-law when drafting your own witness statement.

A witness statement may be completed in the same way as reporting a crime as a victim (see above). The witness must include clear details about:

- the victim
- the crime scene
- the suspect
- the relief sought.



If known, the names, addresses, and occupations of the parties should be included. If you sustain injuries, you should include this in your statement


A witness can also submit a witness statement by contacting the police directly or entering a police station, where an officer will record the statement in all its detail.

**It's important to verify the information you provide:**

Your report must be verified by it being read to you or read by you for accuracy. Your witness statement must be verified for accuracy by the victim or witness. Once verified and accurate, the witness statement must be signed before submission.

## SO, HERE'S WHAT YOU WILL NEED:

### To lodge a report or give a statement:

- You will need to visit the nearest or most convenient police station. Here is a list of police stations: [List of Police Stations \(https://gov.tt\)](https://gov.tt) 
- You must bring a valid form of identification to the police station. If the crime is reported online, your passport, driver's license, or ID card number will be requested on the form.



### **THE ONE DOOR POLICY OF THE TTPS**

1. Allows any person to make a report/statement at ANY Police Station or to ANY POLICE OFFICER ANYWHERE.

2. ALL OFFICERS ARE MANDATED to:

a) Record, at least, the arrival of the person at the station or interaction,

b) Take the person's report or statement, and

c) Ensure that the matter is addressed or forwarded for attention to the relevant station.


**MEMBERS OF THE PUBLIC ARE NOT TO BE TURNED AWAY OR SENT TO ANOTHER STATION.**

We know that LGBTQI+ people (including people perceived as being LGBTQI+) and other marginalised groups often experience discrimination from the police when trying to make reports and get service. This includes, but is not limited to, refusal and/or unwillingness to attend to the person as well as subjecting the person to ridicule and harassment.



It is your right, however, to receive service from the TTPS. If you experience discrimination, request to speak to another officer.


If this is denied and the problem persists, contact the Wholeness & Justice Programme at 1(868)282-2476 and/or [wholenessandjustice@caisott.org](mailto:wholenessandjustice@caisott.org) for assistance. (Working hours: Mondays to Fridays, 10am to 4pm.)

Please see the [Navigating the TTPS as an LGBTQI+ Person guide](#) for further tips and information on police complaint mechanisms. 

## WHEN SHOULD I SEEK MEDICAL ATTENTION?

- It is important to seek medical attention as soon as possible if you have been physically or sexually assaulted. It is best to receive medical treatment at a public health centre or hospital.



A list of these facilities can be found here: [Health Facilities | Ministry of Health](#) or you can call the Emergency Health Services at their toll-free number 811. 

- When being examined by the doctor, please ensure that you point out all injuries sustained and give full details of the incident so that the doctor can make a note of them. The doctor may ask further questions to ensure that the examination is as thorough as possible.
- Before leaving the health facility, be sure to collect a chit or receipt that confirms that you were examined. This chit should then be handed over to the police investigator, so that they may access your medical records for collection and for further investigation.



- If possible, take a picture of the chit with a smart device for your personal records before passing it to the police investigator.



Ensure that this picture is stored safely in cyberspace by emailing it to yourself or uploading it to a cloud-based storage.

Examples of this includes Google Drive, Google Photos, iCloud, Dropbox, Adobe Acrobat etc. Use whichever one you regularly access.

- If you have sought medical care before reporting the incident to the police, you will need to go back to the health facility with a blank police medical form from the police station. This form should be given to the examining /attending doctor to complete and sign. Thereafter, the chit will be given to you, and you will then have to return to the police station.

This is the doctor who dealt with you at the health facility when you went to seek medical attention

Care Note: We know all of this can be a difficult process, especially for LGBTQI+ people or if you have experienced harm before from the TTPS or in the public healthcare system.

But they have a duty to provide services to you and you have a right to access those services. So, it is wrong if you are denied and/or treated unfairly. Sometimes, it is helpful to bring a loved one with you for support and to remain with you as a witness.

Contact Wholeness & Justice if you experience discrimination or any other kind of violation in this process.

## WHEN TO SEEK PROTECTION

Once you have experienced any form of personal violence whether physical, sexual, verbal, financial, emotional or psychological you should speak to someone. This may be a trusted friend, teacher, police officer, counsellor, attorney etc. Once you have decided how you want to move forward, and there is need for further protection to prevent future acts of abuse, ensure that you:

- report all incidents
- then approach the District Court in your area to apply for a Protection Order against the perpetrator.



Here is a link to a list of District Courts:

[Court Directory May 17 2021.pdf \(ttlawcourts.org.\)](#)

### Here's what you will need when approaching the District Court for a Protection Order:

- Date, place and time of the incident(s) of abuse within the last six (6) months
- One form of photo identification

This can be your National ID Card, Drivers License or Passport

- Citizen Report Receipt
- Medical Report



Police medical, medical from private doctor or a copy of patient file from the hospital or health centre about injuries sustained, if available.

- Photographs in pdf format or videos of personal injuries or damage to property or threats etc.



If you're applying online, you will need to upload pdf copies of the requested documents.

# DOMESTIC VIOLENCE/INTIMATE PARTNER VIOLENCE

## What is domestic violence?

Domestic violence is abusive behaviour in ANY relationship, weaponised against a person by another, to gain or maintain control over them. Abuse has deadly consequences and may be physical, emotional, psychological, sexual, economic, amongst other forms.



Domestic violence occurs in a variety of relationships and is not determined by socioeconomic status, age, race, culture, religion, gender or sexual orientation of the partners.

## What is intimate partner violence?

Intimate partner violence (IPV) is a form of domestic violence. This abuse or aggression occurs in a romantic relationship.



An intimate partner refers to both current and former spouses and dating partners.

IPV may vary in frequency and severity. It can range from one episode of violence to chronic and severe episodes over multiple periods and may be in the form of physical, verbal, financial, sexual, emotional and psychological harm. Regardless of the circumstances, abuse IS abuse.

Intimate partner violence is a type of **gender-based violence**.

Gender-Based Violence (GBV) refers to any type of harmful acts directed at an individual (or group of people) based on their real or perceived sex, sexual orientation or gender identity. GBV is a result of unequal systems of power and societal norms that promote and prioritise certain gender, expressions and sexual orientations over others.

## WHAT RELIEF IS OFFERED?

The Domestic Violence [Amendment] Act 2020 provides people who experience domestic violence with different options for protection and healing. These include:

- Protection Order – provides restrictions and directions on ways the respondent can interact with the applicant

The person who the application for the Protection Order is made against. This is usually the perpetrator of the violent act/s.

The person who is making the application for the Protection Order. Applications can be made on behalf of children.

These may also provide orders to ensure the respondent fulfils responsibilities and obligations they have to the applicant (and/or any child involved).

- Counselling Services – professional and/or ministry-approved programmes, for the Applicant, Respondent or both.
- Electronic Monitoring – a technological system used to monitor the movements of certain categories of offenders/perpetrators, on a continuous basis, via affixed ankle bracelets. The devices function using Global Positioning System (GPS)

The survivor has to give consent to be monitored and the perpetrator must participate.

This is what is known as 'relief' and is often determined by a judicial official in court.

## HOW TO OBTAIN A PROTECTION ORDER

Firstly, you must either be, or have been previously, in a domestic relationship with the perpetrator.

### What is a Domestic Relationship?

Section 3 of the Domestic Violence [Amendment] Act, 2020 defines a domestic relationship as: "the relationship between a respondent and a person, where the person—

a) Is, in relation to the respondent—

- a spouse or former spouse;
- a cohabitant or former cohabitant;
- a child;
- a dependant;
- a relative- father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law, son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law; brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law; uncle, aunt, uncle-in-law or aunt-in-law; nephew or niece or cousin;
- a person who has agreed to marry the respondent whether or not that agreement has been terminated.

b) Is or was, in relation to the respondent—

- a person in a **visiting relationship**;

This is a relationship, similar to that of husband and wife, between people of the opposite sex who are not cohabiting, for a period exceeding twelve months.

- a person in **dating relationship**;

This is a relationship where the people involved do not live together in the same household, but may be engaged in romantic, intimate or sexual relations. This allows for people in **same-sex** relationships, **who do not cohabit**, to apply for protection orders and seek redress.

- c) Would be a relative of the respondent, related by marriage, if the respondent and a person referred to in paragraph (a)(ii) were married to each other;
- d) Is a member of the same household as the respondent or the applicant;
- e) Has a child in common with the respondent; or
- f) Is an adult in a residential institution and the respondent is—
  - an owner, manager or employee of the institution; or
  - a volunteer or a person engaged in employment at the institution.

From the 2020 Amendment's expanded definition, we see that:

- All members of the household are protected by the Act – this includes children experiencing different types of family violence
- People in same-sex relationships, that do not cohabit, are protected via the dating relationships category. This means they can seek redress via the Act if they experience Domestic Violence.

## HOW TO FILE AN APPLICATION FOR PROTECTION ORDER

There are different ways to make an **application for a Protection Order**. You may:

- a) Call the Domestic Violence (DV) hotline - 866-DVCT (3828);
- b) Send an email to the DV emergency email address - domesticviolence.response@ttlawcourts.org or dv@ttlawcourts.org
- c) Send an email to any of the District Court offices at mrcc.(put area here)@ttlawcourts.org - for e.g. mrcc.arima@ttlawcourts.org

You can find the email address for District Court offices here - <https://www.ttlawcourts.org/index.php/find-a-court-70/interactive-map>

- d) Send an email to the Family Court at fcn@ttlawcourts.org, fcp@ttlawcourts.org or fct@ttlawcourts.org

e) The 2020 Amendment via Section 19A now allows a police officer of the rank of Assistant Superintendent or above to make an emergency application at any time, day or night, once it is a matter where the Applicant has suffered (or is in imminent danger of suffering) physical injury.



Prior to the COVID-19 pandemic, a person could only apply for a protection order by visiting the Court Office in the district nearest to them or where the incident happened.

**Now, you can apply online and in multiple ways:**

in person, via telephone, through the police, or by email.

When submitting your application for a Protection Order via email you may either complete this form:

[DV SCREENING FORM ReAmended Template v2 Oct 2020 - ED.pdf 1.pdf -NEW FORM.pdf.](#) 

**OR**

Draft an email with the following information:

*"Dear Registrar,*


*My name is ....I live at ..... I would like to make an application for a protection order against [state: the relation eg. wife, daughter, boyfriend etc, their name and address]. [If you have children with the perpetrator, please state their names and ages.]*

*[State the reason(s) for your application. You can include the dates and time for incidents of abuse (physical, verbal, sexual, financial, emotional and psychological) within the last six months.]*

*I have attached copies of my identification documents [these can include National Identification Card/ Driver's Permit, Passport or UNHCR Card, Marriage Certificate, Birth Certificates of the children] and the Citizen Report Receipts.*

*My phone number is xxx-xxxx should there be a need to contact me.*

*Thank you"*

Upon completion, please send to the District Court closest to you. Contact information for District Courts may be found here: [The Judiciary of Trinidad and Tobago : Newsroom : News : Court Operations during the COVID-19 Pandemic \(ttlawcourts.org\)](https://www.ttlawcourts.org/) 

Ensure that you do the following:

- Request that the **Notice of Proceeding** Protection Orders are emailed electronically to you; or

Document stating court date

- Request the Court to direct the Registrar that you will collect the Notice of Proceeding (date, location of courtroom and time of matter), the Application (this document contains the allegations made against the perpetrator) and Protection Orders at a court office so that an office appointment would be scheduled.



Even though the 2020 amendment to the Domestic Violence Act Chap 45:56 does not require you to effect service, it is still quite useful for the Court to forward to the Police and for you to request copies of the documents (i.e. Notice of Proceedings, Application, and Protection Orders) in order to avoid delays.



# THE GENDER-BASED VIOLENCE UNIT


## ABOUT THE GENDER-BASED VIOLENCE UNIT OF THE TRINIDAD AND TOBAGO POLICE SERVICE

The Gender-Based Violence Unit (GBVU) is a specialized unit within the police force officially established in Trinidad and Tobago on 21st January 2020 to improve the country's response to domestic violence and sexual assault. The unit now falls under the **Special Victims Department** of the Trinidad and Tobago Police Service.

The GBVU is responsible for:

- investigating complaints;
- supporting victims;
- guiding victims through the legal process;
- promoting prevention strategies.

This is comprised of the Gender-Based Violence Unit, the Child Protection Unit and the Sexual Offences Unit.



Officers within the GBVU are specially trained to handle such cases sensitively to ensure the safety of victims. However, several challenges remain for the GBVU. These include resource constraints and mistreatment of complaints filed by LGBTQI+ people. Nonetheless, with this Unit, the overall response to domestic violence has improved.

Care note: All persons, regardless of their identity, have a right to access these services

### GBVU UNIT POLICE STATIONS

LOCATION	NUMBER	LOCATION	NUMBER
Besson Street	623- 1395	Mon Repos	657-9769
Chaguanas	773- 7123	Point Fortin	648-2426
La Brea	648-7444	Scarborough	639-1812
Maloney	665-6504	Sangre Grande	668-2444
Maraval	629-2001	St. Clair	622- 6996

## ABOUT THE VICTIM WITNESS SUPPORT UNIT

- The Victim and Witness Support Unit (VWSU) was established under the Ministry of National Security to enhance the rights and protections of victims and witnesses of crimes, while interacting with the criminal justice system. Victims and witnesses of crimes can access emotional support, counselling, practical assistance, and guidance for court proceedings.
- Individuals are connected with the VWSU through officers at police stations or referrals from the court system, social workers, healthcare professionals, and civil society organisations.



If you or any one you know has been a victim of domestic violence, you can contact organisations like the **Coalition Against Domestic Violence (CADV)** for further support. Here is CADV's contact information:

**1-868-627-6844 / 1-868-624-0402 and/or  
cadvtt@gmail.com**

**Wholeness & Justice** provides support to LGBTQI+ people. Contact us via **1(868)282-2476 and/or  
wholenessandjustice@caisott.org (Working hours are  
Monday to Friday between 10 am - 4 pm)**


# EMPLOYMENT ISSUES

People often experience different types of issues in the workplace such as harassment, wrongful termination, unfair payment of wages, and other types of breaches of contracts. It is important to know how and where you can access redress and support.

Here are some helpful laws that govern workplace relationships and obligations:

- The Industrial Relations Act Chap 88:01 governs the relationship between employers and employees, and between trade unions and employer organisations. The Act established the Industrial Court to settle industrial disputes and protect workers' rights to join and form trade unions.
- The Equal Opportunity Act Chap 22:03 protects workers from discrimination in employment (and other areas) based on race, ethnicity, religion, sex, marital status, origin and disability.



The Equal Opportunity Act does not extend protections to persons who experience discrimination on the basis of LGBTQI+ status, age, health status, amongst other categories. Therefore, such complaints cannot be resolved by the Equal Opportunity redress mechanisms. This is an unfair practice and numerous civil society organisations in Trinidad and Tobago, including CAISO: Sex and Gender Justice, have been campaigning for over a decade for relevant amendments to be made to the Act. See [Add All Three](#) and learn how you can support this campaign. 

- The Maternity Protection Act Chap 45:57 provides for maternity leave and protection for pregnant workers against dismissal due to pregnancy, an entitlement to 13 weeks of maternity leave, and the right to resume work in the same position after maternity leave, among other protections.
- The Retrenchment and Severance Benefits Act 88:13.

- The National Insurance Act 32:01.
- The Minimum Wages Act 88:04

### **What is a trade union?**

- A trade union is an organisation formed by workers across industries to protect their right to safe working conditions, wages, and benefits. Trade unions advocate for workers' rights and wellbeing through negotiations and disputes with employers.

### **Importance of a trade union**

- Trade unions empower workers and prevent employers from abusing their power. The collective bargaining power of a trade union leads to more favourable outcomes than individual workers negotiating on their own. Common issues arising in employment are unfair wages, lack of workers' benefits, unsafe working conditions, arbitrary dismissals, harassment, discrimination, gender disparities in wages, and other unfair labour practices.

### **When to seek advice from a union; when and how to seek redress for a workplace violation**

- Employees should seek advice from a union after their employment rights are infringed upon. To do so, individuals may access the website of any relevant trade union and locate their submission portal for reporting a workplace violation.
- Victims of workplace grievances are not required to be members of a trade union to submit a report and have their case addressed. Reports must include details of the employment, supervisor contact information, and details of the violation suffered.

## List of trade unions

There are approximately 84 trade unions in Trinidad and Tobago across various industries. Here are some examples:

1. Association of Technical, Administrative and Supervisory Staff (ATASS)
2. Aviation, Communication and Allied Workers Union (ACAWU)
3. Banking, Insurance, and General Workers Union (BIGWU)
4. Customs and Excise Extra Guards Association
5. Electronic Media Union of Trinidad and Tobago (EMUTT)
6. Emperor Valley Zoo Staff Association
7. The Estate Police Association of Trinidad and Tobago (EPA)
8. National Union of Domestic Employees (NUDE)
9. National Workers Union (NWU)
10. National Union of Government and Federated Workers (NUGFW)
11. Oilfields Workers' Trade Union (OWTU)
12. Public Services Association (PSA)
13. Seamen and Waterfront Workers Trade Union (SWWTU)
14. Steel Workers Union of Trinidad and Tobago (SWUTT)
15. Trinidad and Tobago Postal Workers Union (TTPWU)
16. Transport & Industrial Workers Union (TIWU)
17. Trinidad & Tobago Postal Workers Union (TTPWU)
18. Trinidad & Tobago Unified Teachers' Association (TTUTA)
19. Union of Commercial and Industrial Workers (UCIW)

It's always helpful to ask questions to find out which union is best for you as some workplaces have what is called a "closed shop"

This agreement between employer and a union that, as a condition of employment, all employees must belong to the union before being hired. For example, all bank employees, public servants, estate police and teachers can only be a member of BIGWU, PSA, EPA and TTUTA respectively.

# THE EQUAL OPPORTUNITY ACT, COMMISSION AND TRIBUNAL

## The Equal Opportunity Act Chap 22:03 (EOA)

- This Act protects workers from discrimination based on race, ethnicity, religion, sex, marital status, origin and disability in employment, housing, provision of goods and services, education (and other areas).
- Although the Equal Opportunity Act was established to enshrine workers' rights against discrimination, the Act explicitly excludes sexual preference or orientation, leaving many persons vulnerable to workplace misconduct without legal redress. The EOA also does not include protections based on health status or age.

## The Equal Opportunity Commission (EOC)

- The Equal Opportunity Commission was established by Section 26(1) of the Equal Opportunity Act.
- The Equal Opportunity Commission (EOC) was appointed on the 21st April, 2008 with a mandate to work towards the elimination of discrimination and the promotion of equality and good relations between persons of different statuses.

The contact information for the EOC is:

The Equal Opportunity  
Commission

No. 55 Manic Street, Chaguanas

Tel: 672-0928

Email: [communication@eoc.gov.tt](mailto:communication@eoc.gov.tt)





Website: [equalopportunity.gov.tt](http://equalopportunity.gov.tt)



Bear in mind that the EOC is not a court of law that makes determinations or gives interpretations under the Equal Opportunity Act.

## The EOC complaint process

Members of the public who believe that they have been subjected to acts of discrimination can lodge a complaint with the EOC by:

1. Completing and submitting the EOC's online Complaint Form. Here is the link to the Complaint Form: [Lodge a Complaint | Equal Opportunity Commission](#) or 
2. Downloading and completing the EOC Complaint Form: [Complaint Form-Update.pdf \(equalopportunity.gov.tt\)](#)  and then uploading under Option 2 on this link: [All options for lodging a complaint | Equal Opportunity Commission](#) or 
3. Downloading and completing the EOC Complaint Form: [Complaint Form-Update.pdf \(equalopportunity.gov.tt\)](#)  and then emailing to [complaints@eoc.gov.tt](mailto:complaints@eoc.gov.tt)



These services are completely FREE.

Here is a flowchart of the EOC's Complaint Process:

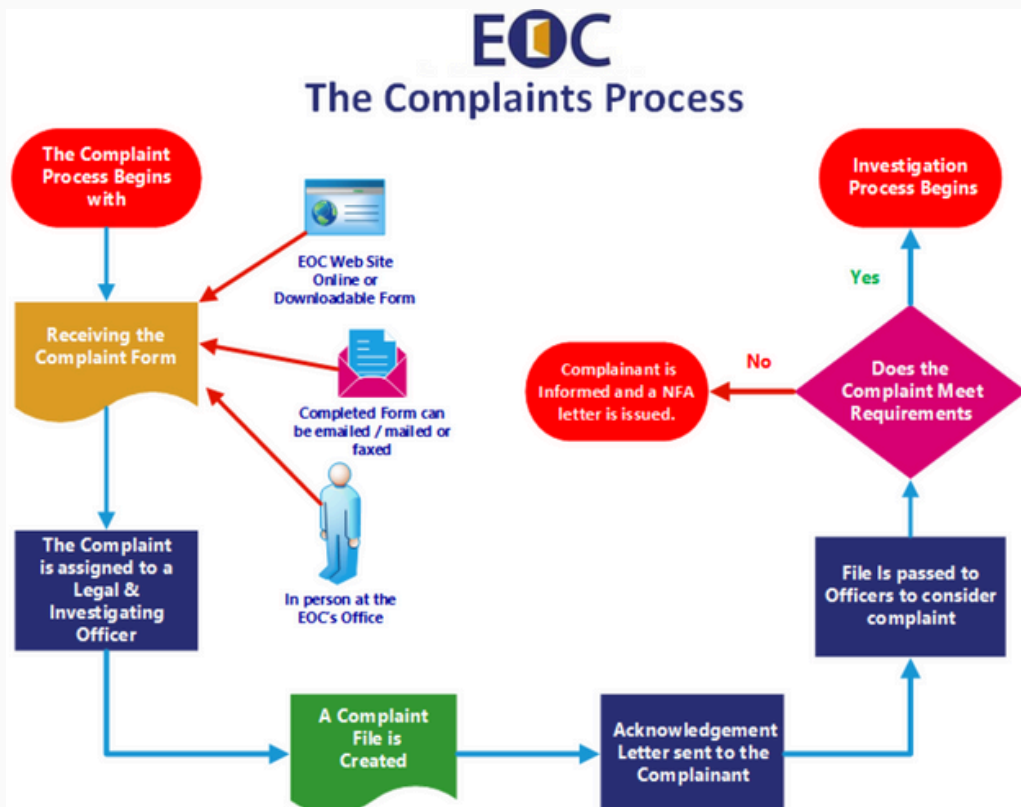


Image retrieved from [www.equalopportunity.gov.tt/complaints-process.html](http://www.equalopportunity.gov.tt/complaints-process.html)

Please note that the actual process may vary, depending on the circumstances of each complaint.

## The EOC's investigative process

- After you have successfully lodged your complaint, the next step would be the investigation of your complaint as the EOC is mandated to investigate every complaint lodged at its office.
- During the investigative process the assigned investigator may contact you for further information. If your complaint is found to have merit, the assigned investigator would then request the consent of both you and your employer to participate in conciliation. If the matter is unresolved, the complaint can be referred to the Equal Opportunity Tribunal (EOT). A report on your file is then prepared for your review, confirmation and signature before transmission to the EOT.

Here is a flowchart of the EOC's Investigative Process:

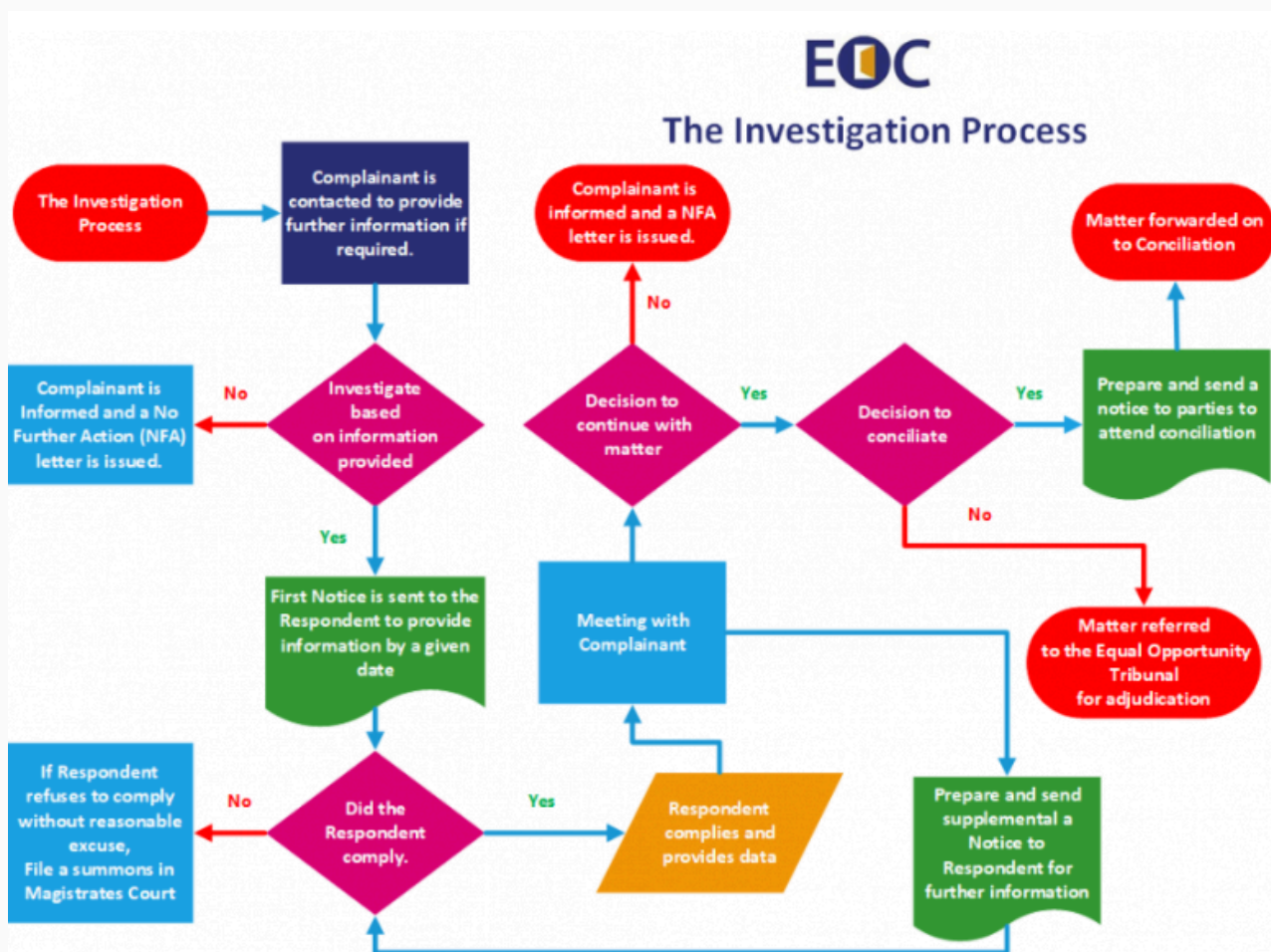


Image retrieved from [www.equalopportunity.gov.tt/complaints-process.html](http://www.equalopportunity.gov.tt/complaints-process.html)



## What is conciliation?

Conciliation is a dispute resolution process where the wronged employee meets with a representative of the employer and a conciliator to resolve the complaint.

A neutral third party often trained in conflict resolution.

The conciliator assists in improving communication, better interpreting the issue(s) and supporting the parties in reaching a settlement.

Here is a flow chart of the EOC's Conciliation process:

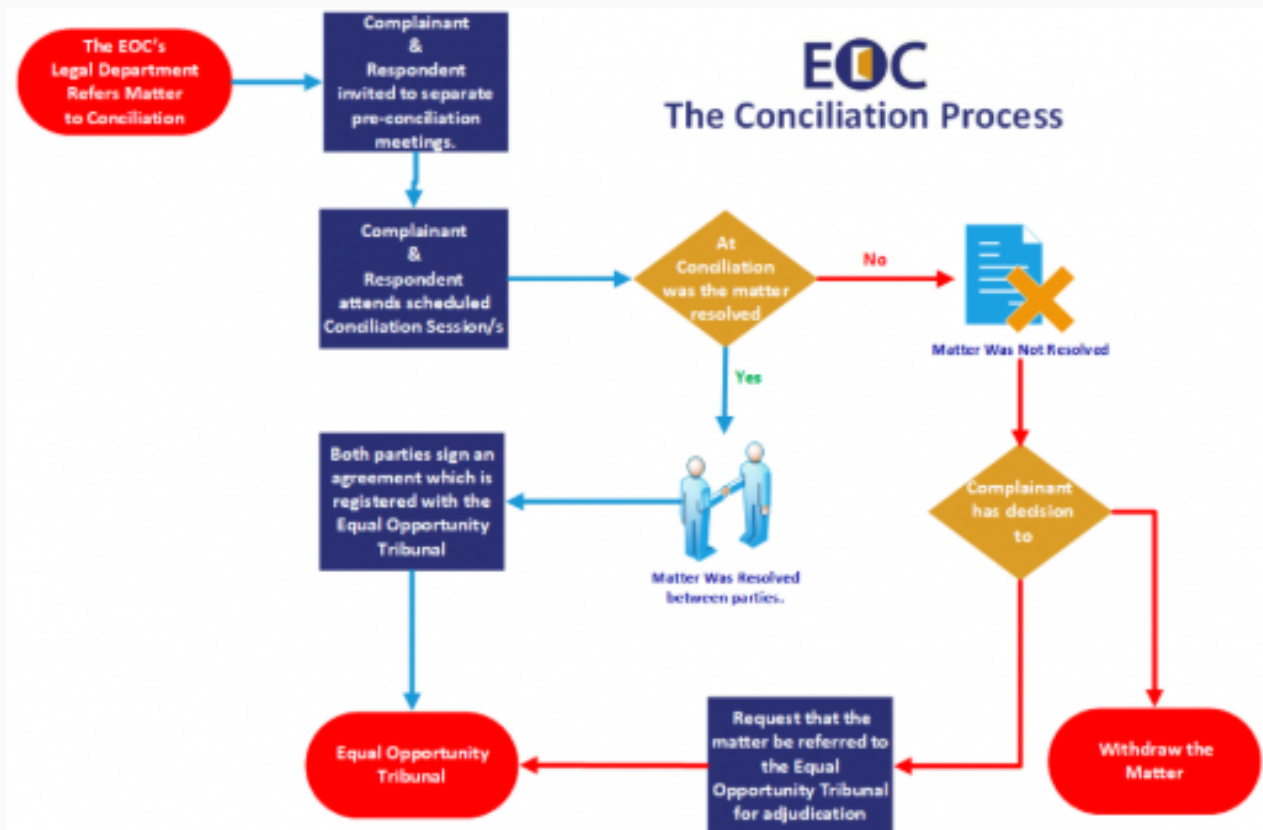


Image retrieved from [www.equalopportunity.gov.tt/complaints-process.html](http://www.equalopportunity.gov.tt/complaints-process.html)



Please note that services at the EOC are free of charge up until the stage of conciliation.

## The Equal Opportunity Tribunal (EOT)

- The Equal Opportunity Tribunal was established by the Equal Opportunity Act Chap 22:03.
- The EOT is an independent body, separate and distinct from the EOC.
- The EOT is headed by a Judge (of equal status in the High Court).
  - The EOT's mandate is to hear and adjudicate on matters referred to it by the Equal Opportunity Commission. These are complaints against unfair treatment in both the public and private sectors, due to race, ethnicity, sex, origin (including geographical origin), marital status, disability, and religion.
- The EOT has the power to make orders, declarations and awards of compensation as it determines to be appropriate.

The contact information for the EOT is:

Equal Opportunity Tribunal

55 - 57 Manic Street,

Chaguanas. 500621

Telephone: 672-2929, 672-9242

Fax: 671-6497

Email: [eot.info@gov.tt](mailto:eot.info@gov.tt)

Website: [www.equalrightscourt.org](http://www.equalrightscourt.org)



Please note that the authority of the EOC and the EOT is not limited to employment disputes.

It also covers unfair treatment in education, accommodation and provision of goods and services.

# THE CRIMINAL INJURIES COMPENSATION BOARD (CICB)

## WHO IS ENTITLED TO APPLY?

Section 29(1) of the Criminal Injuries Compensation Act Chap 5:31 states that the following people can apply for criminal injuries compensation:

- a victim;
- a dependent of the deceased victim; or
- the guardian of the victim or dependent.




Guardians can apply given that they suffered financial loss while caring for the injured victim or dependant.

Criminal compensation applies to crimes such as:

- Murder
- Manslaughter
- Wounding with intent
- Inflicting injury with or without a weapon
- Using a drug with intent to commit an offence
- Administering poison or other destructive or noxious substance so as to endanger life or inflict grievous bodily harm
- Administering poison with intent to injure or annoy
- Offences under the Sexual Offences Act, and
- Offences under the Trafficking in Persons Act, as long as the victim's injury was not caused by breaking a law or improperly operating a motor vehicle.


## How to access compensation at CICB?

- **Section 24(1) Criminal Injuries Compensation Act Chap 5:31** states that a victim or their dependant may submit an application to the Board.

- The four-page application titled "Second Schedule Application for Compensation Under the Criminal Injuries Compensation Act, 1999" can be found online on [www.nationalsecurity.gov.tt](http://www.nationalsecurity.gov.tt) under 

"Services" → "Application Forms" →  
"Criminal Injuries Compensation Board"



Here is a link to the application form: [Application-form-and-guidelines-2021.pdf \(nationalsecurity.gov.tt\)](http://www.nationalsecurity.gov.tt/Application-form-and-guidelines-2021.pdf) 

- Applications must include medical certificates evidencing the injury sustained or the death certificate of the victim and proof of relation if submitted by a dependant.



This is one of the reasons why it's important to seek medical attention as soon as possible, after experiencing acts of violence.

- The Board also reviews a copy of the police report for the crime leading to the injury.
- The final decision of the Board is presented within 30 days of confirmed receipt of a complete application.



The application must be made within one year after the date of injury or death, as the Board rarely considers delayed applications on a case-by-case basis.

The CICB may be contacted at:  
Level 20 Tower C  
Internation Waterfront Centre  
No. 1 Wrightson Road  
PORT OF SPAIN

Tel: 624-4696 or 627-2376  
WhatsApp: 685-8695  
Fax: 627-1761  
Email: [cicumsd@gmail.com](mailto:cicumsd@gmail.com)  
Facebook: (1) Facebook

# FREEDOM OF INFORMATION APPLICATIONS (FOIA)

## What is this?


The Freedom of Information Act Chap 22:02 grants any person the right to request information held by public authorities in the country. Most commonly, requests are made to access

police reports and medical records.

Police reports and medical records can be used to expose corruption or serve as evidence of human rights violations to defend victims in court proceedings.

## Purpose of this legislation is to:


Promote transparency and good governance by enabling access to government-held information. This empowers individuals, journalists, civil society organisations, and businesses to contribute to holding the government accountable.




Section 3(1) of the Freedom of Information Act Chap 22:02 allows for this. It ensures that information and practices affecting members of the public are available to the public and creates a general right of access to information in the public interest.

## How to access public information or records?

- Any person can submit a request for information with no requirement for legal representation.
- Section 13(1) of the Freedom of Information Act Chap 22:02 states that requests must be written in the provided form and submitted to the relevant public authority.




Requests for access to documentation can also be sent directly to the public body e.g. a police station or health facility.




The form can be found on [www.foia.gov.tt](http://www.foia.gov.tt) under "For the Public" → "Making a Request" → "Download Request Form." Here is a link to an FOIA request form: [Freedom-of-Information-Act-Request-Form.pdf](http://Freedom-of-Information-Act-Request-Form.pdf) ([tcpd.gov.tt](http://tcpd.gov.tt))

- Requests must identify the official document or provide clear details to enable the public authority to locate the records sought.



For example, name of the applicant, date of document or type of document (police report, medical records or promotional examination results).

- You will be charged a fee where access to an official document is provided in the form of printed copies or copies in another physical form.



For request of documents in the custody of the police, it is best to send the TTPS an email with your completed FOIA request form and a copy of one form of identification (for e.g. National ID Card, Passport, Driver's Permit or UNHCR cards etc).

The contact information for the  
Trinidad and Tobago Legal Unit is:  
Office of Head Legal Services  
Trinidad and Tobago Police Service  
Tel: 624-5515  
[head.legal@ttps.gov.tt](mailto:head.legal@ttps.gov.tt)



For request of documents in the custody of the Ministry of Health, it is best to send them an email with your completed FOIA request form and a copy of one form of identification (for e.g. National ID Card, Passport, Driver's Permit or UNHCR cards) to the Legal Department of the Regional Health Authority.

The contact information for the Regional Health Authorities is:

**1. North Central Regional Health Authority (NCRHA)**

Legal Department  
3rd Floor, Building #39  
Eric Williams Medical Sciences Complex  
Uriah Butler Highway, Champ Fleurs  
Tel: 225-4673 / 645-3232 Ext 2043  
Fax: 645-2940  
E-mail: legaldepartmentncrha@gmail.com  
or exec.sec.legal@ncrha.co.tt  
or legal.clerk@ncrha.co.tt

**2. North West Regional Health Authority (NWRHA)**

#39 Dundonald St, Port of Spain  
Tel: 625-1295 Ext. 1227  
Email: legal.corpaffairs@nwrha.gov.tt

**3. South-West Regional Health Authority (SWRHA)**

Level 8  
San Fernando Teaching Hospital  
Independence Avenue, San Fernando  
Tel: 225-1774 or 225-1815  
Fax: 225-5533  
E-mail: SWRHACustomer.Service@swrha.co.tt

**4. Eastern Regional Health Authority (ERHA)**

Supercare Building,  
Eastern Main Road, Sangre Grande  
Phone: 668-1105  
Fax: 668-3387  
E-mail: corpcomm@erha.co.tt or records.roi@erha.co.tt

**5. Tobago Regional Health Authority**

Doretta's Court, 197 Mt. Marie Road, Scarborough  
Phone: 635-3000  
E-mail: trha@trha.co.tt

# DEED POLL

## What is this?

A Deed Poll is a legal document that allows a person to change their legal name. You can change any part of your name, or you can add or remove name(s) or include hyphens or change the spelling of your current legal name.



If you would like to officially change your legal name to a new name you will have to do a Deed Poll.

## Purpose of name change

The purpose of a name change varies according to the personal circumstances of the Applicant. An individual may have a personal preference for a new name because of cultural or religious reasons, safety concerns, or as part of their gender-affirming process.



Name change through Deed Poll allows transgender and gender non-conforming individuals to be legally addressed by a name aligning with their identity. Doing this creates a requirement that they be socially recognised for the name best representative of their identity.

Wholeness & Justice offers this service to LGBTQI+ clients. If you're interested or want further information, please contact us at 1(868)282-2476 and/or [wholenessandjustice@caisott.org](mailto:wholenessandjustice@caisott.org)

## How to get this done?

A Deed Poll is prepared by an attorney-at-law and must contain the following declarations:

- a) I am abandoning my previous name.
- b) I will use my new name at all times.
- c) I require all persons to address me by my new name only.



- After the original Deed Poll is executed, it must then be taken to be stamped at Stamp Duty, usually by the clerk at the attorney's office, and then to be registered at the Ministry of Attorney General and Legal Affairs.
- A wait period of approximately **six to eight weeks** (this may vary) follows. After this, the clerk will retrieve certified copies. It is advisable that you request at least two (2) or more certified copies for your personal records.

### **What happens after certified copies have been made available?**

- When the certified copies are made available to you, you will then have to make a name change application for each of your identification documents (National Passport, National Identification Card and Driver's Permit). The cost varies for each of these applications.



Please note that you cannot officially change the name on your Birth Certificate or on certificates of qualifications. Your certificates will remain valid; however, you will have to present your certificates together with a certified copy of your Deed Poll.



For your passport change of name application, the certified copy of the Deed Poll held by the passport office until the new one with your assumed name is issued and collected



Care Note: For LGBTQI+ community members - changing your name can be an affirming and also challenging process  
Wholeness & Justice is here for you – to answer any questions about this process and to work with you to make this as easy as possible."



## **CAISO Sex and Gender Justice**

1 Robinson Ville, Port of Spain

**Website:** [caisott.org](http://caisott.org)

**Instagram:** @caisott

**YouTube:** caisott

**Facebook:** [facebook.com/caiso](https://facebook.com/caiso)

**Email:** [wholenessandjustice@caisott.org](mailto:wholenessandjustice@caisott.org)