

8. Public Education (and Public Information)

The stakeholder consultations held as part of the Commission's strategic planning process revealed that the most critical strategic issue currently facing the Court is Access to Justice. Improving Access to Justice in the Environmental Commission was therefore identified as the first goal to be pursued by the Commission over the period 2007 - 2010. The first strategy selected for achieving this was "Strategy 1.1 - Public Education and Information: Educate and inform the public on the existence, role and function of the Court, on environmental law, and how the Court can be accessed." Strategy 1.6 is also quite relevant, i.e. "Provide procedural information to self-represented litigants that will help them efficiently prepare for court."

These strategies brought a fresh focus to the Commission's public education and information initiatives in 2007 resulting in modifications to its traditional means of improving public awareness, i.e. development and dissemination of informational material, updating the Commission's website and delivery of presentations and lectures.

8.1 Informational Material

In 2007 the Commission developed a series of checklists for litigants filing documents with the Registry of the Commission. In developing these documents the Commission once again sought to balance the need to, as far as possible, assist litigants in understanding the processes and procedures for accessing the Court against the need to remain and appear to remain impartial. The Commission also drew upon the experience of the Bench and the Registry in terms of documents filed in proceedings over the previous 6 years. Catering to the special needs of self-represented litigants was the major motivational factor in developing the guidelines.



The Environmental Commission has published its informational brochures and booklets in English and Spanish in keeping with Spanish having been declared the official second language of Trinidad and Tobago

While these guidelines are not intended as a substitute for legal advice or close examination of the procedures set down in the Environmental Management Act, Chap. 35:05 or the Environmental Commission Rules of Practice and Procedure, Chap. 35:05, they do provide some measure of assistance to litigants in seeking to comply with the procedures set down in the governing legislation.

The guidelines cover:

- Checklist for persons filing documents - Application for Extension of Time to file an Appeal, Application or Notice of Direct Private Party Action/Complaint
- Checklist for persons filing documents - Appeals
- Checklist for persons filing documents - Applications by the Environmental Management Authority for Enforcement of a Consent Agreement or Administrative Order
- Checklist for persons filing documents - Applications by the Environmental Management Authority for Finalization of an Administrative Civil Assessment
- Checklist for persons filing documents - Direct Private Party Actions/Complaints
- Checklist for persons filing documents - Applications for Deferment of:
 - Decisions made under section 25 of the Environmental Management Act (Emergency Response Activities); or
 - Designations made under section 41, of the Environmental Management Act, 2000 (Environmentally Sensitive Areas and Environmentally Sensitive Species)
- Checklist for persons filing documents - Interlocutory Application
- Checklist for persons filing documents - All other Documents in Ongoing Proceedings

Upon their initially being produced these checklists were disseminated to key stakeholders of the Court. They are also made available at the Registry counter and have been published on the Commission's website. Internal Registry procedures have also been instituted requiring that when a party approaches the Registry to file any document the checklists are made available to them.

8.2 Website

In 2007 the Commission's website www.ttenvironmentalcommission.org continued to be a useful tool for disseminating public information. Within the period under review the site has been updated to include the checklists for litigants filing documents and the Spanish versions of the Commission's informational brochures and booklets. These have all been produced in portable document format (PDF) and/or a printer friendly version as appropriate.

8.3 Freedom of Information Act, 1999

In compliance with Sections 7, 8 and 9 of the Freedom of Information Act, 1999 (the FOI Act) in 2007 the Commission published its updated Public Statement in the Gazette (Vol. 46 No. 88 dated May 25 2007) and one daily newspaper (the Guardian dated March 8, 2007).

The Environmental Commission continues to seek to comply with the provisions of the FOI Act and all necessary internal arrangements for the fulfillment of the Commission's responsibilities have been put in place. Quarterly returns of requests for information are forwarded to the Director, Public Service Transformation Division. However, during the period under review the Commission received no requests for information pursuant to the FOI Act.