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Professor George Maxwell Richards  
His Excellency,  
The President of the Republic of Trinidad and Tobago  
Office of the President

Dear Sir,

I wish to thank you for your prompt reply to my letter of June 21<sup>st</sup> 2007.

Whilst I am grateful to know that you will respond to the substantive issues outlined in my letter because it 'concerns a matter of national importance', I am at a loss to understand how you could consider 'the tone and contents disrespectful in the extreme'.

My letter was written based on instructions provided by my client Mr Chandresh Sharma, MP but I did pause to verify the facts stated therein before sending this letter. The limited information available to the public about the ability and readiness of this tribunal to function and commence hearing the enquiry into whether there is good and substantial cause for the removal of the Chief Justice remains a matter of great political mystery. The public is yet to be informed about what steps (if any) have been taken to ensure that this tribunal is able perform its duty.

What is 'disrespectful in the extreme', Your Excellency, is the suspension of the country's Chief Justice on the eve of his retirement after a long and distinguished career in politically strange and suspicious circumstances. It is a fact that more than a month has elapsed since the appointment of this tribunal by you with no clear statement as to when it intends to commence its enquiry. This is contrary to the spirit and intention of the cardinal constitutional principles of the separation of powers, the independence of the judiciary as an organ of the State, the entrenched security for judges and the limited grounds for their removal from office.

It is my view that you were under a duty to ensure that the necessary steps were taken over the past month to enable the tribunal to be in a position of readiness to commence its enquiry and then seek to suspend the Chief Justice. You therefore erred in prematurely and preemptively suspending the Chief Justice. The proverbial cart was indeed put before the horse.

It is 'disrespectful in the extreme' for you to suspend the Chief Justice knowing full well that the Attorney General has not yet provided him with any funds to secure legal representation. This, while millions of dollars are spent by the Attorney General and your office to seek legal advice from a powerful battery of local and foreign Attorneys. The bell has sounded for the battle and Goliath is being fed and trained while David is yet to be provided with his slingshot.

In my view, the action of the State has demonstrated extreme disrespect for the Supreme law of the land. The suspension of the Chief Justice is inconsistent with the moral and spiritual values referred to in clause (d) of the Preamble to the Constitution. Delay in commencing the hearing of this enquiry would mean that the Chief Justice was effectively constructively removed or summarily dismissed from office without a hearing under the guise of a suspension. I repeat, come January 2008, the Chief Justice must retire from office.

Your Excellency, time is of the essence in a very real way. The removal of the head of the nation's judiciary who alleges that he is the victim of a political conspiracy is a recipe for chaos and disorder unless the situation is fairly and properly handled. The public is entitled to know the status of this tribunal and its enquiry and thus far precious little has been said on this matter despite the lapse of over one month since its appointment. The public is entitled to a judiciary that is free from political interference and the Chief Justice is entitled to a practical and real opportunity to clear his name or be condemned.

These are trying times for our nation and great independence and neutrality is required from our Head of State. To trivialize the important issues raised in my letter by describing them as 'disrespectful' without saying why is politically helpful to the ruling party but does not assist in the resolution of this constitutional crisis. I have advised my client that we should await your promised response before we file the intended legal action to challenge the continued suspension of the Chief Justice but please note that in the circumstances I cannot hold my hands indefinitely as that stakes are too high.

Yours Sincerely,

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CINDY BHAGWANDEEN