



REPUBLIC OF TRINIDAD AND TOBAGO

# Debates of the House of Representatives

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5th Session – 10th Parliament (Rep.) – Volume 33 – Number 24

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**OFFICIAL REPORT  
(HANSARD)**

THE HONOURABLE WADE MARK  
SPEAKER

THE HONOURABLE NELA KHAN  
DEPUTY SPEAKER

**Friday 27th February, 2015**

**CLERK OF THE HOUSE: JACQUI SAMPSON–MEIGUEL**

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*Leave of Absence*

*Friday, February 27, 2015*

**HOUSE OF REPRESENTATIVES**

*Friday, February 27, 2015*

The House met at 1.30 p.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received communication from the following Members: hon. Winston Dookeran, Member of Parliament for Tunapuna, is out of the country and has asked to be excused from sittings of the House during the period February 24 to March 09, 2015; Mr. Patrick Manning, Member of Parliament for San Fernando East, has asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**PAPERS LAID**

1. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Accreditation Council of Trinidad and Tobago for the year ended September 30, 2007. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the year ended September 30, 2008. [*Hon. R. Indarsingh*]  
*Papers 1 and 2 to be referred to the Public Accounts Committee.*
3. Report on the Management of the Activities financed by the Green Fund for the Financial Year ended September 30, 2014. [*The Deputy Speaker (Mrs. Nela Khan)*]
4. Air Pollution Rules, 2014. [*Mrs. N. Khan*]

**ANSWERS TO QUESTIONS**

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, if I may, I would like to indicate that the Government is in a position to answer all the questions on the Order Paper today for oral answers. [*Interruption*] Yes, all. For written answers—question No. 42, the answer was submitted before. It appears today, but we will clarify that. We have answers for question No. 43, question No. 78, question No. 90 and question No. 93. We ask that question Nos. 66 and 77 be deferred for two weeks from the written answers.

**Miss Mc Donald:** Through you, Mr. Speaker, question No. 41, will that be circulated today, Sir?

**Hon. Dr. R. Moonilal:** I believe question No. 42 is circulated already. Question No. 41—if I could ask that it be deferred by one week; just one week. This is a voluminous book, No. 41, and we already have the draft. It is really to put cover letters, a cover form on it and so on. I expect that at the next sitting of this House that question No. 41 would be in a state ready for circulation.

#### ORAL ANSWERS TO QUESTIONS

#### State Enterprises Remuneration Package (Details of)

**67. Mr. Colm Imbert** (*Diego Martin North/East*) asked the hon. Minister of Finance and the Economy:

Could the Minister state the remuneration package for the CEO, President or General Manager, as the case may be, inclusive of salary and all allowances, for the following State Enterprises, as at December 23, 2014?

- I. WASA
- II. TTEC
- III. TSTT
- IV. PETROTRIN
- V. NIDCO
- VI. NGC
- VII. NIPDEC
- VIII. UDECOTT

**The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh):** Mr. Speaker, in response to the question I want to place on record that the Government of Trinidad and Tobago has no problem in releasing this information at this time, and it is in keeping with the Government's commitment to the highest forms of accountability and transparency in conducting its business. [*Desk thumping*]

Mr. Speaker, as it relates to the compensation package for the Chief Executive Officer of WASA, the basic salary is \$88,500, a housing allowance of \$8,850 or 10 per cent of the monthly salary, a transport allowance of \$14,000 [*Crosstalk*] or a leased vehicle not exceeding the showroom price of \$600,000.

Mr. Speaker, you may be interested to know, and for the record [*Laughter*] of this House and for the benefit of the taxpayers of Trinidad and Tobago, the salary of the Chief Executive Officer in May of 2010, a basic salary of \$126,000, [*Crosstalk*]—

**Hon. Member:** “So dey cut it down!”

**Mr. Speaker:** Order, please.

**Hon. R. Indarsingh:**—a housing allowance, fully furnished accommodation, a fully maintained vehicle and entertainment allowance, a fully reimbursable entertainment allowance, a 20 per cent gratuity of the basic salary, a performance incentive bonus of 20 per cent of the basic salary, a health plan for himself and his family and return tickets to London—return tickets to London—for six persons, inclusive of himself. [*Crosstalk and laughter*]

**Hon. Member:** “What country he came from?”

**Hon. Member:** That is before 2010.

**Hon. Member:** “Like a boss!” [*Crosstalk and laughter*]

**Hon. R. Indarsingh:** Mr. Speaker, as I move on, as at 2014 in relation to the question posed by my friend opposite, the General Manager’s salary at T&TEC, the basic salary stood at \$70,300, a housing allowance of \$3,000, an entertainment allowance of \$1,500, a travelling allowance of \$5,000, in lieu of this allowance a vehicle valued at \$340,000 plus VAT, fully maintained by the Trinidad and Tobago Electricity Commission. It also includes an employee savings plan, 3 per cent of basic salary and residential and cellular phone charges from a local point of view paid by the commission itself.

With respect to the Chief Executive Officer of TSTT, as it currently stands, the total compensation package scale inclusive of allowances, is in the range of \$210,000 and between \$210,000 and \$300,000. It does not include the provision of a company-maintained executive vehicle provided to each CEO.

For the record again, Mr. Speaker, you may be interested to note, and the taxpayers of Trinidad and Tobago, in 2010 the compensation package, the scale that I spoke of, was between \$287,000 and \$400,000. [*Crosstalk*]

**Hon. Member:** “Oh my God!”

**Hon. R. Indarsingh:** So I just want to repeat—\$287,000 to \$400,000. Mr. Speaker, as it relates to the President of Petrotrin, [*Crosstalk*] the current basic salary

*Oral Answers to Questions*  
[HON. R. INDARSINGH]

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stands at \$115,000 per month, a car allowance of \$264,000, a gratuity 15 per cent of basic salary, a bonus maximum of three months, vacation five weeks fuel provided by Petrotrin, a company house that is fully furnished and maintained, a medical plan and also variable pay based on the formula every employee—entitled based on a formula that included company's profitability.

Again, for the record, and as my friends opposite would be very familiar with the office holder at that time, the basic salary of the Executive Chairman and President of Petrotrin at that time was \$162,000, and it is inclusive of what I have outlined as it relates to the current office holder. [*Crosstalk*]

The President of NIDCO—the basic salary currently stands at \$50,000 per month, a housing allowance of \$7,500, an entertainment allowance of \$1,000, a travelling allowance of \$7,500 and a cell phone fully maintained by the company.

The President of NGC currently enjoys a salary of \$140,500, a housing allowance of \$9,500, a vehicle valued at \$575,000, exclusive of VAT, fully maintained.

As it relates to the General Manager of NIPDEC, the basic salary is \$50,000 per month, a housing allowance of \$5,000, an entertainment allowance of \$1,500, a club allowance of \$1,000 and a clothing allowance of \$750.

The Chief Executive Officer of UDeCott—the current salary stands at \$62,500, an entertainment allowance of \$1,000, a mobile phone reimbursement to the value of \$1,500, transport facilities, eligible for the provision of a fully-maintained company vehicle and a contract gratuity to the value of 20 per cent of the basic salary. [*Interruption*]

**Mr. Speaker:** Somebody has to put their phone on silent, please.

**Hon. R. Indarsingh:** Mr. Speaker, again, you may be interested to know, and for the benefit of the taxpayers of Trinidad and Tobago, and especially my friends opposite would be very familiar with the office holder at that point in time, the Chief Executive Officer of UDeCott, [*Crosstalk*—the current Leader of the Opposition is very familiar with that individual—the basic salary stood at \$81,500, a housing allowance of \$6,000, an entertainment allowance of \$2,000, a mobile phone reimbursement of \$500 maximum, transport facilities which catered for the provision of a fully-maintained company vehicle, a contract gratuity of 20 per cent of the basic salary, a bonus incentive of between half a month to three months' salary, based on the achievement targets that were set by the then line Minister and approved by the board of directors.

Mr. Speaker, I thank you very much.



1.45 p.m.

**La Brea Constituency  
(Bridge and Road Works)**

**72. Mr. Fitzgerald Jeffrey** (*La Brea*) asked the hon. Minister of Works and Infrastructure:

- A. When will work commence in the widening of the bridge at the Entrance of #9 Road in Palo Seco?
- B. When will work commence in the wide of the bridge at the junction of Lane 2 and Merrimac Road in Vessigny La Brea?
- C. When will the paving of the La Brea Village Road commence?

**The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan):** Mr. Speaker, after four and a half years the Member for La Brea has suddenly found out and discovered that there are certain roads and bridges in his constituency, so that over the last two weeks I have been getting these questions. But for four and a half years it seemed that these people in these roads and in these areas never existed.

So, he asked about the widening of a bridge at the entrance of #9 Road in Palo Seco, the commencement and the widening of a bridge at the junction of Lane 2 and Merrimac Road in Vessigny, La Brea, and when will the paving of the La Brea Village Road commence?

Mr. Speaker, the Member for La Brea would be well-informed that all of these projects fall under the purview of the Ministry of Local Government, and therefore, it is the Siparia Regional Corporation or the Point Fortin Borough Corporation, so that no work was really scheduled under the Ministry of Works and Infrastructure for these areas.

However, Mr. Speaker, recognizing that the Member of Parliament has now awakened to the plight of his constituents which for four and a half years he had ignored, I will certainly look into this and bring relief to the people in those areas because he did not bring relief to them.

**Mr. Jeffrey:** Supplemental, Mr. Speaker. Hon. Minister, are you aware that the Ministry of—sorry—that the Siparia Regional Corporation said that they did not have enough funds to undertake those projects and recommended that we forward them to the Ministry of Works and Infrastructure?

**Hon. Dr. S. Rambachan:** Hon. Member for La Brea will very well remember that two years ago the Ministry of Local Government, recognizing that local government corporations may not have had funding, went to the Ministry of Finance and the Economy

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[HON. DR. S. RAMBACHAN]

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with a special programme, and we spent \$300 million in building bridges, in repairing and repaving roads, rehabilitating roads, and at that time put down 31 pavilions to be reconstructed across the regional corporations. [*Desk thumping*]

**La Brea Constituency**  
**(Construction of Beach Bathroom Facilities)**

**73. Mr. Fitzgerald Jeffrey** (*La Brea*) asked the hon. Minister of Tourism:

Having noted the Minister's response to question 101 on May 23, 2014, could the Minister state when bathroom facilities will be constructed on the following beaches:

- i. Vance River;
- ii. Point Sable;
- iii. Carat Shed;
- iv. Palo Seco; and
- v. Los Eros?

**The Minister of Tourism (Sen. The Hon. Gerald Hadeed):** Mr. Speaker, in response to question 73. There are nine beaches that are patrolled by lifeguards namely: Maracas, Tyrico, Las Cuevas, Manzanilla, Mayaro, Toco Salybia, Quinam, Vessigny and Los Iros. Of the nine beaches, four are vested under the Ministry of Tourism and the Tourism Development Company: Maracas, Las Cuevas, Manzanilla and Vessigny. The Ministry and TDC manages bathroom facilities at these beaches and are also responsible for the management and maintenance of lifeguard towers and quarters for all lifeguards patrolling beaches. The beaches listed in i to v in the question, all fall under the Point Fortin Regional Corporation. The regional corporation would be mainly responsible for the sites under their jurisdiction.

While the Ministry and TDC have conducted upgrade works at beaches that fall under various corporations, these developments were primarily in relation to the establishment of lifeguard facilities. The Ministry and the Tourism Development Company would continue to develop the development programme across the country in an effort to bring sites up to optimal standards. The development has to take into consideration management and maintenance issues related to beaches. I thank you. [*Desk thumping*]

**Mr. Jeffrey:** Supplemental. Hon. Minister, are you aware that not one of those five beaches fall under the Point Fortin borough? [*Crosstalk*]

**Dr. Gopeesingh:** He just told you that.

**Mr. Speaker:** The Minister of Tourism, please. Please.

**Sen. The Hon. G. Hadeed:** Well, they certainly are not under the jurisdiction of the Ministry of Tourism. It is under the purview of the regional corporation in the area.

**La Brea Pitch Lake  
(Removal of Wild Vegetation)**

**74. Mr. Fitzgerald Jeffrey** (*La Brea*) asked the hon. Minister of Energy and Energy Affairs:

When will arrangements be made to remove the wild vegetation that is rapidly engulfing the asphalt surface and pools of the La Brea Pitch Lake?

**The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine):** Mr. Speaker, with regard to question No. 74 from the hon. Member of Parliament for La Brea: Lake Asphalt Trinidad and Tobago Limited has advised that clean-up action to remove the vegetation from the asphalt surface and pools at the Pitch Lake commenced on February 25, 2015 or two days ago. Thank you very much. So the work has commenced.

**DEFINITE URGENT MATTER  
(LEAVE)**

**Syphilis Cases in the post Carnival Period  
(Appropriate Treatment)**

**Dr. Amery Browne** (*Diego Martin Central*): Mr. Speaker, in accordance with Standing Order 17 of House of Representatives, I hereby seek your leave to move the adjournment of the House at today's sitting for the purpose of discussing a definite matter of urgent public importance, namely the failure of this Government to provide appropriate treatment for syphilis cases in the post Carnival period.

Mr. Speaker, the matter is definite as there have been increasing examples of negligence and incompetence in the health sector which falls within the purview and responsibility of the Ministry of Health. During the critical period before during and after Carnival revelry in Trinidad and Tobago, none of the nation's treatment clinics and public health institutions have been provided with penicillin G which is the drug of choice used to treat all forms of syphilis as recommended by the World Health Organization.

The matter is urgent because the lack of this essential antibiotic can lead to an accelerated syphilis epidemic in this country with serious national and regional public health implications.

*Definite Urgent Matter (Leave)*  
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The matter is of public importance because inadequate treatment of STIs leads to an increased disease burden in the general population in all age groups; it leads to increased demand for hospital bed space to treat the resulting complicated cases; it leads to an increase in the incidents of other STIs including HIV; it leads to worsening performance of our country when measured against key international health indicators; and it leads to increased avoidable expenditure of taxpayers' dollars during this period of constrained resources. Thank you, Mr. Speaker.

**Mr. Speaker:** Hon. Members, after careful consideration of this submission, I advise that the hon. Member for Diego Martin Central pursue this matter under Standing Order 16. I am of the view that it does not qualify under Standing Order 17.

#### STATEMENTS BY MINISTERS

#### **Caroni Water Treatment Plant (Major Incidents Affecting Water Supply)**

**The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh):** Thank you very much, Mr. Speaker. During the month of February 2015, there have been two major incidents at the Caroni Water Treatment Plant which have affected the water supply to a significant segment of the population.

Firstly, on February 06, 2015 there was a blown transformer, a 7.5 MVA transformer at the plant which left the facility with only one operable transformer. Having informed the affected customers, action was taken to have the plant restarted with a release being issued on Saturday, February 07, 2015 to this effect.

Restarting operations was done in collaboration with T&TEC to ensure that it was done safely and the plant continue to run safely. Customers and the general public were kept up to date on developments in this regard. Production was being maintained at 60 million gallons daily as compared to the capacity of 75 million gallons daily prior to this blown transformer. This reduced production is as a precaution to ensure that no issues arise with the transformer currently in use.

The installation and testing of a replacement transformer is to be completed on March 01, 2015, this Sunday, and will restore a 100 per cent standby capacity at the plant allowing for a return to full operations, that is the production of 75 million gallons of potable water daily at this plant, at the Caroni plant.

The second major incident occurred at 7.15 p.m. on February 24, 2015 where production at the Caroni Water Treatment Plant was stopped due to the detection of what appeared to be a hydrocarbon substance in the raw water intake.

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The plant's potable water storage tanks were emptied and the oil booms used to prevent further inflow of the hydrocarbon substance into the intake. The Environmental Management Authority was alerted about the incident and WASA dispatched its river wardens to conduct preliminary investigations to ascertain the source of the problem, but no specific point of release was identified at this time.

With the clearing of the hydrocarbon substance at the raw water intake along the river, plant operations were restarted at 11.30 p.m. the same evening, and steps were taken to remove any traces of the hydrocarbon which may have been deposited in the treatment components. These components were then flushed to ensure acceptable water quality was being achieved. Thereafter, supply was reintroduced into the pipeline system and flushing undertaken to remove water of unacceptable quality which may have entered the network. Customers were also advised via media releases to flush their pipes at home, as well as empty and clean their water tanks with household cleaning agents to remove any residue before refilling.

The following day February 25, 2015, WASA continued testing on the raw water quality, as well as in the treatment plant to ensure drinking water standards were being achieved free of any hydrocarbon.

In addition, as an independent regulator, the EMA also tested the final water storage tanks at the plant between 5.30 p.m. and 7.00 p.m. for a total petroleum hydrocarbons. At 7.00 p.m. clearance was given by the EMA to restart delivery to customers as their testing confirmed the treated water samples were free of hydrocarbons and met the World Health Organization standards.

Mr. Speaker, all necessary measures were undertaken as quickly as possible to ensure the health and safety of the population. WASA and the EMA are continuing their investigations to confirm the source of the contaminant which was deposited into the Caroni River and which resulted in the interruption of the potable water supply to hundreds of thousands of persons. Action will be taken under the law to deal with the guilty party or parties.

Mr. Speaker, through WASA this Government has been working to improve the quality and reliability of services to customers through an ongoing infrastructure rehabilitation and replacement programme. Under this programme a total of a hundred kilometres of transmission pipelines and over 800 kilometres of distribution pipelines have been replaced throughout Trinidad and Tobago. New water treatment plants, new booster stations and new storage tanks have been installed in different parts of the country. These projects have resulted in improved water supply in a

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number of communities across Trinidad and Tobago, including Covigne, Diego Martin, Carenage, Matura, Talparo, Biche, Mayaro, Rio Claro, Debe, Point Fortin, Santa Cruz, Morvant, Signal Hill, Castara, and Parlatuvier, and have in fact resulted in a 24-hour water supply from 18 per cent in 2010 to 73 per cent of the population today.

Even with these steps and the improvements achieved, the situation which developed over the last two days put the lives and livelihoods of the population at risk in the areas served by the Caroni Water Treatment Plant. It is clear that different and new approaches are required to minimise the occurrence of such incidences in the future.

In this regard, Mr. Speaker, I want to give the assurance to the nation that WASA will take a much more proactive approach to water safety. To this end, WASA has been instructed to prepare and implement a comprehensive water safety strategy. A water safety plan is the most effective means of consistently ensuring the safety of drinking water supply through the use of a comprehensive risk assessment and risk management approach that encompasses all steps in a water supply system from catchment to consumer.

The plan will include the following components:

- The establishment of team which will be responsible for the development of the water safety plan.
- The identification of all the hazards and hazardous events that can effect and affect the safety of the water supply within the various catchment areas within Trinidad and Tobago.

**2.00 p.m.**

- An assessment of the risks represented by each hazard and hazardous event;
- A comprehensive review of the controls or barriers that are currently in place for each significant risk and an assessment of the effectiveness of these;
- A demonstration that the system is consistently safe;
- A regular review of the hazards, risks and control in each catchment area; and
- Accurate records that will not only allow for greater transparency, but will allow the procedures to be audited by an external third party as necessary.

The water safety plan will be developed and rolled out in stages, and the catchment and distribution areas for the Caroni Water Treatment Plant will be the

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first of WASA's water supply areas to be addressed by the comprehensive water safety strategy. WASA must ensure that a core team is in place within two weeks so that the exercise can proceed as quickly as possible. My Ministry will monitor WASA's efforts in this area to ensure that it remains a priority for the utility.

Mr. Speaker, I want to emphasize that the water safety strategy will not be confined to the identification of hazards which have direct impact on the water supply system. The strategy will also include aspects such as:

- Potential flood damage;
- Service reservoir cleaning;
- Security emergency procedures;
- Reliability of communication systems; and
- Availability of laboratory facilities which all require risk assessment.

Mr. Speaker, in the context of these emerging threats and these emerging realities, there is no room for complacency as far as the preparation and implementation of a water safety strategy is concerned. Vigilance on the part of not only WASA is necessary, but consumers with knowledge of illegal dumping, et cetera, are encouraged to contact the EMA at 680-9588—that number again, 680-9588—or WASA at 800-LEAK, as water safety is a national concern.

Mr. Speaker, I wish to re-emphasize that while investigations continue to determine the source of the pollutant which entered the Caroni River, acceptable final water quality has been re-established at the Caroni Water Treatment Plant and the water from WASA is safe to drink.

Thank you very much. [*Desk thumping*]

### **Extractive Industries Transparency Initiative Implementation (Country Compliant Status and Full Membership of)**

**The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine):** Mr. Speaker, on January 27 of this year while speaking at the Energy Chamber's annual conference in Port of Spain, Clare Short the Chair of the Extractive Industries Transparency Initiative, or the EITI, announced that Trinidad and Tobago had attained country-compliant status and full membership in the EITI. That decision was in fact taken by the EITI board on January 23, 2015.

Mr. Speaker, this makes Trinidad and Tobago the 32nd country to achieve full EITI membership and only the third country [*Desk thumping*] in the Americas to

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*EITI Implementation*

[SEN. THE. HON. K. RAMNARINE]

have achieved that distinction. This is therefore a significant and historic accomplishment for our country. The EITI, as all of us, I think, in the Parliament are aware, is a global initiative that fosters transparency and accountability in extractive industries such as the oil and gas industry. It allows for the public disclosure of payments such as taxes and royalties by companies involved in the extractive industries. These payments are then reconciled with the receipts of the Government.

The EITI is a global coalition of governments, companies and civil society. It was launched in June 2003 at a conference in London; the Trinidad and Tobago Government was one of 31 countries that attended that conference. At that conference in 2003—and I think we were represented at that time by former Minister Christine Sahadeo. At that conference in 2003, Trinidad and Tobago joined eight other countries to undertake a two-year pilot project to interpret and implement the EITI principles.

However, our records indicate that by 2008, some five years later, the EITI board noted that Trinidad and Tobago's interest in EITI had waned and that it could not be granted candidate-country status. Subsequent to that, Trinidad and Tobago's interest in implementing the EITI went into a state of dormancy.

Mr. Speaker, in May 2010 the People's Partnership was elected to Government with the promise of the implementation of the EITI as part of its manifesto. Shortly after those elections, on September 09, 2010, the Government reaffirmed its commitment to the EITI and took the decision to reapply for membership. We were subsequently granted candidate-country status.

Cabinet further mandated the Ministry of Energy and Energy Affairs to establish an EITI Steering Committee to oversee the implementation process. That committee was chaired by well-known transparency advocate Mr. Victor Hart, and included representatives from the Government, oil and gas companies and civil society. A secretariat was later established in the Ministry of Energy and Energy Affairs to guide the process on a day-to-day basis.

Mr. Speaker, allow me to place on record our appreciation for the excellent work done by Mr. Hart and his committee, which comprised—  
[*Desk thumping*]

**Mr. Cadiz:** Not Calder Hart, eh.



**Sen. The Hon. K. Ramnarine:** Not Calder Hart, Mr. Victor Hart—representatives of the private and state companies, including bpTT, BG T&T, BHP Billiton, EOG Resources, Petrotrin, NGC and National Quarries Limited from the companies, as well as civil society organizations, such as the Oilfield Workers' Trade Union, Fishermen and Friends of the Sea, the Cropper Foundation, the National Youth Council, the Network of NGOs for the Advancement of Women, and the Trinidad and Tobago Chapter of Transparency International. In addition to those organizations, the Energy Chamber and Trinidad and Tobago Chamber of Industry and Commerce. This is a clear testimony to the Government's commitment to involve and engage a broad mix of stakeholders in the decision-making process.

On January 31, 2013, an EITI policy was approved by the Cabinet, and on June 07, 2013, Government and some 25 companies and civil society organizations publicly signed a stakeholders' MOU agreeing to voluntarily take part in the development of Trinidad and Tobago's first EITI report.

I would also note that it took no less than seven Cabinet decisions to remove the legal and administrative impediments to the enhanced transparency that is achieved by EITI reporting. Thus far, two reports have been published: one in 2013 covering fiscal year 2011, and another in 2014 covering fiscal year 2012. The work of the EITI committee and its secretariat has also had a meaningful public education dimension to it, and this has aided in fostering a better understanding of the national energy sector.

Upon submission of Trinidad and Tobago's first report, the EITI board in Oslo determined that Trinidad and Tobago had made meaningful progress towards achieving compliant-country status. However, certain corrective actions were recommended in order for Trinidad and Tobago to be fully compliant with all the requirements. The Secretariat—that is the Secretariat in Trinidad—in collaboration with the Ministry of Energy and Energy Affairs and the steering committee took those corrective actions which were completed in September 2014. These corrective actions were included in the second country report.

The EITI board's Validation Committee met in Oslo, Norway, on December 16, 2014 to evaluate Trinidad and Tobago's implementation and to ascertain whether it had satisfied all requirements. On the basis of that evaluation, the committee made a recommendation to the EITI board that Trinidad and Tobago be granted country-compliant status, and that led to the eventual board decision of January 23, 2015.

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*EITI Implementation*

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Praise for this achievement has come from the Trinidad and Tobago Chapter of Transparency International and the Energy Chamber, both of which, as stated earlier, are active members of the steering committee.

Mr. Speaker, full membership in the EITI enhances the reputation of Trinidad and Tobago as an oil and gas province and as a destination for foreign direct investment. EITI also assists in strengthening systems for accountability.

It also assists policymakers in evaluating the success or impact of their fiscal measures, and last but not least, promotes greater economic and political stability. It should be noted that BP plc, BG Group, BHP Billiton, Chevron, Repsol and Shell, international companies, all of which have significant investments in this country, are all listed on the EITI website as stakeholders.

Mr. Speaker, the implementation of the EITI, together with the Public Procurement and Disposal of Public Property Act of 2014, and the passage of legislation to strengthen the Financial Intelligence Unit, will improve transparency and accountability in public affairs.

Finally, the EITI allows civil society to gain a better understanding of how revenues are generated, collected and accounted for. Mr. Speaker, thanks to the EITI reports, the public now knows that the largest single contributor to government revenue in fiscal 2012 was BP, with a contribution of TT \$8.6 billion. That information was previously not known, as all the data was aggregated as one.

BP is followed by the second largest contributor to Government revenue, NGC, with TT \$2.8 billion; in third position, BG Trinidad and Tobago with TT \$2.6 billion; and in fourth place, EOG Resources with TT \$2.1 billion—and the information is available on the website of the EITI. The report for fiscal year 2012 noted that overall Government collected some TT \$21 billion from oil and gas companies. It should be noted that the report does not capture the corporation taxes paid by companies at Point Lisas and Atlantic LNG, as these companies are not classified as extractive industries.

Moving forward, Mr. Speaker, the EITI Secretariat in collaboration with the Ministry of Energy and Energy Affairs and the Steering Committee will work towards retaining country-compliant status as our next validation date is in the year 2018, and we intend to maintain country-complaint status in the year 2018.

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EITI Implementation*

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Furthermore, Mr. Speaker, it is our intention to expand the mandate of Trinidad and Tobago's EITI compliance to include the quarry and asphalt industries. I would also add that work is continuing towards the introduction of an EITI Bill.

Mr. Speaker, let me close my contribution by placing on record our deep appreciation for the support of the staff of the Ministry of Energy and Energy Affairs, the Ministry of Finance and the Economy, the Office of the Attorney General, and the multilateral institutions that provided funding: namely, the World Bank, the IDB and the European Union. Let me also place on record my appreciation for the support of all my Cabinet colleagues when the various Notes came to Cabinet for EITI; it was very positively received and supported.

Mr. Speaker, let me close by placing on record my appreciation for your support for the EITI, as you have been a champion of openness, transparency and the EITI over the last five years.

Thank you very much. [*Desk thumping*]

#### RECUSAL FROM SITTING

**Mr. Speaker:** Hon. Members, I will now recuse myself to allow the House to debate the Motion scheduled for today's sitting. The Deputy Speaker shall now take the Chair. This sitting is now suspended for five minutes.

**2.15 p.m.:** *Sitting suspended.*

**2.19 p.m.:** *Sitting resumed.*

[MADAM DEPUTY SPEAKER *in the Chair*]

#### SPEAKER WADE MARK (LOSS OF CONFIDENCE IN)

**Mr. Jack Warner** (*Chaguanas West*): [*Desk thumping*] Thank you Madam Deputy Speaker. Before I move the Motion standing in my name, I would like to extend my thanks and appreciation to the PNM family—[*Interruption*]

**Hon. Members:** Ohhh! [*Desk thumping*]

**Mr. J. Warner:**—it's Political Leader, Dr. Keith Rowley, and [*Desk thumping*] Member of Parliament for Diego Martin West, and it's Chief Whip, Marlene Mc Donald—[*Interruption*]

**Miss Mc Donald:** You hear that? [*Desk thumping*]

**Mr. J. Warner:**—Member of Parliament for Port of Spain South, for giving this Motion of mine primacy of place today.

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Madam Deputy Speaker, I now beg to move the following Motion standing in my name:

*Whereas* on January 23rd, 2015, there was a Motion of Censure against the Minister of Finance on the Order Paper of the House of Representatives for debate;

*And whereas* before the debate the Speaker in an unprecedented move informed the House that he received “*a notice from the High Court, dated January 16th, 2015,*” regarding “*a matter involving Larry Howai and Azad Ali of the Sunshine Publishing Company Limited*”;

*And whereas* the statement by the Speaker was intended to and did impact upon the debate on the said Motion;

*And whereas* on January 26th, 2015, the Judiciary of Trinidad and Tobago issued a Media Release stating that “*no notice, letter or any other communication on the matter was forwarded by the Court or any of its officers to the Speaker or any officers of the Parliament*”;

*And whereas* the Release by the Judiciary has brought into question the conduct of the Speaker;

*And whereas* in a further unprecedented move on January 23, 2015, the Speaker allowed the Member for Oropouche East to speak on the matter even though it had come to its “*premature end*”;

*And whereas* by these actions the Speaker has demonstrated partiality and brought the Office of the Speaker into disrepute and public ridicule and the House of Representatives into public odium:

*Be it resolved* that this Honourable House declare its loss of confidence in Mr. Wade Mark as Speaker of the House of Representatives. [*Desk thumping*]

Madam Deputy Speaker, I will proceed and I will say, this is a very simple, straightforward Motion for which I shall use my full 45 minutes.

The hon. Speaker, Wade Mark, on January 23, 2015 made a false statement to the House prior to the commencement of debate on the Motion of Censure against the Minister of Finance and the Economy. The Speaker said he had received a notice from the High Court. The Speaker’s statement was intended to guide or direct the debate on the Motion of Censure.

We all have to note, that the Speaker is the Presiding Officer in the House and, Madam Deputy Speaker, the statement by the Speaker did in fact impact on the debate on the Motion of Censure, which Motion in the words of the Speaker had

been brought to “a premature end”. A full three days after the sitting of the House the Judiciary of Trinidad and Tobago issued a media release stating, I quote:

“No notice, letter or any other communication of the matter was forwarded by the court or any officers to the Speaker or any officer of the Parliament.”

As such, Madam Deputy Speaker, the Speaker’s statement was erroneous and he misdirected the House.

Madam Deputy Speaker, this erroneous statement by the Speaker has attracted severe and widespread criticism of his conduct bringing the Speaker and the proceedings of this House into ridicule. The Speaker further demonstrated partiality and bias by allowing the Member for Oropouche East to make comments on the matter and then by directing the said Member for Oropouche East to move for the adjournment of the House even though there were other Private Motions on the Order Paper. These are all the facts, Madam Deputy Speaker. And I am saying, on the basis of these facts, the conduct of the Speaker has drawn a lack of confidence in him. Not only the Members here, but the wider national community.

Before embarking on a more detailed explanation of the facts, let me briefly outline the importance of the Office of the Speaker. May’s *Parliamentary Practice*, at page 218 says, I quote:

“The Speaker of the House of Commons is the representative of the House itself in its powers, proceedings and dignity.”—and dignity.

As such, therefore, the Speaker is the embodiment of the House. He is the embodiment of democracy. The Speaker is the face of Parliament, Madam Deputy Speaker, and that is why holders of this sacred office must preserve its dignity. The dignity of the office of the Speaker must be held above even the dignity of the occupier of the office. The Office is important, not the occupier. And I am saying, the office is also more important than the ego of the occupier of that office.

The Speaker, Wade Mark, holds important positions, both locally and internationally. He acted as President of the Republic for seven days in July 2013. And if the President of the Republic and the one from the Senate is out of the country he would act again as President of the Republic. As Speaker of the House, hon. Wade Mark serves as joint president of the Trinidad and Tobago Branch of the Commonwealth Parliamentary Association, CPA, and he has also served as regional chairman for the Caribbean, American and Atlantic Region of the CPA. In other words, Madam Deputy Speaker, he is this country’s international representative in the CPA.

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The Speaker has travelled widely abroad and he has gotten enough experience to know his role. Over the last four and a half years, Madam Deputy Speaker, we have seen him travelling all over the globe. In fact, in the last four years he has travelled more than all the other Speakers before him combined. Let me give you some of the countries in which he went to: Turkey, Isle of Man, Canada, Chile—*[Interruption]*

**Hon. Member:** He has a partner?

**Mr. J. Warner:** “You eh hear nothing yet”—UK, USA, India, Sri Lanka, China, Namibia, South Africa, New Zealand, Argentina, South Korea, Peru, Switzerland and Australia. It is all here, Madam Deputy Speaker. And some of these countries, he has gone to them several times over, and I have not counted the Caribbean countries. The Speaker’s travel has cost the taxpayers’ of this country almost \$2 million—

**Hon. Members:** Wow!

**Mr. J. Warner:** So he has the experience and therefore one would not expect him to act in this way. On the other hand, let us look quickly at the role of the Speaker in the House of Commons.

In England, and in particular, I am talking about Michael Martin, in 2009. In 2009, for the first time in 300 years a Speaker of the House of Commons in England stepped down to spare the office the indignity of a Motion of no confidence. In England, Michael Martin, the then Speaker of the House in England, resigned in the midst of the MPs expenses scandal. Many English MPs, as you know, had abused the expense system, which system had been supervised by Martin. That was one of the ugliest scandals to ever hit the UK Parliament. And instead of dragging the Office of the Speaker into the mud, Martin resigned.

**2.30 p.m.**

So, therefore, Madam Deputy Speaker, when you want to avoid a Motion of no confidence, that is what a Speaker does. He resigns, like Michael Martin of the UK did, and as Wade Mark of Trinidad and Tobago has not yet done. An honourable Speaker would never allow himself to be even perceived as feeding at the trough. He would never allow the perception. But I wonder, how does our Speaker deal with the perception outside there that he is the beneficial owner of four CEPEP contracts? Madam Deputy Speaker—

**Hon. Members:** What?

**Mr. J. Warner:** “Yuh eh hear meh when ah say? Ah say he has four CEPEP contracts.”

**Hon. Members:** What?

**Mr. J. Warner:** But I will say it again.

**Hon. Members:** What?

**Mr. J. Warner:** “All yuh eh hear what I saying. All yuh tink ah”—in fact, I said you heard me correctly. “Ah talking too fast.” There are two CEPEP contracts in the name of Regal Construction. I have them here. This company was formed in 2007 with two directors: Sushilla Lisa Ramkissoon. Sushilla’s address is Aranguez and who is listed here as a “businesswoman”. On October 13, Miss Ramkissoon removed herself as director and two new names were put. But one month later, on September 15, the equity in this company was converted to 100 ordinary shares, all of which are owned by Sushilla Lisa Ramkissoon.

**Dr. Moonilal:** Madam Deputy Speaker, Standing Order 48(1)—[*Crosstalk*] Madam Deputy Speaker, Standing Order 48(1). It may well be fact, but 48(1), is it relevant to the recitals?

**Hon. Members:** Very relevant!

**Mrs. Mc Intosh:** “Yuh cyar try dat.”

**Madam Deputy Speaker:** Member for Chaguanas West, you rise to debate a Motion that is before the House and I want to ask you to stick with the recitals of this Motion that is before the House, which is your Motion. You may proceed. [*Desk thumping*]

**Mr. J. Warner:** Madam Deputy Speaker, I attempt to show the perception of bias and why eating at the trough is wrong.

**Dr. Rowley:** And the reason.

**Mr. J. Warner:** And I am giving the reasons for that, Madam Deputy Speaker, and the reasons are four CEPEP contracts owned by two companies. Those are the reasons, and if you “doh” want to hear it here, you hear it out there. But the fact is, the country will hear it because the fact is, these are the companies and nothing we can do can remove this, and we are showing, therefore, the perception of bias because people would feel, because of these CEPEP contracts in which the Speaker has a beneficial interest, that he is biased. That is all I am saying. And we know, of course, who his wife is, in any case.

Madam Deputy Speaker, I continue. In fact, the second company is owned by a fella called Rajdeo Sinanan, a teacher at Malick Secondary School.

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**Hon. Member:** Protecting who? [*Crosstalk*]

**Madam Deputy Speaker:** Hold on, hold on, hold on. Member for Point Fortin, hold on. I am the Presiding Officer and I will rule.

Member for Chaguanas West, I am asking you again to stick with the recital that is before us as regards your Motion and I want you to debate the Motion as it is presented to this House. You may proceed.

**Mr. J. Warner:** We seem to be going over this whole thing all over again, Madam Deputy Speaker. All I would say is, I will refrain from these CEPEP contracts but I will say them somewhere else.

Speaker Wade Mark entered parliamentary politics in 1990 as an Opposition Senator appointed by the UNC. “Ah could say dat?” [*Laughter*] He has served as chairman of the UNC at times when the UNC’s Constitution was being breached by its failure to have internal party elections for next term’s executive. Mr. Wade Mark has been noted for his loyalty to the party, as well as the leaders who have kept him in Parliament as a UNC Senator for 10 years up to his appointment as a Speaker in 2010.

Wade Mark is one of the longest serving Senators. In fact, I should say he was one of the longest serving Senators and the longest serving Member of Parliament in this House. He was Leader of Government Business in the Senate, and he has sat on many committees. So the point I am making, he is no Johnny-come-lately; he is no novice. He is experienced—in fact, more experienced than most of the rest of us here, except a few. Definitely more than me. Therefore, experienced Members of Parliament do not make amateur mistakes.

When you have that kind of history, which I just outlined, of being connected to a party for so long, for being loyal to the party for so long, for being rewarded with a political career that spans a decade and a half, based on your unwavering loyalty, you have to be careful. Because right away, you enter the office of Speaker with public confidence already hanging in a state of balance—because people expect you to be biased—and therefore you have to be careful because people will look closely at everything you do and they will be quick to accuse you of bias.

I recall the Leader of Government Business, a UNC member, is the one who proposed Mr. Wade Mark for Speaker and I also know that the nomination was seconded by the PNM Chief Whip. But notwithstanding that, the perception out there is that he is a Government Speaker, a UNC Speaker. That is the perception, [*Desk thumping*] and it is difficult for Speakers to overcome this stigma of being tainted with the party brush.



Some Speakers try very hard to walk a middle line, others have not done so well. Therefore, let me quickly mention some of the Speakers who have graced this august Chamber between 1961 and today and judge for yourselves: Arnold Thomasos, 1961—1981; Matthew Ramcharan, 1981—1986; Nizam Mohammed, 1986—1991; Occah Seapaul, 1992—1995; Hector McClean, 1995—2000; Dr. Rupert Griffith, sadly, 2001—2002; Barendra Sinanan, 2002—2007; Barendra Sinanan, 2007—2010, and Mr. Wade Mark, 2010 to the present time.

Generally speaking, all the Speakers so named, barring one or two, performed with excellence, especially Barry Sinanan, whom, though a PNM appointee, yet you saw a man who, by comparison, excelled way above his peers. Barry Sinanan recognized that in spite of party affiliations, past and present, there is a thin line you cannot cross. I was here. I was in the Opposition. I looked at him. I admired how he treated us in Parliament. As such, therefore, it is because of this history that Speakers must know they have to be very careful, very deliberate, very thoughtful and very informed in everything they do, so that their conduct at all times can be held above reproach.

It is hard to imagine a Speaker, like ours, who is trying so hard to ensure that he dots every “i” and crosses every “t” could come to this Parliament and make the erroneous mistake or statement that the hon. Wade Mark made, and to make the statement not once, but twice—not once, but twice—to do so with authority and repetition. How, in God’s name, can he look at the Minister of Finance and the Economy and mistake him for the High Court? [*Laughter*] How could he do that? How could he mistake the Minister of Finance and the Economy for the High Court of the Republic of Trinidad and Tobago? How could he? You see, Madam Deputy Speaker, when one sits in the Chair in which you presently sit, one must leave party affiliations, party history, friendships, camaraderie, emotion, sentiment. Leave all of those things outside. [*Desk thumping*]

Let me say this while I am here. In the few times you have acted in the Chair, Madam Deputy Speaker, I want to commend you for doing that.

**Hon. Members:** Yes. [*Desk thumping*]

**Mr. J. Warner:** When we, as elected Members of Parliament, and others in the Senate, take our respective oaths of office, we have to forget who voted for us. We have to forget who did not vote for us and we have to perform our duties, with party affiliation coming, not first, not second, but a distant third. The first thing we have to bear in mind, our oath of office is for the good of the country. Secondly, it is for the good of our constituents, all—who voted for and against—all of them. And thirdly, I will say, if at all, party affiliation.

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Now, many persons do not expect all Speakers to do that, but the point is, all Speakers have to try extra hard to ensure that they maintain confidence in themselves, in the Chair and in their office, because if you falter once, you drag the office into disrepute, as has been done here.

This is why, even though the Speaker offered an apology and a watered-down confession to this House, nobody—but nobody—up to this day believes it was a genuine mistake. [*Desk thumping*] And note well, Madam Deputy Speaker, even up to today, as I speak, the Speaker has never apologized to me, personally, for the injustice he has caused in derailing my Motion of censure against the Minister of Finance and the Economy.

**Mrs. Mc Intosh:** No humility.

**Mr. J. Warner:** It may well be that he made an honest mistake and, like the Prime Minister, he misspoke. But I am saying again, nobody believes him. Therefore, public confidence in hon. Wade Mark has been lost. Were he to continue to occupy that office, a mockery will be made of the sacred office because in the public's mind it says that there are no high standards to be expected of anyone in that position. In other words, they are saying, you could put anybody. Forget their background, forget their accomplishment. That is what people are saying.

When you can take someone perceived to be biased, and put them in a position that requires impartiality, that is making a mockery of the office and, by extension, making a mockery of the Parliament itself.

Because we on this side, the minority, far too often are made to feel disadvantaged and oppressed by the Speaker. [*Desk thumping*] The public of this country tunes into Parliament Channel No. 11 to watch these proceedings and they say they feel like they are watching a comedy show, a circus, thanks to the Speaker, Wade Mark.

What are the facts, Madam Deputy Speaker? January 23, 2015 was Private Members' Day. On that day, a Private Motion was on the Order Paper, a Motion of Censure against the Minister of Finance and the Economy. Prior to the Member for Chaguanas West being called upon to present the Motion of Censure, the Speaker addressed the House saying he needs to put on record before the House, certain developments. The Speaker went on to say—I quote him:

“I received only a few hours ago”—a few hours ago—“a notice from the High Court of the Republic of Trinidad and Tobago dated January 16, 2015 in a matter involving Larry Howai and Azad Ali of the *Sunshine Publishing Company Limited*. I would like to remind hon. Members of the sub judice rules.”

And then he made several references to the comity between Parliament and the Judiciary.

**2.45 p.m.**

The Speaker went on to say, I quote him again:

“...unless the Member”—me—“who is about to speak can tell this House that what he is about to say is not going to be, in any way, adverse to what is before the High Court of Trinidad and Tobago, I would have to deny this Motion although it has been approved.”

So, therefore it is clear that the Speaker, by his statement that was intended to impact upon direct and guide the proceedings of the Motion of censure against the Minister of Finance and the Economy. Let me say it again, the Speaker told the House that he had received a notice from the High Court pertaining to a court matter—*[Interruption]*

**Mrs. Gopee-Scoon:** Facts.

**Mr. J. Warner:** Facts, thank you. He invoked the sub judice rules and told Members that depending on the content of my presentation he would have to deny the Motion of censure even though he had previously approved it, and all of this is premised on the notice he said, at that time, that he had received from the High Court.

Madam Deputy Speaker, the Leader of the Opposition, Dr. Keith Rowley, on a point of clarification rose and asked the Speaker to repeat what he was saying, and on page 14 of the unrevised *Hansard* the Speaker repeated that he had received notification of the High Court proceedings. He told that to the Leader of the Opposition, the Member for Diego Martin West. The *Hansard*, page 14, reflects that.

In seeking further clarification, the Leader of Government Business, the Member for Oropouche East, on page 15 of the unrevised *Hansard*, asked the Speaker if the Motion, I quote:

“...is indeed the subject of a matter that the court has communicated to the Speaker?”

The Member for Oropouche East asked him that in the *Hansard*, page 15. He did not respond to any of that as to whether they called and told him anything. He did not respond to anything at all. There is nothing in the *Hansard* to say that he responded.

There and then, Madam Deputy Speaker, if he wanted to, he could have clarified the miscommunication because he got two chances to clarify the miscommunication,

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but he did not. He could have told them at that point in time that he did not receive anything from the High Court. All of us understood what he meant when he said so and I am saying also to, all of us understood what he meant when he answered the Leader of the Opposition. The Speaker had a chance to correct his miscommunication and he did not. So therefore, my conclusion and this House conclusion was reinforced that there was communication between the High Court and the Speaker, or the Parliament, or an agent of the Parliament.

At several intervals, the Speaker reminded the House of his role and position. He said the Speaker was, I quote:

“...the guardian of parliamentary privileges...”

Page 12 of the unrevised *Hansard*. He described the Speaker as, I quote:

“...the presiding officer...”

Page 13 of the unrevised *Hansard*. He said, I quote him:

“...I will not preside over this House on matters that will bring this House in disrepute in the face of the comity that exists between the Judiciary and the Parliament...”

Page 14 of the unrevised *Hansard*. He went on further. He said and I quote:

“...I am the guardian of the parliamentary privileges and I will protect and defend those privileges.”

[*Member waving a finger*]

Page 16 of the unrevised *Hansard*. With his finger pointing threateningly in the air, he said—talking to the Member for Chaguanas West, now. Little poor-me-one sitting down here on “meh” chair and he, of course, pointing, threatening me, of course, he is saying, of course:

“I am monitoring this debate very carefully.”

Page 19 of the *Hansard*.

All I am saying, therefore, Madam Deputy Speaker, how could someone who is so diligent, so alert, not recall from whom the information came? How come? All this power and authority you have and so on, you alert, you so proper and so on, you do not know who it came from? So the debate, therefore, came to a premature end and is best reflected when I took up my bag and I walked out from the Chamber by the *Express* front page story, just reflecting while I walked out of here. I picked up my bag and I walked out. This is to frame and put in “meh” house, you see.

[*Member displays a framed picture*]

Madam Deputy Speaker, after the premature end to a Motion of censure, the Speaker allowed the Member for Oropouche East to make comments on the Motion. Up to that time, the Motion had not been seconded. It was never seconded. In fact I am saying to you, though it was never seconded, the Member for Oropouche East was allowed to make comments. And then also too, there were two other Private Motions on the Order Paper, one of which had begun November 28, 2014, but that was not of interest to him. He said, Leader of Government Business, adjourn the House. “Woo boy”! I am saying this is a breach of parliamentary procedure and a demonstration of bias.

As such, therefore, the Judiciary was forced to make its release and they asked the Speaker to clarify. The Speaker then informed the House. On January 30, he addressed the House and he said that he, of course—let me hear what he says:

“I indicated that I had received only a few hours before...”—so and so and so—

He says:

“That was clearly incorrect.”

He says that was clearly incorrect.

As such, Madam Deputy Speaker, I rest my case. I have nothing to prove, but, of course, they have to give you more lagniappe in terms of this Motion. I will continue because the case rests here. The Speaker says that I was incorrect, and I want to say here deliberately so. What he said here he admits that he misinformed the House. I am saying, by his own admission he is guilty of misinforming the House. Worse yet, he did not even accept any blame for his actions and tried to blame me for the bizarre fiasco which took place. And I am saying, therefore, that anytime one tries to deflect the responsibility for your actions upon other innocent persons, you are not worthy of the office you hold.

In fact, we have to ask ourselves: has the Speaker misled the House on previous occasions? Can he be trusted not to act in this way in the future? Can he be trusted to reside over this House with impartiality? And then what are some of the reactions to the Speaker, his behaviour? Let us take it first nationally and let me fast-track it down. Martin Daly on page 5 in the *Guardian* of January 27, I will just paraphrase what he has said due to time. What he said is that what the Speaker did—I quote him here now, is:

“...a breach of nearly every fundamental tenet of fair play.”

That is what he says here, Martin Daly.

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Mark misled the House, he says:

And Martin Daly says:

“This regularity is compounded by the fact that he was acting secretly” like a lodge—“on the basis of letter from an interested party.”

Madam Deputy Speaker, the *Express* editorial on page 12—I cannot read it for you here. What it says:

“Speaker and CJ must explain”

And then again it says the following day that:

“Speaker in the spotlight”

That was two consecutive days, you know. Two days, “Speaker...must explain”, “Speaker in the spotlight”, the *Express*.

Madam Deputy Speaker, I will just give you one thing they said from the editorial. They said:

“...Wade Mark...is short on the detail and long on ambiguity.”

And they said he must retrieve:

“...the situation from one of galloping public distrust.”

Kenneth Lalla SC in the *Newsday* of January 27. He, of course, said:

The Speaker—“...misled the public...”

He say it here. And the Speaker he said, failed “...to disclose fully all matters relevant to the Motion at hand...”

Former Speaker Nizam Mohammed, he said in an article on January 29, 2015:

“Ex-House Speaker: Mark should quit”, he said. He said:

“...the Speaker cannot exonerate himself...”

He said:

“...Mark’s action has done great injustice to the Parliament...”

He said, what Mark did was unfair and “Mark ‘should do the country a favour and resign’”—Nizam Mohammed.

Barendra Sinanan in the same paper, same article, he said:

“Mark should quit.”

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And by the way, that Speaker is the epitome of good upbringing, good, of course, in presiding in this House. The epitome, Barendra Sinanan. He says:

“Mark should quit.”

In fact, what he said, he said that:

“...in a recognised Commonwealth country, who did what Mark did, ‘would not think twice about doing the honourable thing.’”

In the *Sunshine* newspaper—yes, *Sunshine* newspaper—of Friday January 30, attorney-at-law and chairman of the ILP, Rekha Ramjit, in her weekly column wrote: “Wade off the Mark.”

**Dr. Gopeesingh:** Madam Deputy Speaker, the Member is bringing things from outside of a newspaper to make his case and where there are—[*Interruption*]

**Mr. Imbert:** What Standing Orders?

**Dr. Gopeesingh:** 48(1).

**Madam Deputy Speaker:** Member, I have granted permission to the Member for Chaguanas West prior to coming here [*Desk thumping*] to quote from a couple articles of the newspaper. You may continue.

**Mr. J. Warner:** Thank you, Madam Deputy Speaker. And in case you did not know, before this debate I did the correct thing—[*Interruption*]

**Madam Deputy Speaker:** Allow the Member for Chaguanas West to speak in silence.

**Mr. J. Warner:** Before this debate I did the correct thing, I went to the Deputy Speaker, showed her all the articles and she approved them. She approved them. I did the correct thing which is so difficult on that side.

I am saying, Madam Deputy Speaker, the social media had a field day. I cannot go through all of them. A fella call Ed Redbreast, he says what happened is that he was sheltering Mr. Howai from the slings and arrows which were about to descend on him, and that was on the 27th, the article, “Speaker in the spotlight”. A fella called John Debe said under Mark, credibility means nothing. Tony Teeoh, another one says that the Speaker is allowing an unelected Member of the House to affect the House, and he went on and on and on.

Madam Deputy Speaker, in all of this I am saying, Wade Mark has lost all public confidence and all credibility. As such therefore, I am saying that hon. Wade Mark, as Speaker of this House, acted contrary to natural justice. He made a false statement

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to the House by claiming that he had received communication from the High Court. Based on that false statement he made, the debate on the Motion of censure against the Minister of Finance and the Economy was adversely affected. The hon. Wade Mark did not correct his misinformation when asked about it by the Member of Oropouche East. The hon. Wade Mark breached parliamentary procedure and acted with bias when he allowed the Member for Oropouche East to make statements on the Motion of censure after the matter had ended and when he called on him also to move the adjournment of the House.

The hon. Wade Mark's false statement put the Judiciary in an awkward position of having to expose his untruth, and it pulled them into the fray. Also, I should add that the Judiciary, by their statement, proved that the hon. Wade Mark misled the House. The hon. Wade Mark did not correct his erroneous statement for some three days, and only after it became public by the issue of the statement from the Judiciary. If they had not made that at all, "cat eat our supper". It was when they made it, three days after he was urged on to do so. I want to say also, Wade Mark confessed to making a false statement to this House. The hon. Wade Mark demonstrated a lack of integrity when he refused to accept the possibility for the consequences of his action and instead blamed the Member for Chaguanas West for the consequences of his, Wade Mark's, action

The conduct of the hon. Wade Mark in this matter has been widely criticized by persons at all levels in society. The hon. Wade Mark, by his conduct, has lost all credibility and public confidence.

**3.00 p.m.**

The hon. Wade Mark's conduct has brought ridicule to this most senior public office—the one you sit on, Ma'am—and to a Parliament which this Office embodies. Having behaved in such a disgraceful manner, it would be an embarrassment for the hon. Wade Mark, as President of the Republic in the future or for him to represent this country at international fora. Surely, the rest of the world is watching, including his colleagues in the CPA. This country will be a subject of whispers when he arrives at CPA events. And I am saying, therefore, as long as the hon. Wade Mark occupies the Chair of Speaker, the Office of the Speaker continues to exist amidst the mockery created by his actions.

As I conclude, at a time when Members of this House are pointing fingers at each other on the grounds of moral and immoral conduct, the morally right thing to do in the national interest, Madam Deputy Speaker, is for Members on that side, particularly, to acknowledge and declare the loss of confidence in hon. Wade Mark or the hypocrisy of all of us will be exposed.



The hon. Wade Mark, having disgraced the Office of the Speaker, having lost all credibility and public confidence and having brought his Office into disrepute by his false statement, by breaching parliamentary procedure, by acting with bias and brought in the Judiciary in his homes, is unfit to continue holding the post of Speaker of this House, and to represent this country in the local and international roles associated with the Office of the Speaker.

Madam Deputy Speaker, it would be a national disgrace for the Speaker to continue in this post. The nation and the world are watching. I beg to move. [*Desk thumping*]

**Madam Deputy Speaker:** This Motion requires a seconder.

**Dr. Keith Rowley** (*Diego Martin West*): Madam Deputy Speaker, I rise to second the Motion and I reserve my right to enter the debate at a later stage in the proceeding.

*Question proposed.*

**The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal):** Thank you very much, Madam Deputy Speaker, for the opportunity to enter this debate. I want to begin my contribution by reflecting on a publication which assisted me in preparation for this debate. The publication is entitled *Fifty Years of Indian Parliament* edited by G.C. Malhotra, printed by the Lok Sabha Secretariat, New Delhi, in 2002. I just want to quote from a chapter beginning on page 202:

“SPEAKERSHIP IN-PARTY SYSTEM”

Madam Deputy Speaker, it states here:

“In parliamentary democracy, the Office of the Speaker is held in high esteem. He regulates the deliberations of the House and interprets the Rules of Procedure in the conduct of its business.”

This publication, *Fifty Years of Indian Parliament*, it goes on to say that:

“Through his fair-mindedness, impartiality and judicious exercise of his power of recognition of parties and groups in Parliament, the Speaker can build up the best traditions of parliamentary democracy. ...the first Speaker of the Lok Sabha, Shri G.V. Mavalankar remarked:

In parliamentary democracy, the Office of the Speaker is held in...high esteem and respect. There are many reasons for this. Some of them are purely historical and some are inherent in the concept of a parliamentary democracy.

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In the words of Pandit Jawaharlal Nehru: ‘The Speaker represents the House. He represents the dignity of the House, the freedom of the House...because the House’—of Representatives—“represents the nation...”

So when you represent the dignity of the House, you also represent the nation.  
Madam Deputy Speaker:

“...the Speaker becomes the symbol of the nation’s freedom and liberty.”

It is said that:

“The Office of the Speaker is almost as old as Parliament itself having its own authority, prestige and dignity.”

The Office of the Speaker is considered to be:

“...the soul of Parliament...”

Therefore, when that office is brought into disrepute, the soul of the Parliament and, indeed, the soul of the nation is threatened. And today, I submit, early o’clock, that there is an attempt today by the PNM family to bring the Office of the Speaker into high disrepute. [*Desk thumping*] And therefore—[*Interruption*]

**Miss Mc Donald:** Madam Deputy Speaker, I rise on 48(6), please. No, take your seat. I rise on 48(6), improper motives. [*Crosstalk*]

**Madam Deputy Speaker:** Hon. Member for Oropouche East, the Member for Port of Spain South is indicating that it is improper motives, and I want to rule that I want to ask you to stick with the Motion that is before us, please.

**Hon. Dr. R. Moonilal:** Thank you very much, Madam Deputy Speaker. Let me get to my friend from Chaguanas West.

**Mr. Warner:** “I am not yuh friend.” [*Laughter*]

**Hon. Dr. R. Moonilal:** You see—yesterday was yesterday, we could still be friends. If not today, maybe tomorrow. [*Crosstalk*]

Madam Deputy Speaker, you know it was not so long ago, it was September 29, 2014, in a letter addressed to the hon. Wade Mark, Speaker of the House of Representatives, and this letter says:

September 29, 2014

Finance Committee Sittings

And the writer says as follows:

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Dear Speaker,

On my own behalf and on behalf of the constituents of Chaguanas West, I extend sincere congratulations to you on the exemplary and professional manner in which you chaired the sittings of the Finance Committee of the House of Representatives during the past week.

The public nature of the committee meetings was the first of its kind in the country and, from the feedback I have received thus far, was appreciated by all who tuned in to the live proceedings.

**Hon. Member:** What day was that?

**Hon. Dr. R. Moonilal:** Madam Deputy Speaker, September 29, 2014, a few days ago—*[Interruption]*

**Hon. Member:** And signed by whom?

**Hon. Dr. R. Moonilal:**—and the letter says to the Speaker:

Congratulations on the exemplary and professional manner and please convey thanks to the other staff who provided support to you and so on.

With kindest regards

Jack Warner,

Member of Parliament,

Chaguanas West Constituency.

*[Continuous crosstalk]* Madam Deputy Speaker, I am building my argument as—*[Interruption]*

**Miss Mc Donald:** “Dai chalk and cheese.”

**Madam Deputy Speaker:** Member for Port of Spain South, please.

**Hon. Dr. R. Moonilal:** I want to use these words. I am building my argument as to the exemplary and professional manner in which the Speaker of the House, *[Desk thumping]* The hon. Wade Stephen Mark, conducts the business of the House, and I mean no less a person than the Member for Chaguanas West found it necessary and was driven to commit to writing the exemplary and professional manner of the Speaker of the House, the hon. Wade Mark.

But that was not in isolation because I am building a case in support of the Speaker and against this Motion. *[Crosstalk]* I am building a case against this

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Motion. In building my case, I want to go to a next letter. This one is January 30, 2011, addressed to the Speaker:

Dear Hon. Speaker,  
Now, January 30, 2011.

Dear Hon. Speaker.

Let me take this opportunity—

It is from J.A.W. F.I.F.A.—JAW FIFA. I think that changed now to survivor as it should, but it was JAWFIFA@aol.com; at that time, it was JAW FIFA.

Dear Hon. Speaker,

Let me take this opportunity to applaud you for what I am convinced has been your finest moment in our August Parliamentary Chambers. Since your elevation to the post of Speaker, you have brought a sense of dignity, honesty, integrity and fair play, all of which have been lacking among your predecessors.

**Hon. Members:** Barry Sinanan.

**Hon. Dr. R. Moonilal:** Who is a predecessor? Let me go at that again because we have to understand, where we are, what we are doing and we are in a political season, this is election. I want to repeat that. Let me repeat it:

Since your elevation to the post of Speaker, you have brought a sense of dignity, honesty, integrity and fair play, all of which have been lacking among your predecessors.

Who are your predecessors? Your predecessor is Barendra Judistra Sinanan, and today we heard of this great former Speaker while—[*Laughter*] Look what this man say: the former Speaker Barendra Sinanan lacked dignity, honesty, integrity and fair play.

**Dr. Gopeesingh:** And today he is saying he is the best.

**Hon. Member:** “Dah wah he say?”

**Hon. Dr. R. Moonilal:** But this is what he is saying here.

However, on Friday last, you took the administration of the nation’s business to a new height especially being called upon to manage a very difficult Parliament. With austerity and fairness, you kept the House under control and earned additional respect, not only from your colleagues but also, I am sure, from Members of the other side as well as from our guests from far off Ghana.

“The same Ghana he quarrelling where he went, and he went there, too.”

Hon. Speaker, after last Friday’s sitting, I am assured that we will never have another like you. With no effort on your part, you have shown us that you are indeed someone special and that destiny has set you apart for such a time as this. What you will do in appreciation for—

[*Crosstalk*] Let me go on, nah man. JAWFIFA@aol.com

What you will do in appreciation for the gift God has given you. You only can make that decision. However, we stand in awe of your justice, of your fair play, of your integrity, we can applaud and be proud to have you on our side.

[*Desk thumping*] Madam Deputy Speaker, in all my public life, no one has extended that type of love to me. [*Laughter*]

**Dr. Gopeesingh:** Who said that?

**Hon. Dr. R. Moonilal:** It came from JAWFIFA@aol.com. Madam Deputy Speaker, God give you a gift and we are happy to have you on our side. January 30, 2011. He was not with the PNM family then. [*Laughter*]

In conclusion, I wish to take the opportunity to congratulate the hon. Prime Minister, Kamla Persad-Bissessar for recommending you to be the Speaker of the House of Representatives. [*Desk thumping*]

This decision cannot simply be defined as good but rather excellent. Thanks for a well-ordered session in Parliament last Friday and keep on making us proud as a nation.

Signed Jack Warner

Member of Parliament for Chaguanas West.

I want to tell you something, with friends like you, who needs the PNM.

Madam Deputy Speaker, I put this on the *Hansard* record because the hon. Speaker Wade Mark would have received many commendations but I doubt, Wade Stephen Mark would have received a higher commendation than that from the Member for Chaguanas West during this period in our parliamentary history.

You see, this speaks to a serious, serious issue. It speaks to an assault on our integrity. This is an assault on our integrity. Today is an assault on the integrity of the nation that you would commit to writing such glowing tributes on one day and the next day, talk about great predecessors, talk about bringing the Parliament into disrepute and dishonour and indignity when you are on record. This is an assault to

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our integrity and today, the entire Parliament stands to be judged by citizens of this country. If we conduct our business like that, then do not blame people outside when they condemn politicians and they condemn Parliament. Do not blame people when you are on record like this praising the man for his great work yesterday and today, condemning him in the worst manner over the single issue which I will come to in a moment.

**3.15 p.m.**

And you have brought—[*Interruption*] I will speak to Edmund Dillon. I will not speak to the Member for Point Fortin today because I am wasting time responding to her. Mr. Dillon will conduct the business of that constituency with greater dignity.

Madam Deputy Speaker, I want to say that this Motion is ill-conceived, ill-directed, and ill-informed. In fact the Motion is just ill.

**Mr. Ramadhar:** Ill will.

**Hon. Dr. R. Moonilal:** And driven by ill will. It speaks of this single issue, which I will come to now. Madam Deputy Speaker, it is very clear what happened on that day. There are some insurance salesmen and in the old days we had some called an encyclopaedia salesman. “Dey doh have dat today, I think”. But in the old days there were encyclopaedia salesmen and they would come by your house and they would quickly work out the house, the children, what is happening and they would want to sell you these big, bulky encyclopaedia and they would come because they were trained with certain lines and if they come to you and you tell them: “‘I will buy’, dey doh not know wat tuh say because they are stumped. Dey get bazodee.”

On the last occasion, on January 23, the Member came and he was stumped. He got “bazodee” when the Speaker, at that time, indicated that this matter may be the subject matter before the court and tread lightly because there is a principle, the sub judice principle. My friend from Chaguanas West got “bazodee”, did not know if to go left or if to go right, if to put in reverse gear or keep it on drive and then got confused and torpedoed his own Motion, torpedoed his Motion, and then failed to move that Motion. When the Member for La Brea got up and sought to second the Motion, as the Member for Diego Martin West did today, the Member for Chaguanas West “tell him: no, no doh do dat , doh do dat”. There was effectively no Motion before us, none.

Madam Deputy Speaker, no Motion before us, the Member for Oropouche East or Oropouche West or Oropouche North or South could not have spoken to a Motion. I will come to *Hansard* in a few minutes, in which I made no contribution on that Motion. I asked questions.

If you look at the *Hansard*, I sought to help the Member for Chaguanas West when he did not seek my assistance. I sought to help him, to indicate to him to tell us if this is the subject matter of the court, or if he knows anything about that court matter and he can proceed. The Member had a discretion to say: "I know nothing of no court matter. I do not know who Azad Ali is. I never read the *Sunshine* newspaper in my life. I do not know what that is, or I have not read it. I do not know what they are talking about. I am not involved in that" and proceed. The Speaker just said be careful there is a principle of sub judice. We could have moved. The Member did not and then collapsed.

Then the Member comes today and makes an interesting statement. He said even when that collapsed there were other Motions we could have dealt with on that day. Because as you know, Madam Deputy Speaker, when the Motion collapsed the Sitting came to an end. But it is a practice, as we did last week, when I asked my hon. friend from Port of Spain South, tell us on record what we are dealing with so we can be prepared for Private Members. I asked the Member. The Member got up, she said we will be dealing with this Motion.

I want to say something. If the Member wanted to deal with another Motion, the Member could tell us we would like to deal with two Motions, three Motions, on that day and we could look at that. But the Member for Port of Spain South told us this is the Motion we are dealing with. So we are prepared for that. We had our speakers prepared. So when that Motion collapsed, it was not possible, in our parliamentary system, in our practice and procedure, to go and deal with another Private Motion because that is the Motion that we have been served notice and we are prepared for. So to come today and say the Speaker did not allow a debate on the next Motion and the Motion after that, is really, at best, a lack of understanding of parliamentary practice; at worst it is something more dastardly. But at best, it is a lack of understanding and I leave it there. It is a lack of understanding of parliamentary process and we leave that.

Madam Deputy Speaker, having failed with that Motion, the Member files another Motion and comes today, the juicy point here, on correspondence left at the Office of the Speaker of the House of Representatives. I want to say from the beginning that correspondence bearing the stamp from the High Court of Trinidad and Tobago, it is correspondence stamped by the High Court and emanating from the High Court. If the stamp is not on a document it came from somebody else. When the Speaker said that he had in his possession or was given a document from the High Court, the High Court stamped that document. The Speaker did not say and was not correct in the sense that the Minister of Finance and the Economy delivered

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that or caused it to be delivered at his door. It came from the High Court. And the Speaker said he received a document from the High Court. It bore the stamp of the High Court and it was at the High Court stamped and subsequently sent to a law chamber or whoever.

I want to tell you, to me, and to those of us on this side, it makes no material difference whether the letter came from Larry Howai, it came from the janitor, it came from the CEPEP worker, and it came from whoever. It was stamped by the High Court and that is the effect, as an authentic court document, that would have triggered the sub judice principle. So if it had been stamped by the High Court but it went first to the law office, it went to Minister Howai, it went to Minister Indarsingh, it went to the orderly here, the attendant, and then went to the Speaker, it was stamped by the High Court and that would have been the fundamental issue to trigger the sub judice principle. So to come today to say that the Speaker said it came from the High Court, “who dat frighten?” That means it frightened somebody. The High Court stamp frightened you. But if Mr. Howai brought the document or sent the document, it was an authentic document from the High Court indicating that a matter has been filed there between *Sunshine* Azad Ali and the Minister of Finance and the Economy and it had the same implication, the same consequence, of triggering a sub judice rule.

Tell me how that document, assuming that document came from the hand of the registrar or someone at the Hall of Justice, assuming that. It did not. It came. Would the consequences have been different? If the Speaker had announced: I just received—the guy on the bicycle just brought this from the Hall of Justice and I received it outside from a fella who came in a van “write” Hall of Justice. Would the consequences have been different? It would have been the same consequence. It is an authentic document from the High Court. So to wrap now your Motion in that one issue that the Speaker failed to say it came from the Minister of Finance and the Economy and that made some different consequence, I think that is disingenuous. Mr. Speaker, I think it is just misleading. Mr. Speaker, it is wrong.

So, the Speaker, at the next available opportunity, at the first Sitting after that on January 30, came to the House and read into the record an apology to the Judiciary, to Members of this House. He apologized. Some people may think he over apologized. But that is the nature of Wade Stephen Mark. [*Desk thumping*] He left nothing to chance; not even Wayne Chance. He left nothing. He apologized at the first opportunity.

There is another practice in Parliament, that when any Member inadvertently would give information that is erroneous or inadvertently misleads the House, at the



first available opportunity you apologize to the House and correct your error. And it is beneath the dignity of the House to take further action against that Member. That is a principle in parliamentary practice. It is beneath the dignity of the House to take further action when the Minister—

Former Minister, Hazel Manning, Minister of Education, came to the House of Representatives once, gave information that was later found out to be untrue and Mrs. Hazel Manning came to the House and apologized for the information and the House could not take action against her because Minister of Education at the time, Hazel Manning came and corrected the record and said what she said before was not true. She did that at the first available opportunity.

Many other Members—and the Speaker is a Member of the House—have done that. It is beneath the dignity of the House to take punitive action against a Member when, at the first available opportunity, they have corrected the record and apologized. Listen, Wade Mark apologized for about 20 minutes.

So that, we are here today, for what? And we come today to hear the Member now talk about the Speaker travelling all over the world. The Speaker travels all over the world on the business of this Parliament. [*Desk thumping*] Today, if the Parliament of the Republic of Trinidad and Tobago is a beacon throughout the Commonwealth, it is because of Wade Stephen Mark. [*Desk thumping*] It is because of his work that today the Parliament—have you noticed almost every week there are some foreign dignitaries here from other Parliaments? What do you think, they got lost at sea and reached Port of Spain? It is because of the work of the Parliament. And Members of the Opposition, they have also been travelling, as they should, on parliamentary business. The Member for Diego Martin West, I think, was in Australia some time representing—[*Interruption*]

**Dr. Rowley:** Just leave me out.

**Hon. Dr. R. Moonilal:** No! I would not leave you out. What you talking about leave you out? No! Madam Deputy Speaker—[*Interruption*]

**Miss Mc Donald:** No, no, no.

**Hon. Dr. R. Moonilal:** I am continuing to speak.

**Miss Mc Donald:** How could you do that?

**Hon. Dr. R. Moonilal:** I am continuing.

**Dr. Rowley:** Madam Deputy Speaker, on a point of clarification, I have never been to Australia.

**Madam Deputy Speaker:** The Member said he has never been to Australia. You may continue.

**Hon. Dr. R. Moonilal:** I want to apologize for saying that you went to Australia. Tell us where you went to on parliamentary business? So the Member for Diego Martin West has also travelled on parliamentary business across—

**Dr. Gopeesingh:** Many others across there.

**Hon. Dr. R. Moonilal:** No, but he has travelled, but he wants to play a little— anyway let me continue.

Madam Deputy Speaker, you know what was, to me, amusing? It is that the Member for Chaguanas West, who at one time used to boast about taking a private jet from Piarco to rush down Brazil and run back Trinidad to attend a meeting, today talking about somebody travelling the whole world. I mean a globetrotter in his day before, I think, they cut his ticket. I think he does not travel as much as before.

**Dr. Gopeesingh:** He cannot leave! He cannot leave!

**Hon. Dr. R. Moonilal:** I do not know about that. I do not know about that. And today talks about the Speaker travelling, as if that is a crime; as if that is a sin when the Member for Chaguanas West told us he went to 165 countries.

**Dr. Gopeesingh:** Today he cannot leave to go to one country.

**Hon. Dr. R. Moonilal:** I do not know that, Member for Caroni East. I do not know that. I do not know that he cannot leave. I do not know that, so I cannot say that.

**Dr. Gopeesingh:** “Dey go lock him up when he leave.”

**Hon. Dr. R. Moonilal:** No I cannot say that. So Member—[*Interruption*]

**Miss Mc Donald:** Madam Deputy Speaker—[*Interruption*]

**Hon. Dr. R. Moonilal:** I am not hearing anything the Member for Caroni East is saying.

**Miss Mc Donald:** Madam Deputy Speaker, I am on my feet, Standing Order 48(6).

**Hon. Dr. R. Moonilal:** So if you jump up “ah 100 time what I will do?”

**Miss Mc Donald:** Standing Order 48(6), Madam Deputy Speaker.

**Madam Deputy Speaker:** Hon. Member, the Member for Port of Spain South

thinks that you are imputing improper motives. I want to ask you to continue with the recital before us.

**Hon. Dr. R. Moonilal:** Madam Deputy Speaker, I want to get to the contribution of the Member for Chaguanas West again. I hope I can reflect on his contribution without being interrupted by the Member for Port of Spain South, with such zeal.

Madam Deputy Speaker, I really thought it was a tragedy that the Member for Chaguanas West would seek, as he did and thankfully did not carry on, to speak about CEPEP contracts and in some way want to connect the Speaker of the House to CEPEP contractors, and so on, when the Member for Chaguanas West knows that every single sister he has is a CEPEP contractor. There is no sister he has who is not a CEPEP contractor. What is RenWar Enterprises? Eh? Who is Doreen Warner? What is Jean and Daughters? Who is Jean King? There is no relative of his that is not a CEPEP contractor. So I will not go there because that is not something we want to press on with. Thankfully we did not go there. I would leave that for the same platform outside. Thinking that the poor Speaker, Wade Mark, somehow he was the catch of the day.

**Dr. Gopeesingh:** That is a company.

**Hon. Dr. R. Moonilal:** That is a company? Catch of D' Day is a company with a school feeding programme. Who are the directors in August 2013? Jack Warner, Maureen Warner, Daryl Warner, 2013.

**Mr. Warner:** On a point of order.

**Hon. Dr. R. Moonilal:** Oh, sure.

**Mr. Warner:** I am not the director of Catch of D' Day and never was.

**Mr. Warner:** Coal Pot.

**Madam Deputy Speaker:** The Member says he is not the director.

**Hon. Dr. R. Moonilal:** Madam Deputy Speaker, all I can reflect and say is there is a company called Catch of D' Day. I have it here on my phone and I will just say—because I do not really want to be—at no time I want to really say anything that is untrue against the Member for Chaguanas West.

**3.30 p.m.**

Catch of D' Day is a company with a school feeding programme. Who were the directors in August 2013?—Jack Warner, Maureen Warner, Daryll Warner—2013.

**Mr. Warner:** Madam Deputy Speaker, on a point of order. I am not the director of Catch of D' Day and never was.

**Hon. Dr. R. Moonilal:** Okay. Madam Deputy Speaker, all I can reflect and say is, there is a company called Catch of D' Day. I have it here on my phone and I will just say—because I do not really want to be—at no time I want to really say anything that is untrue against the Member for Chaguanas West.

Catch of D' Day Limited, name of company; registered office, 113 Edward Street, Port of Spain. Directors, Jack Austin Warner. Is there another Jack Austin Warner? “Dey cyar have ah next Jack Austin Warner. Take it from me, we cyar have two?” Maureen Warner, Daryll Warner and Daryan Warner, this is August 30, 2013. So you are saying, you are not a director? You left the directorship? You gave up? This is a company with a school feeding programme, Catch of D' Day, they supply food and so on. But I am not interested in that, I want to move on from that—*[Interruption]* and you will tell us whether you were the director of Catch of D' Day in August 30, 2013, when they got their school feeding programme contract—*[Interruption]*

**Dr. Gopeesingh:** Coal Pot!

**Hon. Dr. R. Moonilal:** Coal Pot, and I have—but what I am saying is, that the business Catch of D' Day is for a menu on a table in a restaurant. It is not for the Parliament and a discussion on the Speaker; that is for the menu. So I want to move on, Madam Deputy Speaker.

I heard statements in this Parliament, Madam Deputy Speaker, about disadvantage and oppressed by the Speaker—a Speaker that you wrote about just September last year, praising to the highest degree. The current Speaker of the House with great respect to—who was that?—Matthew Ramsaran and all these people and so on, with great respect to them, the Speaker of the House of Representatives, well, I would not use this Catch of D' Day business again, and say how much million dollars they made from September. Anyway, Madam Deputy Speaker—*[Interruption]*

**Dr. Gopeesingh:** Three point five million!

**Hon. Dr. R. Moonilal:** Three point five million. The hon. Member has in his recitals, you know—“I eh reach to nasty yet, you know. I eh reach dey yet.” *[Interruption]* No, we will talk about travelling to New York and Cayman Islands in a little while.

The Motion resolves itself to a loss of confidence in the Speaker. You see, the Speaker of the House of Representatives, current Speaker, with great respect to former Speakers, my job here is not to ill-speak any former Speaker. But I remember a former Speaker, the name called by the Member for Chaguanas West, when we

were in Opposition and we filed questions, that former Speaker would call us into his office like schoolboys, put us to sit down and go through our questions, and delete the words and delete this and change this and change that. I want to ask any one of them, if they ever had to march in the Speaker's office to go through your questions and your Motions and so on. You had that?

**Hon. Members:** Yes.

**Hon. Dr. R. Moonilal:** We will check that.

**Madam Deputy Speaker:** Hon. Member for Oropouche East, would you be needing additional time?

**Hon. Dr. R. Moonilal:** Yes.

**Madam Deputy Speaker:** Hon. Members, the question is that the speaking time of the hon. Member for Oropouche East be extended by 15 minutes.

*Question put and agreed to.*

**Hon. Dr. R. Moonilal:** Thank you very much, Madam Deputy Speaker. [*Desk thumping*] Madam Deputy Speaker, under this current Speaker, this Parliament has reached a stage where we have amended and revolutionized parliamentary practice and procedure. After two decades of trying, it is under this Speaker that we have amended the Standing Orders. The Speaker was Chairman of that committee. This Speaker ensured that greater facilities, greater opportunities, deeper opportunities, have been given to Members of the Opposition, and the Opposition never had it so good. I spent 10 years in Opposition—never had it as good as they have today—not to question Ministers alone, not to ask supplemental on questions, to question the Prime Minister, to ask supplemental on that, to speak, Madam Deputy Speaker, to ask something called Urgent Questions, which we get.

Today, you could imagine in the old days a Minister in Toco on business, and “yuh file” something called an Urgent Question and tell him in one hour get to Portof Spain Red House to answer? “Yuh cudda tell Cuthbert Joseph, Kamaluddin Mohammed and dem to do dat?”

Today, you have one hour to summon a Minister “whatever he doing”, and say, come to “de House”, we have something called an Urgent Question from a Member of the Opposition.

Today, the Prime Minister, second sitting of the House per month, comes here and takes 14 questions and 100 supplemental questions, and have to bare her soul to answer each Member, including the Member for Chaguanas West. That happened under the chairmanship of Wade Mark. [*Desk thumping*]

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Today, Madam Deputy Speaker—I do not want to read over the letter again—but the Standing Finance Committee, five days he came here from morning to night, allowed everybody to ask every single thing conceivable. They asked things about 500—the budget is \$60 billion, they asked about \$500 here. The Speaker said no, we have to go through this drill with everyone asking questions.

Today, Madam Deputy Speaker, the Parliament has been strengthened as a semi-autonomous unit. Today, we have several ongoing initiatives led by this hon. Speaker to strengthen the institution of Parliament, to improve the scrutiny of Parliament of the annual budget; that is today under this Speaker—never before. They have strengthened the outreach and communication programme of Parliament.

Today you see on the newspapers, the Speaker meeting children, carrying the image of the Parliament to the schools, bringing the children in here. This is all under the leadership of the Speaker of the House. He has increased the policy and the legal framework, intensified and deepened the policy and legal framework, to establish a functional autonomous Parliament.

Madam Deputy Speaker, our Cabinet has approved Notes from Parliament, dealing with strengthening their financial independence. It is the Speaker who has driven that initiative to make the Parliament almost an independent, financially autonomous department of the State. It is Wade Mark who did that. Today, you say he is suppressing and oppressing—“yuh suppressing and yuh oppressing”.

Today, if the Parliament has a comprehensive strategic development plan, and the design of a multi-year project document to support the implementation of that strategic plan, it is the work of Wade Mark. Some people sometimes find he takes the Office too seriously, eh, but it is his zeal—[*Interruption*]

**Dr. Gopeesingh:** That is the seriousness of the man.

**Hon. Dr. R. Moonilal:**—his seriousness, his commitment to that Office. He has strengthened the legislative functioning of Parliament; no Speaker before did that—with great respect to them. None of them did that. This Speaker, I am told, comes to work every day, eight to four, every single day, every day comes to work to administer over the business of the Parliament, as the head in that sense, administrative head.

They have implemented here a legislative information management system to strengthen legislative functioning, to give greater—you know, opportunities to Members to ensure that Parliament is, you know, effectively and transparently administered.

Madam Deputy Speaker, the Speaker has been in touch with the Government to ensure that every single thing that this House wants—whether you want, you know, laptop, you want iPad, you want this, you want that—that the moneys are there. The Speaker has taken a personal interest in the restoration of the Red House that we are going to restore the Red House and build the companion building.

So you look at the institutional strengthening of the Parliament, you look at the financial autonomy of the Parliament, you look at the greater resources for Members of Parliament, you look at greater opportunities for Members of Parliament, particularly in Opposition, to represent their constituents, to ask questions, to bring Motions—it is under the chairmanship of the current Speaker of the House. [*Desk thumping*]

And to come to the Parliament today and talk about this Speaker oppressing and suppressing. Look at these words—making them feel disadvantaged and oppressed. There are times when the Speaker ruled against the Government. Many people do not know because this is not your business to know, that Members on this side complain at times on certain rulings of the Speaker on certain positions, and I go as Leader of the House and leader of this team here in the Parliament, to speak, to go to the Speaker, to say, “Mr. Speaker, we have an objection to this. We have an objection to that.” Now, we do not write that in a book and put it in the press.

**Dr. Gopeesingh:** We do not file a Motion.

**Hon. Dr. R. Moonilal:** We do not file a Motion. But the Speaker conducts his business in a way that Members of Government and Opposition at times raise questions on decisions of the Speaker, which we ought to.

But today, you know, for this Member for Chaguanas West, to write two letters in high praise of the great Speaker using God’s gift to him, and then come today to bring this Motion, Madam Deputy Speaker, that is—[*Interruption*]

**Dr. Gopeesingh:** Hypocrisy!

**Hon. Dr. R. Moonilal:**—not hypocrisy, that is “ah neemakharam”, it means ungrateful, Madam Deputy Speaker. I mean, to do that is really—[*Interruption*]

**Hon. Members:** Unrighteous!

**Hon. Dr. R. Moonilal:** Unrighteous, Madam Deputy Speaker, and, you know, you should prayer more, yes.

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The Member for Chaguanas West to speak about, you know, the Member somehow on that one day, by doing that, caused that debate to fall, and he could not proceed, because the Member said he got something from the High Court. Whether it came for the coast guard on “ah boat” outside, whether it came from the air guard dropping it in the building, it originated from the High Court, duly stamped by the High Court and, therefore, its consequence would have been the same.

**Dr. Gopeesingh:** Sub judice.

**Hon. Dr. R. Moonilal:** The sub judice principle. The sub judice, “yuh didn’t know whey is dat”. And, therefore, Madam Deputy Speaker, the Member for—the Speaker came at the first opportunity and apologized profusely to the House, and today to use that one incident, not many, eh. I looked at this Motion, I studied it well—you know, the Motion does not say over a period of time there have been several incidents in which the Speaker has brought the House into disrepute, and brought indignity, over several years and okay.

Normally when you build a case against a Speaker, and we did that before, Madam Deputy Speaker. We built a case before. You build a case over two/three years and then you come, Motion of no confidence in the Speaker or Minister, so that you have several matters. This is a single issue Motion of no confidence, depending on this one issue, and the Member made a brilliant statement there when—I took note when the Member for Chaguanas West said, “he say, Madam Deputy Speaker, you know all over the world when you get a Motion of no confidence and so on, people have no faith in you, to avoid that, you normally resign”. Well, I do not know if the Member ever tried to avoid that by resigning. I do not know if the Member ever tried to avoid anything by resigning, but, Madam Deputy Speaker, this Motion is really ill conceived, and the Member should know better, because if the Member has developed this closeness to the PNM and the Member for Diego Martin West, they have also a history of parliamentary practice, they can advise, to say that on a single issue, it is not proper on the single issue—you must build a case over the years.

**Dr. Gopeesingh:** “Dey set `im up.”

**Hon. Dr. R. Moonilal:** Well, they probably set him up as well. And to speak about the personal life of the Speaker and to connect and so on, I do not know if that is proper, because the Member for Chaguanas West knows how the business of the State works. He has some experience in Opposition, and I think he also has some good experience in Government. He knows “properness” in the conduct of public policy. You know proper conduct.



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Today, I believe there are about 10 contractors in this country who are before the Integrity Commission, for giving money to a private individual because they were responding to a letter from the Ministry of Works and Infrastructure. The Member for Chaguanas West would have learnt from that example, bad example, but would have learnt how to conduct the business in a manner that keeps the sanctity of the Office.

Today, we are here to defend and promote the sanctity of the Office of the Leader of the Opposition, as we protect the sanctity of the Office of a Minister of Government. But Ministers of Government—one Minister in this administration, who is not here anymore, wrote a letter asking contractors to “gih dem money, and den tell dem make de money out in ah cheque to ah private person”. Ten of them are before the Integrity Commission today, 10 for doing that.

Today I understand there is a next party coming up, hosted by Better T&T.com and “dey gone back to de same contractors” asking for contributions of \$1,200, proceeds to the Better T&T.com Fund. I am asking the Member for Chaguanas West, who is this Better T&T.com?

**Mr. Imbert:** Standing Order 48(1), relevance. This has nothing to do with the Motion being debated.

**Madam Deputy Speaker:** Member for Oropouche East, I want to ask you, again, to stay with the recital of the Motion before the House, please.

**Hon. Dr. R. Moonilal:** Madam Deputy Speaker, I was merely showing the ill intent of the author of that Motion. [*Interruption*] I am not going to engage the Member for Diego Martin North/East. I will leave that to Emile Elias. [*Laughter*] Madam Deputy Speaker—yeah, he knows about court, he is a serial litigant.

### **3.45 p.m.**

Madam Deputy Speaker, as I wind up now, I want to indicate that in this Motion there is a direct reference—I mean, and it could go down in my own parliamentary history—there is a direct citation here to the Member for Oropouche East, and it says that:

“*And whereas...unprecedented...on January 23rd...the Speaker allowed the Member for Oropouche East to speak on the matter even though it had come to*”—a—“*premature end*”;

Madam Deputy Speaker, I want to say for the record, at no time did I speak on that Motion. First, there was no Motion to speak on; and, secondly, the *Hansard*

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will record—I do not have time to go through the entire *Hansard*, Madam Deputy Speaker, and to find my name. I can go through this *Hansard* now, find anywhere my name is and recite it again, but, on the adjournment I served notice of what we will do the next day. It was the national trust matter, a motor vehicle matter.

Madam Deputy Speaker, all I said was that permission was granted to the Member, the Opposition allowed the Member, they had several recitals, the Motion collapsed, and I was at a loss to understand what was happening. As you remember, it was a frenetic pace, I did not know what was happening. The Member for La Brea jumped up, the Member for St. Joseph “pull im dong”, Member for Chaguanas West leaned forward; other Members did not know what was happening. I wanted to find out what was happening, and I said this is an abuse of the House where a Member would get permission, would seek leave and be granted leave to move a Motion and the Member failed to move the Motion, on his own volition that led to commotion. [*Laughter*] The Acting Prime Minister from St. Augustine is encouraging me.

But I sought order. I sought order. The Member put in his thing here, I contributed to the debate. I contributed to the debate on what? Madam Deputy Speaker, I spoke in five lines here. I said, “This is an abuse of the House”, and then the Speaker got up, he said, “Listen, this debate has come to a premature end. Leader, move for the adjournment, please”, and invited me to adjourn. At which point I called on the Leader opposite to give us, you know—I indicated the order of business, sorry. So, how did I get in this Motion? What it is about me that you want me to be in this Motion here? I am not in this Motion. I have no role here.

Madam Deputy Speaker, I have no role, unless you thought I was another catch of the day that somehow, you know, you would make me another catch of the day and try to fry me, because the Member is, you know, dealing with food these days. I saw a newspaper published poor Member for Caroni East gone somewhere for lunch—“I doh know if he is a bachelor or not, he walking home with a little thing ah—gingerly holding some roti and aloo and some “anchaar” and thing, snap he picture and put it on the front page”. But, you see, Madam Deputy Speaker, he is now going home with a piece of aloo, channa, or something.

Madam Deputy Speaker, for two years they are flinging mud at us, when no mud stick, they now want to fling curry. [*Laughter*] So the Member for Caroni East was exposed. His menu was exposed.

My constituent want to give me 25 pommecythere, “dey fraid to gih meh dat now”. Like “dey fraid dey put it in ah bag and de Member”—the Member for

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Chaguanas West has really fallen, eh. How the mighty has fallen, from the great travels across the world on private jet now to inspector Clouseau, hiding behind a tree with a camera taking picture of Ministers. [*Crosstalk*] Madam Deputy Speaker, the mighty has fallen, and I—[*Interruption*]

**Madam Deputy Speaker:** Wind up, Member.

**Hon. Dr. R. Moonilal:** Yeah. Thank you very much.

So, Madam Deputy Speaker, I want to state in closing that I condemn this Motion. I believe that the Motion is driven by ill will on the part of the author. Madam Deputy Speaker, on this side, we resolve to have all confidence in the Speaker of the House of Representatives, Wade Mark. Thank you. [*Desk thumping*]

**Madam Deputy Speaker:** Member for Diego Martin West. [*Desk thumping*]

**Dr. Keith Rowley (Diego Martin West):** Thank you very much, Madam Deputy Speaker. Madam Deputy Speaker, this Motion, notwithstanding the joviality and the frivolity of the response of my colleague from Oropouche East, this is a very serious Motion. Whatever the hon. Member said about the relationship within the UNC, past, present, or even the future, I simply want to say that they do not speak for the PNM, and had this Motion not been filed by the Member for Chaguanas West, it would have been filed by a Member of the PNM Opposition, [*Desk thumping*] because today we heard a lot of the innards of the UNC, the pre-Warner, the post-Warner period, who have CEPEP contract, who sister, who wife, who “nennen”, who “naana”; we heard that today, I do not have time to go there. We simply had an insight into that.

I want to focus on what happened here on January 23, and for the benefit, not for those on the other side, Madam Deputy Speaker, but for you and others in the country, who want to pay attention to what happened here on January 23, let me point out what happened here.

The Speaker of the House approved a Motion, such Motion, if allowed to be debated, had the potential to embarrass the Minister of Finance and the Economy for actions taken at an earlier time, and his suitability to hold the position of Minister of Finance and the Economy was in question. That was the substance. The Speaker approved that Motion.

Let me say, before I go any further, that a lot of what has had been said by the Member for Oropouche East about the good qualities of the Speaker, Mr. Wade Mark, I can substantiate that, but that is not what is in front of us. To come here

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and say that he did all these wonderful things and, therefore, he cannot be held accountable for what he did on January 23 is absolute hogwash. [*Desk thumping*]

Richard Nixon, American President, opened up China to the US, one of the greatest actions taken by an American president, but when he got involved with Watergate he had to account for his actions in Watergate. He could not hide behind going to China. So, to come here today and tell us that because the Speaker can be said to have done some good leadership work with the parliamentary reform, and to go as far as to say it is all about the Speaker—first to begin that is wrong, because the parliamentary staff and the Opposition and the Independents, we all took part in this reform process. So, to ascribe it today to the Speaker and say, well, okay, he did all of these wonderful things all on his “own some” and, therefore, we could turn a blind eye to what happened on January 23 is just complete hogwash.

What the Speaker did is that he made a ruling in a particular way and that ruling has the potential to destroy accountability in Trinidad and Tobago if it is accepted the way it is. The Speaker made a ruling which, if taken at face value and in its operational extent, would say that any Member of Parliament who is challenged in the House, even to the level of a Motion of censure, can simply go to the court, file proceedings and then the Parliament is not able to debate the matter and in fact censure the Member. That is the effect of that, because if, as the Speaker had ruled that day, you cannot engage a matter which is in the court, then every Member of this House: Government, Opposition, Minister, Parliamentary Secretary, whoever you are, you are now no longer able to be examined by this House for any action for which you might be held accountable.

You see, in the particular instance, the lawsuit that was filed in the court was filed in the context of something that was published in a newspaper. Madam Deputy Speaker, you would know, as I know, that most Members of Parliament get alerted to what is happening in the country from what is published in the newspaper or what you see on television, or what you hear on the radio, because that is where the population is. And you might hear something on the radio, you go and you investigate it, and you say, this is a matter for the Parliament. You might read something in the newspaper, this is for the Parliament or you might see it on the television.

So, if any Member of this House could, on the basis of going to the Parliament to examine or to censure a Member of the House, and that Member could go and sue the member of the media, and a lawsuit then exists, whether he is a TV reporter, a radio announcer, or an columnist in the newspaper, once that suit is

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filed, the Member can no longer be examined by the House. That is the effect of the ruling that the Speaker tried to impose on us here, and for all that has been said so far by my colleague from Oropouche East, they are skirting around the seriousness of that issue. If this country accepts that because he has done good work in the parliamentary reform, for which he should be given credit, then what we are accepting is that from here on in Members of Parliament are beyond the examination of the Parliament.

You know why I am particularly aggrieved about this? It is because I know that the Speaker knows better. I know that, because, you see, Madam Deputy Speaker, I crave your indulgence to go to the record of the Parliament of Tuesday, March 15, 2005, when the very Wade Mark, at the time Leader of the Opposition Business in the Senate, had a ding-dong battle with the Chair over this issue of sub judice and speaking in the Parliament when a matter was in the court. Let me take a couple of minutes to go down the conversation and tell you how it went so you could know that when he ruled here on January 23 it was not any accident, it was not any inadvertence, it was not any ignorance of the situation, it was after a 10-year experience of sub judice involving him in the House. So, he knew exactly how sub judice should be applied in the House, and, therefore, I am talking about March 15, 2005, and this is Mr. Mark speaking there:

“Mr. Vice-President, with your leave, I want to quote extensively from this particular article...*Sunday Guardian*...”

We heard this evening my colleague from Caroni East getting up and trying to stop the Member for Chaguanas West from quoting from a newspaper because he was somehow wrong. Somehow wrong. I have been in this Parliament for over decades and you are always free to quote from newspapers in making your case in the House, but this evening he got up here, challenging the Member for Chaguanas West, saying that he could not quote from the newspaper.

In a Motion of censure there is no imputation of any motive, you are free to examine at will to the fullest extent to the perimeter, but getting up here this evening, talking about imputing improper motives. That is why it is a Motion of censure, to allow you to impute if you have to impute, but for those who do not know, they are giving the impression that something is being done wrong. Right. Therefore, he was quoting there from a newspaper and he went on to fight the Speaker, fight the Chair, and to quote him:

“Nah, Nah, you are talking nonsense, nonsense.”

Quoting Mr. Wade Mark, and this went on. I quote here:

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“Sen. Mark, in response to your question, I am not absolutely sure but, I think, that is the subject of a court matter. Is it not?”

The Members said:

“Yes, it is.”

“This is a public document, Mr. Vice-President, you are wrong.”

The Vice-President:

“The contents of that article are going to bring into question the matter that is before the court and you should not use it.

No, Sir”—you are—“wrong...In another place, the Speaker ruled that”—it—“could”—be—“read.”

And he went on and he fought the Speaker, accusing the Chair there of stifling his rights, and he waged a war, which I do not have time to go into, but, suffice it to say, that he so fought this issue that an Independent Senator had to ask for a recess to examine this question of sub judice because Mr. Mark will not accept the ruling of the Chair about a matter being in the court and, therefore, he could not examine it in the House.

Sen. Prof. Ramchand, asking the Chair for a 10-minute suspension to consider the matter, and strangely enough, you know, it happened. In the Senate where he was the Leader, he had the floor, he was challenging the Chair. It was granted.

#### **4.00 p.m.**

Our Parliament went on suspension and dealt with the matter, and then after he came back, I am quoting Sen. Mark here:

“Mr. Vice-President, we had a discussion on sub judice. I think Sen. Dana Seetahal is here. We have raised this question about sub judice. The Attorney General has a different interpretation of sub judice...”

And he went on to fight the Chair over being stifled on that interpretation of sub judice. In the end—Mr. Vice-President is speaking here now, he said:

“Hon. Senators, first of all, I would like to apologize for taking a lengthier period than the 10 minutes that I had announced, but I decided that I would have full discussion on the matter before the Senate when the suspension was taken. I met with the Leader of Government Business and the Leader of Opposition in the Senate, and after discussion with them, I sought further discussion with Sen. Dana Seetahal and the Attorney General. To make this

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very short, after full discussion—taking everything into consideration—the decision is to allow Sen. Mark to refer to the article by reading, of course, but he should refrain from interpretations that will have the likelihood of affecting any outcome in the matter before the court.”

So Sen. Mark was educated on sub judice in a matter that he fought in the other place. It is part of our parliamentary record. That was 10 years ago when he was Leader of the UNC in the Senate.

Then in 2013, when I was on the floor of this House, he was in that Chair, listen to how he dealt with a matter of challenge of sub judice. Mr. Roberts challenged me on sub judice. Here is the Speaker Wade Mark, I quote him:

“I am listening to the hon. Member very closely. When I believe that he is going too far as it relates to the sub judice rule, I am very familiar with the case, I will advise accordingly.”

So he knows how to handle sub judice rule in the debate. But the day when the Member for Chaguanas West came here with that Motion of censure on the Minister of Finance and the Economy, the Speaker took the position on that day, notwithstanding what happened before. On that day he took the position that in the most stentorian and schoolmasterly attitude, to engage the House in what I will tell you was an act of deception, an act of intimidation and an act of protection to bias. [*Desk thumping*]

We had the unprecedented situation of the Speaker setting out a virtual chastisement of a Member who was about to rise, who had the floor, on a Motion that he had approved. I put on record today that my interpretation—does not have to be agreed to by my colleague on the other side—was that it was meant to intimidate the Member. [*Desk thumping*]

I am the most experienced person in this Parliament by length of years, after my colleague from San Fernando East. I have been here for decades, and when I sat here and we came to the point where the Member for Chaguanas West had the floor, I was surprised to see the Speaker getting up and giving these scoldings, but I listened. When the Speaker specifically said that he received notice from the High Court, I got very concerned, because something was developing here which was quite novel. I asked myself: What is the High Court doing sending notice to the Parliament, in the context of a debate that is on the floor in the Parliament? This is unusual, it is improper and it is unacceptable. This, as far as I understood it, was an encroachment on the privilege of this House.

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I did the unusual; I stood up then and asked the Speaker to clarify for me what he was saying, and secondly I warned the Speaker that if the line that he was taking is pursued with, it could have the effect of ensuring that Members of this House could escape scrutiny because a dangerous precedent was being set. The Speaker failed to be advised; he continued on the line he was going. Five times in there he sought to convince us that what he was doing was acceptable, and spoke about some comity between the two arms of the State, because it had now reached the point where the Speaker was explaining how two arms of the State were clashing over a debate in this House.

Madam Deputy Speaker, “comity” is not a word I use very often, but after that happened I went home and I went to my Oxford Dictionary to find out exactly what my understanding of “comities” as against how the Speaker used it five times in two minutes. Oxford Dictionary:

Comity: It means kindly and considerate behaviour towards others.

The next description is:

Comity of nations: It is described as the courteous and friendly understanding by which each nation respects the laws and usages of every other, so far as may be without prejudice to its own rights and interests.

I want to repeat that. In comity among nations—and in this case the two arms of the State—that comity exists only insofar as it is accepted “without prejudice to its own rights and interests”.

My friend, the Member for Oropouche East, quoted Malhotra and the Indian Parliament. If he had gone on quoting long enough, he would have found a portion which says that the primary responsibility of the Speaker is to protect the privilege of Members of this House. On that day, the behaviour of Speaker Wade Mark raising comity and using the sub judice rule to shut down the debate in the way he did, and scolding the Member and intimidating the Member. He was not protecting the privilege of this House, he was damaging the privilege of a Member of this House. [*Desk thumping*]

Madam Deputy Speaker, if an officer of this House can be shown to have done that, then the decent thing for him to do, matters not what his previous record was, that serious offence requires that he take his exit from this House. [*Desk thumping*] Without that privilege this House is nothing, and the people then become exposed to the tyranny of the State. We take these things lightly; I will come back to that in a moment.



So how did he do that? The Speaker deliberately set out to mislead the House. When he said, “I received notice”—I heard my friend today struggle to tell us that any court document with a court stamp is notice. Who does he think he is talking to, to tell me that any court document with a court stamp is notice, and then the Speaker of my Parliament, of our Parliament, is free to say, “I received...notice”. When I heard that statement of notice, I took that to mean that somebody in the High Court in authority, probably the Chief Justice or somebody acting on his behalf, had penned correspondence to the Speaker in the context of this comity that he belaboured.

Comity—five times he talked about comity between the House here and the Judiciary. And then talks about notice, I am now to expect that there is correspondence from that Chamber to this Chamber, and there is no other interpretation to that. The Speaker deliberately used that, so as to use that imprimatur of the Judiciary, giving the impression that a warning has been sent to this House by the Judiciary and therefore be careful how you debate this matter.

The Minister of Finance and the Economy sat there, with his head down in his paper; would not look up at all, because he knew it is he who had sent a correspondence to the Speaker, a one-liner—one line, “enclosing legal documents”. If the Speaker cannot read a one-page document expressed to him from the Minister of Finance and the Economy, signed Larry Howai, and he interpreted that to come to the House and create this crisis, where we are all led to believe that the Chief Justice or his department sent correspondence to this House, cautioning this House about a debate that is about to take place. If that is his level of competence, then, of course, he is in the wrong job. But I know for a fact that he is more competent than that.

Today, my opinion putting on *Hansard*, is that the Speaker deliberately set out to deceive the House. [*Desk thumping*] That deception had a purpose. It was meant to intimidate the Member, and the Member was to be intimidated so as not to act in any way to embarrass the Minister of Finance and the Economy, so it was protection with bias, and those are serious consequences.

I heard my friend today say, “Well, let us build a case; let it happen four, or five or six times”. Some offences can only be tolerated once, and this is an offence so serious—[*Desk thumping*]—this is an offence so serious, that the implications are so grave, that much as I have a lot to say about the Speaker’s good work prior, I cannot tolerate this more than once. This Speaker has offended this House so gravely, that the only decent thing for him to do is to accept that he has been discovered, has been discerned, and take his exit. [*Desk thumping*]

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Madam Deputy Speaker, so he got notice, and then he went on to say “a few hours ago”. Anytime you speak to anybody on any day and you speak about “a few hours ago”, you are speaking about an action of that particular day. That is what that phrase means; that is what the context of that is. If I meet you and I say “A few hours ago I said so and so”, a few hours ago means “a few hours ago today”. That is the interpretation of the English language. But the Speaker did not receive that correspondence from the Minister of Finance and the Economy on January 23. He received it on January 22nd.

**Hon. Member:** What! A day before?

**Dr. K. Rowley:** Instead of coming clean and saying, “Yesterday I received this”, but he wanted the force of the urgency of this action from the High Court, this notice which “I have only just received”. The Speaker knew what he was doing, and he deliberately set out to create that sense of urgency. [*Desk thumping*] And in building a case for his general misconduct, he went on to say, “Had I known when I approved this, I would not have approve it”. Well, he received the Motion on December 30; he approved it on the January 05. He said twice at least in that discourse that he carried on with, while the Member was sitting there being intimidated, “Had I known I would not have approved it”, well he could not have known, because it did not exist. On January 05 there was no lawsuit. The lawsuit was filed on January 16.

So when the Speaker comes and sits in that chair and gets up here and tell us, in his best stentorian voice and his most schoolmasterly style, wagging of finger and all, “Had I known” and went on before and said, “I would have denied this Motion”. At the time when the Motion was filed, there was no lawsuit. It is the Member who was exposed to the examination of the Motion, who then went to the court on January 16 and filed a Motion, and the Speaker was taking notice of something subsequent to his approval, and then came here and did that.

In fact, the Minister of Finance and the Economy said the most amazing thing. The press went to him very early, when it became known that some newspaper had published some story about the Carlton Savannah, and they asked him about it. Do you know what he said? He said, “It is kind of sub judice.” [*Laughter*] What is kind of sub judice? A young girl going down the road, she is kind of pregnant. She is not really pregnant, she is only “kind of pregnant”.

So the Minister of Finance and the Economy responded to the media on a serious matter, where his conduct and a state bank and state assets are in serious jeopardy, and the best he could have said to the media then, is that “It kind of sub

judice”. So while it was “kind of sub judice”, it went on to become a Motion in the Parliament because serious public business was involved.

Mr. Speaker himself on January 23, pointed out that one of the conditions where a matter could be discussed when there is a court matter pending, is if the matter clearly related to a matter of general public importance. Madam Deputy Speaker, as I speak to you now, taxpayers who own FCB, under the Minister of Finance and the Economy’s tenure and watch, loaned hundreds of millions of dollars to citizens against an asset, so the exposure I think is \$430 million. Last week they tried to sell it for \$120 million and the buyer did not show up. [Interruption]

**Dr. Gopeesingh:** Madam Vice-President, 48(8), he is raising the conduct of a Member of the Senate and he does not have a substantive Motion.

**4.15 p.m.**

**Madam Deputy Speaker:** Member, please. Please. Please. You have strayed a bit, Member, and I want to ask you to come back to the Motion that is before the House.

**Dr. K. Rowley:** Madam Deputy Speaker, I am not engaging with the imputation of any motive to anyone. I am stating a statement of fact. That undisputed statement of fact is that taxpayers are exposed at Carlton Savannah, where FCB is exposed to the tune of over \$400 million in an asset and— [Crosstalk]

**Dr. Gopeesingh:** 48(8), Madam Deputy Speaker.

**Madam Deputy Speaker:** Requesting in the conduct of a Member who— someone who does not belong to this House at this point in time. [Crosstalk] I want to ask you please, please, please, Member for Diego Martin North/East, please. [Crosstalk] Member for Diego Martin West, I want to ask you—you were going well all the time. You were doing well, and I want to ask you to stick with what is before the House which is a Motion in the name of the Member for Chaguanas West. You may continue.

**Dr. K. Rowley:** Madam Deputy Speaker, if you listen to what I am saying [Crosstalk] I am asking you, I am not—I am saying in the context—please, Madam Deputy Speaker. [Crosstalk] Speaker Wade Mark on January 23 gave us one of the bases on which the sub judice consideration does not stand and the House is allowed to proceed, and he said if the matter is clearly related to a matter of general public importance. I am simply demonstrating that the Carlton

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Savannah situation qualifies under general public importance. [*Desk thumping*]  
That is all I am doing.

**Miss Mc Donald:** That is right. He is showing the nexus there. [*Crosstalk*]

**Dr. K. Rowley:** Madam Deputy Speaker, may I proceed?

**Madam Deputy Speaker:** Member for Port of Spain South.

**Dr. K. Rowley:** May I be protected from the Member for Caroni East?

**Madam Deputy Speaker:** Member, you may proceed. You have a few minutes again.

**Dr. K. Rowley:** Thank you very much. So you see, Madam Deputy Speaker, I do not have time to go into all these details, right, because my time is running out, but I will tell you one thing. There are those who believe that the Office of Speaker is not an important office. My friend gave us the extent to which it represents the ethos of the Parliament and the country's freedoms enshrined in that Chair. But let me just go—how much time do I have left, Madam Deputy Speaker?

**Madam Deputy Speaker:** You finish at 4.19.

**Dr. K. Rowley:** Oh! Okay, 4.19—Could I indicate at this stage that I will ask for the extension.

**Madam Deputy Speaker:** You finish at 4.36.

**Dr. K. Rowley:** Okay. You see, the Speaker is such an embodiment of these rights—as correctly described by my colleague from Oropouche East—that when there are breaches there, the fracture could be disastrous. Let me demonstrate right here in the Caribbean.

There was an election last week, I think it was in St. Kitts and that election resulted in some serious disquiet, not just in St. Kitts, but for two or three days, serious disquiet across Caricom. It resulted at the end of a general election with the people of St. Kitts taking to the streets, and for about 12 hours it appeared as though there could have been serious disturbances in St. Kitts. When these things start, they have a way of spinning out of control.

Madam Deputy Speaker, are you aware that the problem in St. Kitts started with the Speaker? Are you aware of that? Let me explain for the benefit for Madam Deputy Speaker and the rest of the country. Because I am not talking to my colleagues on the other side. They have made a career of supporting wrongdoing. [*Crosstalk*]

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**Dr. Moonilal:** 48 everything. You cannot talk like that. I mean, come on.

**Madam Deputy Speaker:** Improper motives, Member.

**Dr. Moonilal:** You know better than that.

**Madam Deputy Speaker:** Please. Speak to me. Speak to me. Speak to the Chair.

**Dr. K. Rowley:** I apologize. Let me rephrase that. They have made a career of pretending. [*Crosstalk*] Madam Deputy Speaker, tell the Member for Chaguanas East, if he wants to discuss 17-year-olds, “ah” could meet him outside, but in here today we are discussing serious State business.

Madam Deputy Speaker, the problem in St. Kitts that almost came to an explosion last week after a general election, started with the Speaker in the Parliament. The Opposition filed a Motion of no confidence in Government requiring that the House meet and debate that Motion, and if the Motion carried, the Government falls and they go to a general election.

**Madam Deputy Speaker:** I presume, hon. Member that you would be taking additional time? Yeah?

**Dr. K. Rowley:** Yes, Madam Deputy Speaker.

**Madam Deputy Speaker:** Hon. Members, the question is that the speaking time for the hon. Member for Diego Martin West be extended by a further 15 minutes.

*Question put and agreed to.*

**Madam Deputy Speaker:** Hon. Member. You may continue. [*Desk thumping*]

**Dr. K. Rowley:** Thank you, Madam Deputy Speaker, and I thank my colleagues for the extension. Yes, I was saying—so the Opposition filed a Motion of no confidence in the Government, and incidentally the Government had lost some Members to the Opposition and by original expectation, it appeared as though the votes against the Government would have been greater than the votes that the Government could have mustered. So, a Motion of no confidence was filed. You know what happened? The Speaker of the Parliament of St. Kitts, acting under whatever guidance or whatever fit of madness, flatly refused to summon the Parliament, issued no notification for the Parliament to be convened, and that went on for two years in a Caricom country. The Speaker flatly refused, with the encouragement of the Government, not to summon the Parliament.

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In the meantime, the Opposition went to the court and court matter after court matter, the Government using taxpayers' money, fighting on behalf of the Speaker, and his matter of the Parliament not being summoned. This went on all the way to the Privy Council.

When the Government finally summoned the Parliament, you know what they did? They called the Parliament with virtually no notice, advising only Government Members. Government Members appear in the Parliament; they pass a law to change the boundaries for the elections; the Parliament was dissolved the same day and election was called—all in one package. Right here in Caricom, starting with an errant Speaker who protected a Government that could do a thing like that.

That matter was taken to the Privy Council while the campaign was going on. With days before the poll, the Privy Council ruled that the passage of that law to change the boundaries was improper and that the old boundaries must be used for the election. That was how the election was conducted, and then the results started coming in, and the Government lost. By the time six seats were declared at the level of the constituency, and it was then known to those who were following it like myself—that the Government had lost—you saw what happened? The head of the election commission disappeared.

But before that, one of the court matters had a ruling from the court which was supposed to go to the Governor General so he could accept the court's ruling and not sign into law the changes of the boundaries that the Parliament passed in those strange circumstances—the Governor General went missing, until such time as he signed the parliamentary proceedings. And then when the court order came it was too late, he had already signed off on what happened in the Parliament with those changed boundary changes—right here in Caricom. All of it done on the basis of a behaviour of the Chair in the Parliament.

So when we get here and tell you that that ruling of the Speaker on January 23, if left unchallenged could have serious consequences in Trinidad and Tobago—we are not just saying that because we want to hear our voices, you know—we are pointing out a serious danger that a particular interpretation of the relationship between the court and the Parliament, if allowed to stand and if the Speaker's intimidatory tactics are allowed to stand, that Parliament as we know it in Trinidad and Tobago may never be the same again. That is what this Motion is all about.

The Member of this House who put us in this situation—I heard this evening for the first time that the Member has some interest, some interest with who has

CEPEP contracts and whatever—I do not know. I heard that for the first time this evening. But could it be, could it be that that strange behaviour of the Chair would have been influenced by some desire on his part to protect the status quo, because the status quo provides contracts and appointments and whatever else? But the Speaker is our Speaker. He is not their Speaker.

When they were writing among themselves, he quoted today from my colleague from Chaguanas West. [*Crosstalk*] The Speaker was referred to that he is on our side. Well we never knew that. We always thought that he was our Speaker. [*Crosstalk*] We did not know that he was their Speaker. And all that effusive description of his coming into nirvana, that was in the context that the Speaker was theirs. That is how they have been running the country.

If today they vote to support the Speaker in this blatant wrongdoing, where I am saying today to the people of Trinidad and Tobago in this House, that the Speaker spoke a deliberate untruth to this House so as to intimidate a Member, and the end of it, at the end of it, what was the outcome? That the matter was not debated. And they all hugged themselves and laughed and that pat themselves on the back and go down—they thought they had scored a victory. But maybe they had scored a victory, but the people of Trinidad and Tobago would have lost because they never heard what was happening with their asset at Carlton Savannah and [*Desk thumping*] they were never in a position to make their judgment as to whether the Minister of Finance and the Economy is an appropriate person to be holding the purse of the Treasury. [*Desk thumping*] That is what would have happened, and the losers were the people of Trinidad and Tobago. [*Desk thumping*] For that, they cheered themselves on.

Well they could speak with as much aspersions as they want about their former colleague from Chaguanas West. To us here in Trinidad and Tobago, he is a Member of this House deserving of the respect of any other Member of this House. [*Desk thumping*] Because the people of Chaguanas West sent him here, and we treat him with the respect that he deserves.

You see, Madam Deputy Speaker, this Motion, we gave way to it because the tradition in this House is that a Motion of censure, for good reason, takes priority over other business. If a vote of no confidence is filed in the Prime Minister or the Government, in Trinidad and Tobago we do not expect a Kittitian behaviour. We expect that the Chair will accept that Motion and we will come to this House and we will debate it, and if the Government has the majority, the Motion is voted down and the Opposition you could say is defeated, but at least what would happen is that the content of the Motion would have been ventilated. If

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Government can marshal its troops to vote down the Motion, that is democracy in our Parliament. But to not have the Motion is very Kittitian. We do not expect that in Trinidad and Tobago. But the Motion must take priority. Then this Motion of no confidence is in the Chair and therefore, it takes priority over any other Motion because the Chair starts the business.

When a new Parliament comes into being after an election, what is the first action of this House?—to elect a Speaker. No other business can be conducted until a Speaker is elected. So it is with a Motion of no confidence in the Speaker, that Motion could not be allowed to lapse or to lag while other Motions are being debated.

On that basis, we of the PNM have no shame and no apology for anybody for seconding this Motion. We second this Motion, because it is the proper parliamentary procedure under Westminster. [*Desk thumping*] Our position is very clear, because had this Motion not been seconded, you would have heard from the Member who presented the Motion, and there would have ended the lesson. It would have suited them for that to happen. It would have suited them, but it would not have suited the people of Trinidad and Tobago. Let the Motion be debated. I am asking and I am hoping that this Motion goes to a vote today, so we can express ourselves as to whether we are satisfied with the Speaker remaining in the Chair. As far as I am concerned, speaking as leader of the PNM and the grave development that took place here on January 23, we have now lost confidence in the Speaker, who had been doing quite well, but on this occasion he has done enough to be removed from office.

I end on this note—a few years ago I spent a lot of time in this Parliament talking about corruption and Piarco Airport, and a commission of enquiry was in the offing when the Government changed. Because we promised the electorate, vote us into office and those who were hiding the Piarco Airport developments, if you vote us into office we will have a commission of enquiry into it, and we would find out what went on there.

A very senior lawyer acting on behalf of the interested parties in the Piarco Airport came to me and said to me very much like the Speaker that that cannot happen because people have been charged and therefore, you cannot have a commission of enquiry. And I said, oh?

**4.30 p.m.**

And I said, oh, so the Parliament cannot examine what happened with the public asset at Piarco because somebody has been charged in some matter? And



the lawyer said, yes, that cannot happen. And I said, well, you go and do what you have to do as lawyer and I will do what I have to do as Parliamentarian, and the history will show that the charge to which we should have deferred and not have any enquiry is still going on. It never came to an end. But, the commission of enquiry has been completed, and the public found out how Piarco airport saw the raping of the Treasury and persons have gone to jail over that matter. So, advice from the interested parties are not in the best interest of the people of Trinidad and Tobago.

Madam Deputy Speaker, it is with a sense of sadness that I prosecute this case against Speaker Wade Mark, who I must say has done some good work, but like a cow that gave a pail of milk and kicked it down, Speaker Wade Mark has failed us, the farmers of this country. He has to leave this office if the dignity of this House is to be preserved.

I thank you, Madam Deputy Speaker. [*Desk thumping*]

**Madam Deputy Speaker:** Hon. Members, it is an appropriate time for us to have some tea, so this sitting is now suspended to 5.05 p.m.

**4.32 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

**The Minister of Science and Technology (Hon. Dr. Rupert Griffith):** Thank you very much, Madam Deputy Speaker. It is a pleasure to be given the opportunity to enter this debate on this very important and significant debate.

So far what we have heard in the debate, one can only wonder, particularly the speech of the last speaker, that he was still in a remnant of “bazodee” state.

**Miss Mc Donald:** A remnant?

**Hon. Dr. R. Griffith:** Yes, a remnant of “bazodee” state. Because, clearly, the incoherence he made and some of the misinformation he provided, clearly, the effects of that “bazodee” are still prevailing.

So, Madam Deputy Speaker, I want to take this opportunity, really, to put this matter in its proper perspective, because this actually is a non-Motion. It is a non-Motion. If you read the preamble to the Motion you would see that it is not really a Motion before us. Yes, maybe it is presented and seconded, but indeed it is not a Motion because the recitals do not really relate to the resolution, and that is probably where we can start.

But, Madam Deputy Speaker, you will recall that during the period 2001 to 2002, I had the honour of holding the Office of Speaker of the House, and in another

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prior period I was also Deputy Speaker. Therefore, it is with some authority that I make my contribution here today.

Madam Deputy Speaker, my experience from both of these stints served as useful lessons today in my role as an MP, and more so on the occasion such as this, when the important work of this Parliament is being subverted on the grounds that they are clearly frivolous, vexations and lacking in any merit at all. Hopefully, my contribution will shed some light in the darkness emanating from the other side. At the very best it will educate and enlighten so that they see the folly of their ways in this House today.

As such, permit me to remind this House that the constitutional requirements to be appointed Speaker of the House were met by the incumbent, and I want to assure Members that this status quo has not changed. There is no need to repeat those requirements, but suffice to say that the incumbent has not renounced his citizenship, he is not bankrupt, and he has not been convicted on any crime. Much less, and that would preclude him from holding office. Neither in the courts of the country nor the courts of public opinion.

Madam Deputy Speaker, I want the Members on the other side to take note, especially those of you who think that you can hijack—I repeat the word “hijack”—or abuse Parliament and make it into a political platform because your own platform has imploded. At the end of this debate today, hijack will soon turn into what is called “hang jack”.

**Miss Mc Donald:** Madam Deputy Speaker. Sir, could you—

**Hon. Dr. R. Griffith:** Sure, what is the Standing Order?

**Miss Mc Donald:** No, just for clarification, could you tell us what document are you reading from—you are quoting from, if you could tell us? [*Laughter*]

**Hon. Dr. R. Griffith:** That document is my document, Rupert T. Griffith’s document. Do you have a problem with that?

Madam Deputy Speaker, for five years the Speaker had run this honourable House with a firm and fair hand, dispensing rulings in a just and equitable manner, and has upheld the highest standards of integrity and independence, and this was admitted by the very mover of the Motion. But, you see, with the hon. Member for Chaguanas West, yesterday is yesterday and today is today, and he changes just as his words mean, yesterday is yesterday and today is today. So, this is what makes his Motion today frivolous, vexatious and without any merit.

Madam Deputy Speaker, he has done so—the Speaker has run this house with the dignity and decorum that the honourable House deserves. The kind of sterling

performance did not come by guess or “vaps”. The House, and in particularly the Members on the other side, would do well to note that the foundation for this was laid in the 20 consecutive years that the hon. Speaker served in the Senate and also indeed in this House. He has served this Parliament prior to being appointed Speaker. Speaker of the House of Representatives, and I repeat it, the Speaker is one of the longest serving Senators for a period of 20 year. He served from 1990 to 2010. Some of my learned friends from the other side were still in school when this Speaker was already serving this country in the Senate.

Madam Deputy Speaker, that vast experience has been amply borne out during what has been a distinguished term as Speaker which started in 2010. Such is the role of the Speaker of the House in a Westminster system. The Speaker is the presiding officer who is charged with maintaining order and discipline. He does not take part in the debate; rather, his job is to facilitate the debate and the discourse within the parameters of the Standing Orders, and traditions of the Parliament. He is compelled to be non-partisan, to be balanced and, moreover, must be perceived as such, indeed.

Indeed, the records will reflect that a substantial number of Motions raised have been settled in favour of the Members of the other side. Further, Members would agree that at every sitting of this House the Speaker has afforded protection and privileges to all Members, an even balance in his deliberations, so much so that in the last five years there has not been any complaint or protest about his stewardship. It is thus difficult to comprehend, Madam Deputy Speaker, how these very Members can now make an underlying allegation that the Speaker has acted to show favour to the Government Benches. How then could they arrive at that?

Madam Deputy Speaker, listen carefully to some of the key initiatives identified in the strategic plan that this Speaker has so eloquently crafted. Some of the elements of the strategic plan is strengthening the role and positions of parliamentarians. Why would the Speaker include this in the strategic plan if he will discriminate or undermine those on the other side? He is not doing that just for the Government side, but he is doing it for the benefit of all the Members of Parliament.

### **5.15 p.m.**

The strategic plan also includes strengthening the committee system so that it could be more effective. It also includes developing the capacity and professional skills of MPs, not only on the Government side, but all MPs in this House.

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The plan, Madam Deputy Speaker, of this Speaker is one of particular interest and this is my interest. This Speaker of all has moved this Parliament to the state where it has become very much a paperless Parliament by the introduction of ICT and several items to minimize the use of paper. In the Motion of censure filed by the Member for Chaguanas West and Political Leader of the Independent Liberal Party against the hon. Minister of Finance and the Economy, which was the genesis of this Motion today, Madam Deputy Speaker, the hon. Speaker of the House acting in capacity as the vanguard of parliamentary privileges, prudently acted in accordance with the tenets of the Standing Orders. And that Standing Order is Standing Order 49 which, for the benefit of this House, I will remind those on the other side. And that Standing Order 49 simply reads, and I quote:

“Subject always to the discretion of the Speaker and to the right of the House to legislate on any matter, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that—”

Madam Deputy Speaker, the sub judice rule is:

“(a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;”

It also relates to:

“(b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and

“(c) the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.”

And that is the rule that the Speaker sought to implement in this House and that is under Standing Order 49.

The cautionary approach that was undertaken by the hon. Speaker of the House was so done out of fastidious dedication to the effective performance of his duties. And albeit, notification of the litigation procedures did not emanate from the Judiciary, once the matter was brought to his attention, the Speaker of the House was duty-bound, and I repeat, duty-bound not to turn a blind eye but to pay deference to the sub judice rule. And that is what the Speaker sought to do.

In fact, the hon. Speaker of the House is to be lauded for the exercise of his impartiality and dealing with the matter as he exercised his direction and his discretion as Presiding Officer and permitted the debate on the Motion to commence by the Member for Chaguanas West.

Madam Deputy Speaker, the Speaker really extended an opportunity for the hon. Member for Chaguanas West to present the debate having warned him about the sub judice rule in Standing Order 49 of this House. But it is the Member for Chaguanas West who really botched the whole Motion. First of all, there was no Motion before the House, because it was not seconded, but notwithstanding that, it could have been stopped at that point but notwithstanding that, the Speaker allowed him to make some comments. And as he entered his debate he was clearly contrary to the recitals of the Motion, clearly contrary to that. And when the Speaker called him to attention, what the Member chose to do, was to end the debate.

Madam Deputy Speaker, that was a complete waste of parliamentary time for a Motion on the Order Paper, and we really could not go forward with that Motion, and the Member wasted parliamentary time by bringing a frivolous and vexatious Motion which he could not even complete. And then on top of it now he decides to get even with the Speaker by bringing another frivolous Motion.

In fact, the hon. Speaker of the House is to be lauded for the exercise of his impartiality in dealing with the matter as he exercised his discretion as a Presiding Officer and permitted the debate on the Motion to commence by the Member of Parliament for Chaguanas West, and yes, indeed, rather than giving the Speaker the credit for his patience and his forbearance they intend to ridicule him.

Madam Deputy Speaker, I would like to urge the Members of the House to not be led astray by the red herrings of the source of notification of the initiation of the court proceedings as it is intended to lead us away from the real crux of the issue. The matter of sub judice rule did not in any way whatsoever serve as a shield to preclude the debate of the Motion as the Leader of Government Business clearly stated that the Government was and still is over prepared, and we are still prepared to respond to any Motion brought against the hon. Minister of Finance and the Economy.

What we have been faced with is a clear circumstance of no case to be answered as the Member for Chaguanas West, in presenting his speech to this House, was not able to refer to one recital in support of the Motion. He has not done so. And in a similar pattern today it is the same strategy he used. And not only that, on top of that his newly founded PNM family got up and supported him. What we have been faced with is a clear circumstance of arrogance, a clear case of bitterness and a clear case of trying to get back to the Speaker and trying to bring his Office into disrepute because he stood to the Standing Orders and the grounds governing the debate in this Parliament.

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So, Madam Deputy Speaker, while it is an honour to present these facts, it is a source of great disappointment to me. [*Interruption*]

**Miss Mc Donald:** Madam Deputy Speaker, I rise on Standing Order 44(10).

**Madam Deputy Speaker:** 44(10), Member. Member I know that what is said as regards 44(10), but the Member did seek my assistance as regards allowing him to read some prepared notes that he had and as a result—[*Interruption*]

**Dr. Rowley:** You approve that?

**Madam Deputy Speaker:** As a result, I did indicate to him that I will allow him to quote some excerpts from his notes. So he may continue. Member, you may continue.

**Hon. Dr. R. Griffith:** Thank you, Madam Deputy Speaker. You see, they are not used to getting the facts of the matter. What they want to do is to bring the mauvais langue and the normal banality, and that is what they expect of the Members of this side. But I think by now after four years, almost five years, they realize we are a serious Government, we are serious Members, we are a serious Bench and we will not be reduced to that level that they have brought this honourable House in.

So, Madam Deputy Speaker, I want to just say that each time that the Member gets up and seek to bring this House in disrepute, and by so doing attacking the Speaker, they are really ridiculing or seeking to ridicule the dignity of this House, and that is what they are trying to do. One only has to look at the recent developments to understand the fickleness and lack of honour that is the hallmark of the culture of the Members on the other side.

**Miss Mc Donald:** No, no, no.

**Hon. Dr. R. Griffith:** It gives me no pleasure to recite this in this House, but it is so relevant.

**Miss Mc Donald:** Madam Deputy Speaker, I rise on Standing Order 48(6), please.

**Miss Cox:** “Tell them doh write dem kind of thing for yuh, nah.”

**Madam Deputy Speaker:** Hon. Member, the Member thinks that you are imputing improper motives onto her and to her colleagues. I want to ask you to stick with the Motion that is before the House as we continue.

**Hon. Dr. R. Griffith:** Madam Deputy Speaker, I am only trying to show relevance to the—[*Crosstalk*] I am only trying to show relevance with the consistent behaviour of those on the other side.

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**Madam Deputy Speaker:** You may continue Member.

**Hon. Dr. R. Griffith:** Right, and if it is—*[Interruption]*

**Miss Mc Donald:** Madam Deputy Speaker, I rise again, 48(1), because under 48(6) imputing improper motives, the Member should withdraw that statement, please.

**Dr. Rowley:** Instead he is reinforcing it.

**Miss Mc Donald:** Yeah.

**Madam Deputy Speaker:** Member, I think the Member for Port of Spain South feels offended by your statement and I really—*[Crosstalk]*

**Hon. Members:** All of us. The whole Bench.

**Madam Deputy Speaker:** Hold on. Please, please, Members, the Member for Port of Spain South feels offended by your statement and I want to ask you to withdraw and continue.

**Hon. Dr. R. Griffith:** Madam Deputy Speaker, I will comply with your ruling even though I am tending to show—*[Crosstalk]* even though I am tending to show—*[Interruption]*

**Miss Mc Donald:** You are disrespecting the Chair.

**Hon. Dr. R. Griffith:** Even though I am intending to show what is a consistent behaviour on those on the other side. If they could kick out a political leader who served for many years and at the end of it he was kicked out—*[Interruption]*

**Miss Mc Donald:** Madam Deputy Speaker, Standing Order 48(6). Member, stop, stop that nonsense, Member.

**Madam Deputy Speaker:** Member for Port of Spain South, have your seat please. Member, please, I am asking you to withdraw and to move on with the Motion that is before this House.

**Hon. Dr. R. Griffith:** All right, Madam Deputy Speaker, I comply. I withdraw—*[Interruption]*

**Madam Deputy Speaker:** Yes, and move on.

**Hon. Dr. R. Griffith:** And I move on.

**Dr. Rowley:** Thank you.

**Hon. Dr. R. Griffith:** But I would say that the consistent behaviour of the Members of this side, if they could kick out a long serving Member and a political leader at that—*[Interruption]*

**Miss Mc Donald:** Madam Deputy Speaker, 48(6), please.

**Hon. Dr. R. Griffith:**—you could well imagine—*[Interruption]*

**Miss Mc Donald:** Madam Deputy Speaker, while I am standing here he has to sit.

**Madam Deputy Speaker:** Have a seat, both of you have your seat. Member for Toco/Sangre Grande, I have ruled and I ask you to withdraw and to move on with the Motion that is before this House.

**Hon. Dr. R. Griffith:** Madam Deputy Speaker, I will move on because I think the point has already been made, that the behaviour demonstrated in this House against the hon. Speaker who is an exemplary Speaker, who has served with great credit over the four and a half years, almost five years in this House, and they are seeking to bring him into disrepute.

**Dr. Rowley:** Madam Deputy Speaker, I rise on a point of 48(6), no such action has been taken by the Members of this side. What is before this House is a Motion approved by the Chair and I take objection—*[Interruption]*

**Miss Mc Donald:** That is right.

**Dr. Rowley:**—to that imputation. I seek your ruling.

**Madam Deputy Speaker:** Member, I want to ask you to tie-in your debate as regards the Motion that is before this House, and I want you to pay particular attention to the Motion and the recital of the Motion. You may proceed.

**Hon. Dr. R. Griffith:** Madam Deputy Speaker, I comply with your ruling. The Members on the other side they brought up, in my opinion and our opinion on this side, a frivolous and vexatious Motion with the clear intention to bring this hon. Speaker into disrepute. And my reference to their consistent behaviour is to show a similar pattern of the way they treat those in authority and those who serve exemplarily over the nation over the years.

**5.30 p.m.**

Madam Deputy Speaker, while I accept your ruling, I think the point is consistently made with those on the other side. So, Madam Deputy Speaker, we on this side are very disheartened that an attempt is made to discredit and hold in



disrepute an honourable Speaker, one who has served over the years, not only in this honourable House but in the Senate in the other place, and I think this frivolous and vexatious Motion is one that ought not to be supported.

We on this side demonstrate full confidence in the Speaker. We want to take this opportunity to thank him for the service he gave to this nation before he even arrived in this Chair and the service that he gives right now, and it is a shame—it is a shame—that those on the other side would take that direction.

Madam Deputy Speaker, I thank you. [*Desk thumping*]

**Madam Deputy Speaker:** Member for La Brea. [*Desk thumping*]

**Mr. Fitzgerald Jeffrey** (*La Brea*): Thank you very much, Madam Deputy Speaker. Before I commence my contribution I want to respond to the Member for Oropouche East who made light work of the Member for Chaguanas West when he congratulated the Speaker for the way in which he handled the finance committee meeting—[*Interruption*]

**Hon. Member:** “Yuh mean he lick him up.”

**Mr. F. Jeffrey:**—and then at the same time he went on to talk about January 30, 2011, when he again spoke about the Speaker in terms of honesty and fair play and so on—2011. But the date that is under consideration is January 23, 2015. That is what is under concern.

You see, we all know that some of the most notorious figures on the globe started by doing good things. And what happened thereafter? And we must be mindful of that kind of consideration. We need to consider very closely what happened on January 23, 2015. The Speaker came to the House and told us that he had received, just a few hours ago, a notice from the High Court when, in fact, he had received it from the hon. Minister of Finance and the Economy. I ask the question: why did he not disclose to this House that he had received it from the Minister of Finance and the Economy who he knows was the subject of the debate, the Motion of censure?

My 16-year-old daughter would tell you that she is not fooled by the Speaker’s explanation. He knew very well, when he came to this House and mentioned about only a few hours ago he received this notice, what he was trying to do, because he proceeded to talk about sub judice clause.

What is the purpose of that, if it was not to water down the debate that was going to be offered by the Member for Chaguanas West? Nobody is being fooled by that. The Speaker had indicated to us that—and let me quote it:

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“Hon. Members, I sincerely regret the embarrassment to the Judiciary as my statement would have incorrectly conveyed the impression that the Judiciary had, on its own volition, notified me of a matter before it.”

On whose volition then? If it was not on its own volition that the Judiciary had not notified him, on whose volition did the Judiciary tell the Speaker? It seems to me that there is some conflict in that whole area there.

Madam Deputy Speaker, you see, when we talk about the Speaker being biased, it is not only about January 23 because we certainly could go before that, that in 2011 I myself was subject to partial behaviour by the Speaker when I was asked to withdraw a statement that I was not corrupt. We all remember that. Right? It showed that the Speaker at that time, as well, was not impartial. We on this side here have been subjected to his partial behaviour on numerous occasions.

I believe that when the Speaker approved the no confidence Motion, the Motion of censure, by the Member for Chaguanas West, he would have received a tongue-lashing from those on the other side, and therefore, he tried in some way to see if he could have watered down the Motion so as to lessen the intensity of what was going to transpire the next day.

We know the Speaker is not one who is rushed for words. He comes to this House and in his own deliberate style, he takes his time and he speaks, and therefore, to come to this House and say that inadvertently he had made an error, could not be correct. I would like at this point in time to make the point that the Speaker was less than honest in his treatment with Members on this side. One could recall—just give me a minute. [*Browses through papers*]

One could recall that had the Judiciary not issued that statement on January 26 in which it stated, emphatically, that they did not send any notice, letter, or other communication on the matter to the Speaker or any officer of the Parliament—my question is: if we did not get that statement from the Judiciary on the 26th, would we have been the wiser in terms of the notice that was presented before this honourable House?

I want to make the point as well, that up to now I do not think the Member for Chaguanas West was privy to this so-called notice that the Speaker had. Right? The Speaker just came to the House and he held up some paper in his hand and read. I think out of courtesy for the Member for Chaguanas West, he should, at least, have shown the Member for Chaguanas West the notice that he got. But he did not do that. He had some interest to protect.

The fact that the Minister of Finance and the Economy was subject to the Motion of censure, when the hon. Speaker got that notice—that so-called paper from the Minister of Finance and the Economy—he should have been a little bit more careful in reading the document, one, and two, telling the House exactly what it is that happened: that he received it from the Minister of Finance and the Economy.

But you know why? He did not do that because he knew that if he had told the House that he had received that notice from the Minister of Finance and the Economy, what would have happened. So in a very surreptitious way he withheld that, and just told you, “Listen, I received this thing from the High Court”. But the Judiciary said, quite clearly, that they sent no communication. Therefore, one has to be careful in interpreting what the Speaker has said.

In my estimation, he has brought the Office of Speaker into disrepute. The Speaker must do the honourable thing and resign. That is the only way in which we could start to get back to this whole question of being honourable. The word “honourable” has tremendous significance. It is very, very well thought out that the Speaker and the Members of this House are supposed to be hon. Members of this House, and I just want to quote a little bit from the Parliament website, under the heading: “Roles and Functions of the Speaker”. It says:

“In Trinidad and Tobago the Speaker, or in his absence the Deputy Speaker, presides over each sitting of the House of Representatives...and enforces the observance of all rules for preserving order on its proceedings.

The Speaker is considered the guardian of the privileges of the Members of the House of Representatives and the chief characteristics required are authority and impartiality.”

What we have seen in this House here on numerous occasions is that the Speaker has not demonstrated impartiality. Secondly, on numerous occasions we have seen the Speaker abuse his authority. How many times Members of this House on this side here have been told to sit down? They get up to make communication—to make points—and what happens? He “brush them over”. The Member for Arouca/Maloney has experienced that; the Member for Point Fortin; Laventille East/Morvant; Port of Spain North; Port of Spain South. We all go through that from time to time. And what happens on the other side?—kid gloves.

The former Member for D’Abadie/O’Meara used to get away with “listen nah man” with impunity. All “kinda” statements made in this House here, and nothing happens.

**Hon. Member:** That is right.

**Mr. F. Jeffrey:** But on this side here, we feel the brunt of the—the wrath of the Speaker. What has happened? When we try to come to this House and for example, we had the situation with the Speaker with his executive MBA, right?—what has happened? [*Crosstalk*] “Yuh eh want tuh go there.”

**Dr. Gopeesingh:** “Doh go there.”

**Mr. F. Jeffrey:** “Doh go there.”

**Dr. Gopeesingh:** And you are an educator, “doh go there.”

**5.45 p.m.**

**Mr. F. Jeffrey:** “Doh go there”. Doh go there. Right? But we know what has happened in that scenario: tried to muzzle the press when the press was trying to do their own work; muzzle them, and we are talking about the kind of democracy in this country.

We have had Mr. Martin Daly, we had Nizam Mohammed, and we had Ramesh Maharaj, all making pronouncements on the performance of this Speaker. And, I would like to say at this point in time that the decent thing for the Speaker to do in the true tradition of democracy in the Westminster system would be to hand in his resignation to the Prime Minister, and let us get a new Speaker and start to restore the situation in this House. [*Desk thumping*]

And so, I thank you, Madam Deputy Speaker.

**Madam Deputy Speaker:** Member for Diego Martin—No? Diego Martin North/East.

**Mr. Colm Imbert** (*Diego Martin North/East*): Thank you, Madam. If they have nothing to say, I have no problem. I will speak. Thank you, Madam Deputy Speaker. If they are not prepared, that is not my fault.

Earlier today, we heard from the Leader of the Opposition reciting the *Hansard* with respect to statements made by the Speaker of the House in his previous incarnation as one of the most vociferous Opposition Senators ever, and when the Speaker of the House was an Opposition Senator he demanded his right to speak. He fiercely challenged the sub judice rule to the extent recited by the Leader of the Opposition, but I noted, Madam Deputy Speaker, that in the extract from the *Hansard* that the Leader of the Opposition recited, he spoke about a ruling that had been made in the other place with respect to the sub judice rule.

Now, the Speaker of House, as he was Sen. Mark at the time, could only have been speaking about a ruling made by the then Speaker of the House of Representatives, Mr. Barendra Sinanan, and on April 27, 2005, Mr. Sinanan gave a ruling on the sub judice rule and he crystallized and clarified the issues for those who do not know them—because I have heard Members opposite continuously carry on about the sub judice rule as if every single matter that is in court runs afoul of the sub judice rule. Madam Deputy Speaker, that is a simplistic, I would say even a childish interpretation.

**Dr. Rowley:** Self-serving.

**Mr. C. Imbert:** Certainly self-serving, but I would say even a childish interpretation of the sub judice rule—Members opposite.

Madam Deputy Speaker, I read from the *Hansard*, Wednesday April 27, 2005, and in this ruling, the Speaker, Mr. Sinanan, spoke about correspondence he had received from the Member for Fyzabad—still the Member for Fyzabad, Mr. Sharma—and the Member for Caroni East at the time, Mr. Ganga Singh, on a matter relating to a report of the Committee of Privileges of the House of Representatives, and the issue was a matter between the now Leader of the Opposition, the Member for Diego Martin West, and the hon. Member for Fyzabad, and the sub judice matter came up and I recite. The then Speaker stated as follows:

“The origin of the sub judice rule (or convention) is...”

Madam Deputy Speaker, I do not know what is going on with the Minister of Works and Infrastructure. He just muttering. Could you get him to stop? [*Crosstalk*]

**Madam Deputy Speaker:** Please, please! Please, allow the Member for Diego Martin North/East to speak in silence. [*Crosstalk*] Proceed. Proceed, Member, please.

**Dr. Rowley:** Madam Deputy Speaker, insulting language. Please, present dignity by having that expunged? Could that be expunged, please, under 48(4)?

**Madam Deputy Speaker:** Yes.

Member for Diego Martin North/East, please continue.

**Mr. C. Imbert:** Madam Deputy Speaker, would you get them to stop?

**Madam Deputy Speaker:** Please, allow the Member for Diego Martin North/East to speak in silence. I want to hear him.

**Mr. C. Imbert:** Thank you.

**Madam Deputy Speaker:** Proceed.

**Mr. C. Imbert:** Children, all of them.

“The origin of the sub judice rule (or convention) is expressed in a recent report of the House of Commons...entitled: ‘Matters Sub Judice’ as ‘the desire of the Parliament to prevent comment and debate from exerting an influence on juries and prejudicing the position of parties and witnesses in court proceedings’.”

And before I go further, let me just repeat that:

“The origin of the sub judice rule...”—it comes from—a—“desire of the Parliament to prevent comment on debate from exerting an influence on juries and prejudicing the position of parties and witnesses in court proceedings’.”

Madam Deputy Speaker, the Standing Order of the House at that time, which is similar to what we have now:

“Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of the parties thereto.”

We have since expanded our sub judice rule, and in the new Standing Orders we have added in a number of parts to our sub judice rule, where if a matter is in the public interest, if it concerns a ministerial decision, all of these things trump the sub judice rule.

Now, the crux of this decision or this ruling of the then Speaker is as follows:

“...sub judice in the parliamentary context has less practical significance in matters before a judicial officer...although each case must be considered on its merit. The main reason for this is that a publication will not be considered to have a tendency to prejudice legal proceedings in cases heard by the judicial officer alone in either criminal or civil proceedings if the only basis for possible prejudice is the potential for influencing the judicial officer.

This is because judicial officers will not be unfavourably influenced or affected by publicity about a case as their experience and training causes them to make decisions based on the evidence presented in court and the law in relation thereto.”

The single point is, Madam Deputy Speaker, this ruling of Barendra Sinanan has never been varied, overturned, or amended by the present Speaker. This is the

ruling of the Parliament on sub judice. The whole point is that whereas if you have a trial before a jury who are uneducated people, who are persons who are not trained in law, who are persons who are not judicial officers—if you have a trial before a jury, pre-trial publicity or publication of a matter that is before the courts, could influence the actions or decisions of unlettered, untrained people in a jury. But it is a contempt for a Speaker to suggest that a judge, the Court of Appeal, or any judicial officer, a Master of the Court, could possibly be influenced by anything we say in this Parliament. That is a contempt. That is an affront to the separation of powers. Because if judges could be influenced by anything we say in here and their rulings would not address the facts or the applicable law, then you would have a serious state of affairs where judges could give perverse rulings just based on words uttered anywhere, whether it is in here or whether it is outside. The sub judice rule deals with members of a jury who are not judicial officers.

I am of the view that the Speaker has committed a contempt by indicating that statements made by the hon. Member for Chaguanas West could possibly influence the judge in this particular case and, Madam Deputy Speaker, we do not even know where this case is.

This correspondence circulated by the Speaker on the last occasion simply indicates that a claim form has been filed in the High Court in a matter between Larry Howai and Azad Ali of *Sunshine*. That is all. We do not know if a judge has been assigned to the case, we do not know if there has been a case management conference, we do not know if submissions have been invited, we do not know if witness statements have been submitted, we certainly know there has not been a hearing of this matter.

If I were the Chief Justice or the Judiciary, I would be very seriously concerned to think that anything we say in this Parliament could affect the outcome of a court matter.

Let us go now to the actions of the Speaker himself, when he dealt with the Member for Chaguanas West on the last occasion. I have taken the time to go through the *Hansard* and take a look and see exactly what the Speaker did, exactly what he said. When you look at it, Madam Deputy Speaker, you see exactly the point made by the Member for Chaguanas West, the point has also been made by the Leader of the Opposition, that when you look at what the Speaker did, when you look at what he said in terms of his actions—let us go to the *Hansard* of Friday, January 23 and let us see what did the Speaker do.

*Wade Mark (Loss of Confidence in)*  
[MR. IMBERT]

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After the Questions for Answers by Ministers and so on, we came to the matter, the Private Motion, Revocation of the Appointment of Minister of Finance and the Economy, and what did the Speaker do? Instead of allowing the Member for Chaguanas West, as has been the practice in this Parliament for the 24 years that I have been here—I have never, never, seen a Speaker engage in the extensive preamble to a Motion, the warnings, the cautioning, and as the Member for Diego Martin West, the intimidation of a Member before a Motion can be presented. Look at what he said:

“Before I call on the hon. Member for Chaguanas West, I need to put on the public record in this honourable House, developments. As Presiding Officer and Speaker it is never my intention and it will never be my intention to stymie, stifle or muzzle free speech or debate in this honourable Chamber.”

He then goes on to say:

“I received only a few hours ago a notice from the High Court of the Republic...dated January 16...a matter involving Larry Howai and Azad”—Alie—“Ali of the Sunshine Publishing Company Limited.”

Then he goes on to quote the sub judice rule.

**Hon. Member:** Azad Alie.

**Mr. C. Imbert:** Alie, Ali, “doh” matter.

“(1) ...a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied...—

- (a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
- (b) the matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury;...

So the Speaker knew that it is matters before a jury that are important and

- (c) the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.

I have already made the point.

**6.00 p.m.**

What kind of judge will we have in this country who would listen to the Member for Chaguanas West, not listen to the facts in this case before the court and render a decision adverse to the Minister of Finance and the Economy? What



kind of judge will we have who would render a decision adverse to the Minister of Finance and the Economy just based on what the Member for Chaguanas West said, who is not even a witness in the case, who is not related to the case, who has not submitted any affidavit or witness statement, or any evidence or exhibits whatsoever in this matter? What kind of judge would that be who would be influenced by statements made by the Member for Chaguanas West?

But let us move on, Madam Deputy Speaker. So the Speaker goes on to this long preamble about this thing, unprecedented.

“Now, Members, I read this for you...I was not aware when I approved this Motion that the matter we are going to be discussing today is in the High Court...”

Well, of course, he was not aware because as the Leader of the Opposition has pointed out and it is worth repeating, the Motion was approved on January 05, and the matter was filed in the High Court by the Minister of Finance and the Economy on January 16. So unless the Speaker was “ah seer man” or “ah psychic” or “ah prophet”, how on earth would he know on January 05 that the matter was in court, and it bears repeating because when you see these kinds of statements—Madam Deputy Speaker, I want to go on record, I want to say something.

I asked a question in the Parliament today. [*Crosstalk*] No, it is all right, I want to just emphasize a point—about the salaries and the compensation packages of CEOs, and I was astonished to learn that some of these people are making \$200,000 a month, some of them—one of them even making close to \$300,000 a month when an MP gets \$17,000 a month. But the reason why I asked that question was to illustrate the inequity in terms of the compensation package of people that have to be supervised by Ministers of Government because the Member for—the TSTT man has to be supervised by the Minister responsible for TSTT; the fella from Petrotrin has to be supervised by the Ministry of Energy and Energy Affairs and these Ministers are getting one quarter or less than what these CEOs are getting.

But I want to make a point. I would give the Speaker all credit for his efforts to improve the terms and conditions of Members of this House. I would give Jack his jacket. [*Desk thumping*] I am well aware of the Speaker’s efforts in terms of improving the compensation package for Members of this House, especially when you see—[*Crosstalk and laughter*]

**Dr. Rowley:** Jim his gym boots.

**Mr. C. Imbert:** I would give Jim his gym boots. [*Crosstalk*] Madam Deputy Speaker, I am really—[*Crosstalk*] I am not—[*Crosstalk*] Could you stop the crosstalk between these two? I know they are good friends, you know, but could you stop the crosstalk? But, Madam Deputy Speaker, I will be the first to say that the Speaker has been a very strong advocate for Members of this House in terms of improving our terms and conditions but that has nothing to do with it. That has absolutely nothing to do with it. A person could be a pillar of the community. They could be a respected member of all sorts of charitable organizations of the Rotary Club, of the Chamber of Commerce and so on and—[*Interruption*]

**Mr. Cadiz:** And one wine—[*Inaudible*]

**Mr. C. Imbert:**—while all of that is going on—[*Interruption and crosstalk*]

**Hon. Member:** One wine.

**Mr. Cadiz:** One wine, one wine mash up the—[*Laughter*]

**Madam Deputy Speaker:** Member for Chaguanas East, please.

**Mr. C. Imbert:** Madam Deputy Speaker, everything is a joke for them. As I said, somebody could be a pillar of the community but secretly could be a sex offender or something like that.

It does not matter what the Speaker has done in terms of improving our terms and conditions, for which I thank him most sincerely. It has nothing to do with this. And you see, that is when I heard the Member for Oropouche East debate this Motion. The Member for Oropouche East did not touch on a single aspect of this Motion. He did not address it at all. He spent all his time attacking the Member for Chaguanas West and the rest of the time he had, he spent his time praising the Speaker, but he did not deal with the issue. So let us deal now with the issue.

So let us go on. So the Speaker has quoted the sub judice rule. He has warned the Member for Chaguanas West. He says that he got a notice from the High Court which we know he did not, and there is no way you could mistake a document which is just a photocopy of a filing in the court with a cover letter from the Minister of Finance and the Economy. “It doh say court here, yuh know, it says Minister of Finance and the Economy.” I know the Speaker can see very well, he is not blind. I know he is highly educated. We just heard about his qualifications. He has post-graduate degrees. So I know he cannot read “Minister of Finance and the Economy” and say “High Court of Trinidad and Tobago”. I mean, no, I am sorry, and I know he is a very sober man. I know he was in full possession of his faculties when he read this document.

But he claimed that this letter he got from the Minister of Finance and the Economy was a notice from the High Court. So he is telling the Member for Chaguanas West, in a clear attempt to intimidate, “Ah get ah notice from the High Court, eh, so yuh better watch it”. Then he goes on:

“...we as a Parliament must not do anything to undermine the confidence of the judicial system in our country.”

I go back to my point. So what is he saying? That if the Member for Chaguanas West says something about the Minister of Finance and the Economy, a judge will listen to him? Hmm. That is what he is saying, you know, that just mere speech by a Member of Parliament is going to create a judicial decision and that is why I say it is a contempt, it is an affront to the Judiciary.

But let us move on and he goes on to say:

“...unless the Member who is about to speak can tell this House that what he is about to say is not going to be, in any way, adverse to what is before the High Court...”

“What he mean by that?” It is not adverse. What does he mean by “not...adverse to...the High Court”? It is a nonsensical construction in the sentence that what the Member was going to say is not adverse to what is in the High Court. What does he mean?

Well, let us go on. He says if he cannot say that what he is going to say is not going to be adverse in any way to what is before the court, he:

“...would have to deny this Motion...”

Then he goes on:

“I will not preside over this House on matters that will bring this House into disrepute...”

And goes on about:

“...the comity that exists between the Judiciary and the Parliament...”

And he goes on:

“...so I will allow the Member the opportunity to rise and to indicate to this House if the Motion that he has that has been approved by me, which is now the subject of a High Court matter, if...that matter he intends to refer to,...is the same matter that he intends to refer to,...”

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And so on and so on.

Madam Deputy Speaker, I have read the *Hansard*. At no time during the Member's presentation, unless I am mistaken, did he get to this High Court matter, at no time! He was shut down when he was trying to raise a matter dealing with CEMEX and allegations of insider trading on the part of the current Minister of Finance and the Economy. It is then the Speaker "tell him take his seat", nothing to do with the matter before the court. But he goes on to say:

"I will not preside over this House..."—unless the Member could tell me that the—"...matter that"—is now—"...the subject of a High Court...if...that"—is the—"matter he intends to refer to, if it is the same matter...I will ask him, in the interest of justice and fair play...not to pursue that matter...allow the courts...to make a final determination of that matter."

As I said, unheard of, unprecedented.

Then he goes on and says he gave clarification that he approved the Motion on January 05 and he got the notification of the High Court. Again, he repeats it, eh. He got the notification of the High Court on January 16. Then he goes on and he allows the Member for Oropouche East to speak. I have never heard of this, you know, Madam Deputy Speaker, the Member for Chaguanas West "ent talk yet, yuh know", and Dr. Moonilal is talking now:

"Mr. Speaker, just again on a point of clarity...and with great respect to the ruling and your statement on the significance of this matter...is it that the content of the Motion, the very narrow content of this Motion, is indeed the subject of a matter that the court has communicated to the Speaker? Or is it on another matter?"

So, the Member for Oropouche East enters the debate before the Member for Chaguanas West is allowed to speak. And then he goes on to say:

"...the Member for Chaguanas West is not a party to a court matter...I am not certain as to the locus of the Member...*vis-à-vis* a newspaper publication.

I do not have the facts..."

"He debating the Motion, yuh know."

"...whether the Member...is associated, legally, with a publication. I heard the name of another gentleman...I believe, is a photographer...or something like that...I want...to be very clear..."

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The Member for Oropouche East, not the Speaker, you know. “He telling the Speaker”:

“...I want...to be very clear that the content of this Motion was not driven from an earlier publication that is now...the subject of the court action.”

This is before the Member for Chaguanas West starts to speak.

**Dr. Rowley:** I am sure he will say he never said that.

**Mr. C. Imbert:** Of course, but I am reading from the *Hansard* now.

**Hon. Member:** Bias, bias!

**Dr. Browne:** He had no time to—[*Inaudible*]

**Mr. C. Imbert:** All right. And he goes on to say:

“So what I am saying is whether or not the Member for Chaguanas West lifted the content of a publication that is now the subject of a court matter...I am not sure...so I am really not clear on it.”

And it goes on and on and on. So, long preamble, Members talking, Member for Chaguanas West “ha to sit down in his seat”, keep himself quiet while they debate what he is going to say, he has not spoken yet. Unprecedented!

And then, he goes on, again, the Speaker:

“I recognize the Leader of Government Business.”

So it is the second time Dr. Moonilal is speaking:

“...I cannot let this moment go...without correcting the record. This Government is over-prepared for this Motion...It is not an issue of not wanting to debate the Motion, but...the Member for St. Joseph must understand...There will be occurrences...when the content of a Motion is a similar content in the High Court...one has to be...careful...in a debate you are not speaking to the content of a High Court motion. That is the issue.”

And he goes on, again, about what is the subject before the court, what is the publication and so on and so on.

Then, the Member for Chaguanas West was eventually allowed to speak after this debate that went on for many, many minutes, a long time, he is allowed to speak, and listen to the first thing the Speaker tells him. The Member for Chaguanas West gets up and says:

“Thank you, Mr. Speaker...when I brought this Motion on December 30, 2014, I did not lift anything from the *Sunshine*. If the *Sunshine* lift it from me...fine. But I did not lift anything from the *Sunshine*...I would not go into

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the issue anymore...I hope you would allow me, at least to talk on the Motion...”

Speaker jumps in immediately. Hear what the Speaker—hear his words because we are talking here about bias, whether apparent bias, unconscious bias, real bias—listen to his words. Listen to this—you ever hear a Speaker say this?—

“I do not think you are interested in debating”—this—“Motion.”

That is what he tells him as he gets up to talk and he just says, “Look, I just want to clear the air. This has nothing to do with the Sunshine. I filed my Motion long before anything appeared in any newspaper.” The Speaker says I think you are not interested in debating this Motion. That is the first thing he tells him. So he then commands him to read the Motion, so the Member for Chaguanas West obeys, reads the Motion and this is the Motion:

“*Whereas* First Citizens Bank (FCB) is a State Enterprise in which the Government of Trinidad and Tobago has a majority shareholding and has made significant investments to ensure the proper functioning and viability of the Bank...

...*whereas* any action or lack thereof of the Chief Executive Officer...of FCB can have a negative return on the Government’s investment...

...*whereas* the Minister of Finance and the Economy was the CEO of FCB during the period 2006 to 2009 when a loan was granted to Carlton Savannah...”

And so and so on and so on.

“*Be it resolved* that this Honourable House express its loss of confidence in Mr. Larry Howai as Minister of Finance...”

Now, the Member for Chaguanas West continues and in the second recital, I want to read it into the record:

“...*whereas* any action or lack thereof of the Chief Executive Officer...of FCB can have a negative return on the Government’s investment in FCB;”

The Member for Chaguanas West goes on to say:

“The best indicators of future behaviour are the experiences of the past.”

So he is dealing with the second recital. The second recital is:

“...*whereas* any action or lack”—of action—“thereof of the... (CEO) of FCB can have a negative return on the Government’s investment...”

The Member for Chaguanas West decided to deal with all and any actions of the previous CEO of FCB who is now the Minister of Finance and the Economy and he says the best indications of future behaviour are the experiences of past.

Then he talked about the fact that Mr. Howai had been paid \$11 million, after FCB had lost a substantial sum of money, to leave his job in the bank and become a Cabinet Minister in the UNC Government, and then he goes on to speak and the Member for Oropouche East jumps up:

“Mr. Speaker, Standing Order 48(1)...when are we...”—going to hear—  
“about...Carlton Savannah?”

Goes on:

“Thank you, Mr. Speaker.”

—the Speaker overrules that.

“Thank you, Mr. Speaker.” I will—“Try again.”

He goes on and he talks about FCB, he gives the history of FCB and so on and he says:

“...I will”—like to—“talk briefly about pre-2006, I will talk even more briefly about post-2009 and...in doing so, I go back to 2002...”

So he is talking about “any action...of the... (CEO) of FCB” because that is what the second recital of the Motion says, that “any action...of the...CEO of FCB” can have an adverse impact on the bank.

“**Dr. Gopeesingh:** 48(1)...Relevance...”—relevance.

Because he starts to talk about a matter that took place in 2002 with respect to CEMEX and the allegation of insider trading.

“**Dr. Gopeesingh:** ...Relevance...”

Listen to what the Speaker says:

“I am listening very carefully...I just want to let the hon. Member know we have to stick to the recitals...”

**6.15 p.m.**

**Madam Deputy Speaker:** Hon. Member for Diego Martin North/East, I presume that you would require additional time?

**Mr. Imbert:** Of course, I would want it.

**Madam Deputy Speaker:** Hon. Members, the question is that the speaking time of the hon. Member for Diego Martin North/East be extended by 15 minutes.

*Question put and agreed to.*

**Madam Deputy Speaker:** Member for Diego Martin North/East, you may continue.

**Mr. Imbert:** Thank you, Madam Deputy Speaker. You see, it is necessary for me to let the population know what happened on that day. So the Speaker then tells the Member:

“I am listening”—to you—“carefully”

“...stick to the recitals...”

And then Mr. Warner says:

“I”—want to—“talk about pre-2006 and post-2009. If I am not allowed to do that...well I will sit,”—down—“but I am talking about pre-2006, post-2009”—to show—“how the behaviour of the CEO at that time...”

That is the point he is making. He is dealing with the second recital; any action of the CEO of FCB and then he starts to talk about CEMEX:

“...a case in point...”

And he starts to read from a document about illegal insider trading and then the Speaker stops him:

“I...understand where you are going. ...a Motion on censure is a serious Motion...you stick to the recitals.”

So he tells him stick to the recitals.

Let me go back, Madam Deputy Speaker, and let me read the second recital for you, because, you know, people like to say all kinds of things in this country but what we need in this House is to deal with the facts. We need to deal with the facts.

Second recital:

“...whereas any action...of the Chief Executive Officer (CEO) of FCB can have a negative return on the Government’s investment...”

So the Speaker tells him deal with the recitals. Stick to recitals. You cannot bring in any other matters. What is before this House is this Motion.



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So he goes on. He says:

I have “given”—you—“guidance...I do not want you go into any excursions into areas...we have not approved and the House has not approved.”

What happened when the Speaker was approving this Motion? The second recital says:

“...*whereas* any action...of the Chief Executive Officer (CEO)...”

—could have an adverse impact on the bank; any action. Was he reading this Motion the same time he was—[*Interruption*]

**Dr. Moonilal:** Madam Deputy Speaker, Standing Order 48(1).

**Mr. C. Imbert:** What?

**Dr. Moonilal:** We are not debating the conduct of that debate.

**Mr. C. Imbert:** What? What?

**Dr. Moonilal:** We are debating the issues before us.

**Mr. C. Imbert:** What?

**Dr. Moonilal:** This is not to go through line by line for every ruling of the debate.

**Madam Deputy Speaker:** Members, please. Members, Members, please. Member, I want to ask you to stick with the Motion as we continue the debate and to deal with the relevance of the Motion. Thank you.

**Mr. C. Imbert:** Madam Deputy Speaker, could you first tell them to stop talking, please?

**Madam Deputy Speaker:** Please allow the Member to speak in silence. Is that good?

**Mr. C. Imbert:** I hope they are listening to you. Let me deal with the Motion itself since the Members opposite have challenged the matter before us. The matter before us is as follows:

*Whereas* on January 23<sup>rd</sup>...there was a Motion of Censure against the Minister of Finance...;

*And whereas* before the debate the Speaker in an unprecedented move informed the House that he received “*a notice from the High Court,*”

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*And whereas* the statement by the Speaker was intended to and did impact upon the debate on the said Motion;

*And whereas...the Judiciary*”—said that they had issued “*no Notice...*”;

*And whereas* the Release by the Judiciary has brought into question the conduct of the Speaker;

*And whereas* in a further unprecedented move on January 23rd, 2015, the Speaker allowed the Member for Oropouche East to speak...even though it had come to its ‘*premature end*’;

*And whereas* by these actions the Speaker has demonstrated partiality ...”

Madam Deputy Speaker, I am showing the partiality of the Speaker, the bias and partiality of the Speaker. [*Desk thumping*] Am I not going to be allowed to do that? [*Desk thumping*] How else? I have made the connection between matters in court before a judge and matters before a jury. I have made the point that when a judge is deliberating on a matter, the judge must look at the evidence, consider the facts and then apply the applicable law. I am producing the evidence of the Speaker’s misconduct, Madam Deputy Speaker. [*Desk thumping*] So let us move on.

So, the Speaker warns the Member not to go into excursions, into areas that are not approved, even though the Speaker had approved the second recital that says:

“...*whereas* any action...of the Chief Executive Officer...”

Mr. Howai could have an adverse impact on the bank. And then he stops him again. Mr. Warner, obviously now the Member for Chaguanas West feeling intimidated under severe duress, says:

“...I thought when I told you I am talking pre-2006...you did not object?”

This is what the Speaker has to say:

“...No, you see I cannot approve or not approve until I hear you. I cannot prejudge what you are going to say. So if you say pre-2003, I have to first hear what you are saying.”

[*Interruption and crosstalk*] Madam Deputy Speaker, that noise over there from a former Deputy Speaker is very irritating and out of order. Could you ask him to be quiet, please?

**Dr. Khan:** He is changing his voice.

**Mr. C. Imbert:** Stop talking!

**Madam Deputy Speaker:** No, no, no. Member for Diego Martin North/East, no I will not have that, please. I am the one. Member for Diego Martin North/East I am the one who rules here, not you. Member for Barataria/San Juan, I want to ask you to please allow the Member to speak in silence. You may continue, Member for Diego Martin North/East.

**Mr. C. Imbert:** They feel is their House, you know. But let us move on, Madam Deputy Speaker.

The Member for Chaguanas West tried his best to deal with the second recital in the Motion. Over and over he tried to deal with the second recital that he is dealing with any action of the Chief Executive Officer of FCB that could have an adverse effect on the bank. So he is entitled to go back to the assumption of duty of Mr. Howai as Chief Executive Officer of FCB, back to the 1990s or 1920s if he wants to, because the Speaker approved that he could talk about any action of Mr. Howai. But then the Speaker tells him stick to the Motion, stick to the recitals. You cannot talk anything in 2002, 2003, 2006, 2009. Take your seat and that was the end of it. He had to take his seat.

And then, the following week, the Speaker comes to us and what does he tell us? He says to us:

“Hon. Members, I received a Motion of No Confidence in the Minister of Finance...The Motion qualified for debate on January 12... By agreement it came for debate on Friday, January 23...The Motion by its recitals raised the issue of the conduct of the Minister of Finance and the Economy in his former capacity as Chief Executive Officer...during the period 2006—2009...”

Let us go back to the *Hansard* record and let us see exactly what this Motion said, because I am not even sure that statement that the Speaker made was correct. The Member for Chaguanas West was ordered to read the Motion and it goes as follows:

“*Whereas*...FCB is a State Enterprise...

...*whereas* any action or lack thereof of the Chief Executive Officer...can have a negative return...

...*whereas* the Minister of Finance...was the CEO of FCB during the period 2006 to 2009 when a loan was granted to Carlton Savannah...for ...the funds were...used for the construction of a hotel;”

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What the Speaker had cleverly done, he has ignored the second recital, which talks about any action of the former Chief Executive Officer of the FCB and he has dealt only with one recital in the Motion that deals with a particular instant dealing with a particular loan for a hotel project that occurred between 2006 and 2009. So he used that one recital in the Member's Motion, talks about a particular loan for a particular project that took place between 2006 and 2009, to tell the Member you cannot talk about anything before 2006 and he completely ignored the second recital which says:

“...any action...of the CEO of FCB...”

But let us go on. So, again, in his personal explanation or attempt to correct himself, he is repeating the error that he made, that the Member was not permitted to talk about anything prior to 2006 and then he goes on to talk about the letter that he obtained and he goes on to talk about:

“...the sub judice rule is a discretionary restraint imposed...on the absolute privilege and freedom of speech...”

He talks about the:

“...comity between the Judiciary and the Legislature...”—

the—“Legislature's commitment to not adversely affect legal proceedings...”

And so on, and so on, and so on.

Then he explains that he thought it was necessary before debate on the Motion he should bring to the attention of the mover of the Motion that legal proceedings related to the subject matter had commenced in the court and that a consideration of the sub judice rule arose as a consequence. All of that is incorrect. I have already pointed out that it is a ruling of this House that, when a matter is not before a jury, when it is before a judge, it has a completely different complexion. Because what the Speaker very cleverly did to the Member for Chaguanas West is he started off first with these long interlocutory proceedings before, a sort of an interrogation of the Member for Chaguanas West before he even spoke, clear attempt at intimidation, and then tells him, your Motion, you could only talk about things from 2006 and 2009.

In fact, what I gather from all of this is that if the Member had tried to talk about things that happened in 2010, 2011, 2012, he would have been similarly told to take his seat. I get the impression that—because what the Speaker has said is, confine your statements to matters between 2006 and 2009, Madam Deputy Speaker.

So what is before us? The Speaker of the House has demonstrated bias. There are Speakers all over the place that have done this. I mean, there was a matter before the Australian Parliament recently where the Opposition brought a Motion of censure against the Speaker of the Australian Parliament. And why did they do that? Because in a period of a few short years, the Speaker of the House in Australia had suspended 95 Members of the Opposition and not one, the record shows, Member of the Government had been suspended. Ninety-five Members of the Opposition had been suspended in Australia. And that was not all, the last one that was thrown out of the House for disorderly conduct, i.e. laughing—a Government Minister had said something preposterous and an Opposition Member laughed and the Speaker put him out for laughing, and then the Opposition was able to bring videotapes of the Speaker. Every time the Government was heckling the Opposition, the Speaker was laughing and they had videotapes of it, that the Speaker was having a good time. Every time the Government was throwing “picong” at the Opposition, the Speaker was bursting into laughter. But the Speaker threw out an Opposition Member for laughing and suspended 95 Members of the Opposition.

**Dr. Moonilal:** Where was this?

**Mr. C. Imbert:** Australia. But do you know what the humour about all of that is? The Government has a large majority in Australia and the Government used its majority. They could not care less about what went on. They could not care less about the fact that this Speaker was just suspending Members and in fact throwing out a man for laughing. They could not care less about that. They used the majority to defeat the Motion. What it has done, it has brought the Parliament of Australia into odium and disrepute. It has focused worldwide attention on the behaviour of the Speaker in the Australian Parliament and it has demonstrated exactly what a Speaker should not do.

**6.30 p.m.**

I have no doubt that the Government will use its 26 seats, or however many they have, to defeat this Motion today as the Government did in Australia, when any impartial person, [*Interruption*] looking at what was happening there, would say that they had a case to answer, Madam Deputy Speaker. But, I am sure the Government will use its majority today to defeat this Motion. It does not matter, because the public is listening. The public is listening! [*Desk thumping*]

So the Members opposite could say whatever they want. They could say whatever they want. There is absolutely no doubt that when the Member for

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Chaguanas West committed the mortal sin of resigning from the UNC, of having the audacity to contest a seat as an independent or a member of a new party, and having the audacity to win that seat, [*Desk thumping*] clearly, whatever deferential treatment the member might have enjoyed in the past, he was a marked man after that, a marked man, [*Desk thumping and interruption*] a marked man, yes. He is a marked man. [*Laughter*]

**Hon. Member:** No pun intended.

**Mr. C. Imbert:** No pun intended. [*Interruption*] So, Madam Deputy Speaker, [*Continuous interruption*] what is before us?—that is no problem—the Speaker has abused the constitutional right—[*Interruption*]

**Madam Deputy Speaker:** I will give you 10 seconds to wind up.

**Mr. C. Imbert:**—of the Member to freedom of speech. He has used his Office to make rulings which are improper, he has intimidated the Member, and he has prevented him from exercising his parliamentary privilege of freedom of speech. For all the good things that the Speaker has done—and he has embarrassed the Judiciary by accusing them of being capable of being influenced by one man talking in this Parliament. So in all, by all standards, Madam Deputy Speaker, this Motion should succeed, and the Speaker should resign.

I thank you, Madam Deputy Speaker. [*Desk thumping*]

**The Minister of Health (Hon. Dr. Fuad Khan):** [*Desk thumping*] Madam Deputy Speaker, I need to indicate to this honourable House that I will not be raising my voice, and trying to score points in the way that the previous speaker has done. Also, this is a Motion that hinges on two things: one, the sub judice rule of the Parliament, and two, and a conduct of the Speaker who indicated the delivery of a notice that relates to a sub judice rule. It does not relate to anything else more than that, Madam Deputy Speaker.

Looking at the Motion brought by my good friend from Chaguanas West, who is a friend of mine—as well as the Speaker—it pains me, Madam Deputy Speaker, to do what I am about to do in the manner that it is going to be done.

I am not going to deal with this matter in the manner that the previous speaker has done. However, I just want to read into the record, the new Standing Order, 49(1); 49(1) indicates—the Member for Diego Martin North/East neglected to say these words—the sub judice rule:

“(1) Subject always to the discretion of the Speaker...”—which makes a very marked point—“Subject always to the discretion of the Speaker and to the right of the House to legislate in any matter, a Member shall not raise or

pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that—”

—and it goes on.

Madam Deputy Speaker, this Motion before us speaks of a sub judice rule that was probably breached in some way. I am going to read out something from the Canadian Parliament. Our Parliament indicates that the Speaker has the right always to determine the action of the House based on sub judice, Standing Order 49(1). The word “always” is not “maybe” or “shall” or whatever. It is “always, always, always”. In the Parliament of Canada, the Sub judice Convention, I will read it out:

“There are other limitations to the privilege of freedom of speech, most notably the *sub judice*”—rule “(‘under the consideration of a judge or court of record’) convention. It is accepted practice that, in the interests of justice and fair play, certain restrictions should be placed on the freedom of Members of Parliament to make reference in the course of a debate to matters awaiting judicial decisions, and that such matters should not be the subject of motions or questions in the House. Though loosely defined, the interpretation of this convention is left to the Speaker. The word ‘convention’ is used as no ‘rule’ exists to prevent Parliament from discussing a matter which is *sub judice*.

The *sub judice* convention is important in the conduct of business of the House. It protects the rights of interested parties before the courts, and preserves and maintains the separation and mutual respect between the legislature and the judiciary. The convention ensures that a balance is created between the need for a separate, impartial judiciary and free speech.”

Madam Deputy Speaker, when the Speaker received the Motion, we all know that the matter—this was done, I think on January 16, and the courthouse matter was January 05. I am going to read into the record in the same manner that the Member for Diego Martin North/East read into the record, the *Hansard* of the Speaker of the House, page 10. This is the Speaker’s action:

“As the guardian of parliamentary privileges I stand steadfastly in defence of freedom of speech. But I must bring to the attention of this honourable House a matter that is before us.

I want to let Members know that I as Speaker received a Motion from the Member for Chaguanas West on December 30, 2014. I approved this said Motion on January 5, 2015.

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I received only a few hours ago a notice from the High Court of the Republic of Trinidad and Tobago dated January 16, 2015. A matter involving Larry Howai and Azad Ali of the *Sunshine...*

Now, Madam Deputy Speaker, looking at the Motion, it says: ...*whereas* before the debate in an unprecedented move informed the House that he received “a notice from the High Court dated January 16th, 2015,” regarding “a matter involving Larry Howai...”

Madam Deputy Speaker, the *Hansard* just indicates that the Speaker received a notice, which is not a notice that was said in a capital “N”. A notice that is in a capital “N” is a definite notice from a High Court—[*Interruption*]

**Mr. Imbert:** Oh, behave!

**Hon. Dr. F. Khan:**—of course, it is. And if that was not so, why is it then in this Motion, where in the second part “a notice” is in a common “n”. When you go lower down, the next one—[*Interruption*] that is very serious, that is extremely serious, because I will tell you why—Madam Deputy Speaker—[*Interruption*] he will scoff as much as he wants, but when he says something about law, and he is not a lawyer, you have to listen.

Now, Madam Deputy Speaker, when you look at it, look at the fourth part of the Motion:

...*whereas* on January 26th...the Judiciary of Trinidad and Tobago issued a Media Release stating that “no Notice...”

—in capital “N”. It may look like a moot point, but the *Hansard* talks about a notice, in common “n”. The Member of Parliament for Port of Spain North/St. Ann’s West will tell you, as a previous teacher, a common “n” and a capital “N” are two different things. “-o-t-i-c-e”, in a capital “N”, means a definite paper from the High Court that went to the Speaker; that is what it said.

The Speaker said he received a notice, common “n”, from the High Court. That common “n”, notice, was not a definite notice. It was a notice of information brought to the Speaker, [*Continuous interruption*] and that came from another point. So what I am saying, Madam Deputy Speaker, the Speaker was correct when he said he received a common “n”, “notice”, which was not a definite paper from the High Court. Had the Speaker made the error of saying that he had a capital “N”, “Notice”, which is a definite form of a Notice from a High Court, then he would have been in breach, but the Speaker was very clear in the *Hansard*, where he said he received “notice.” If I receive notice from you, Madam



Deputy Speaker, from your driver, I still receive notice from you. [*Interruption*] If you sent to me a paper from the Deputy Speaker, I would have to say it is a notice from the Deputy Speaker.

So, what I am saying too, this is a very good—[*Interruption*]—it is not weak. It is only weak because you are caught with your pants down. [*Laughter*] You have been caught with your pants down, that is what is happening to you. [*Continuous interruption*] The Member for Diego Martin West—and the thing about it, it is a short pants too. [*Laughter*]

Madam Deputy Speaker, the Member for Diego Martin North/East is attacking me, but I will not ask for protection. I could handle it because, at the end of the day, he understands that the Speaker of the House spoke about “a notice” received, not a capital “Notice”, formal paper. Now, a Notice from the High Court would come directly to you in the form of a piece of paper from the High Court to the Member or the Speaker. So, if you have that, what do you have? You have a significant Notice from a High Court. Or if I say to you I have a notice from somebody, it could come from your driver, or anyone else. So, Madam Deputy Speaker, I put that to rest, that is a nonsensical—[*Interruption*]

**Mr. Imbert:** So why did the Chief Justice send out a release?

**Hon. Dr. F. Khan:**—because the thing about it is that—[*Interruption*] I am coming to that. Thank you for speaking to me. I am coming to that. The reason that the Chief Justice and others sent out a release was because of the misinterpretation of what the Speaker said by the media and the Opposition. Simple.

**Mr. Imbert:** “So, yuh listening to de media now?”

**Hon. Dr. F. Khan:** No. The Members of the Opposition misinterpreted [*Interruption*] what the Speaker was saying, and in doing so, they thought a notice that came was a Notice from the High Court. The Speaker was saying that the notice was something that he received. So, the Speaker had to come the following week to deal with the misinterpretation of the Opposition; that was why he had to do it. He had to bring this House to order because he realized then that the Opposition had misinterpreted what he had said.

**Hon. Member:** What?

**Hon. Dr. F. Khan:** Of course. So that was why the Speaker, making sure that the Parliament was done in the correct manner, came and indicated to the Parliament that, based on what was said in the media, et cetera, et cetera, he had

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to come to the Parliament and indicate to the Opposition that he was not speaking about a “Notice”, capital “N”, from the High Court. He was talking about notice received. So you understand what I am saying? It was misinterpreted by the Opposition to be a Notice from the High Court, capital “N”, which is a definite form of Notice. So you see, Madam Deputy Speaker, the Speaker was correct in what he was doing. Unfortunately, the Opposition likes to play their cheap politics and bring a Motion in this manner. Now—[*Interruption*]

**Mr. Imbert:** “Yuh cyar read.”

**Hon. Dr. F. Khan:** “I cyar read? Brother, “leh meh me tell yuh something, ah lot ah people in dis country cyar read”. [*Laughter and crosstalk*]

Now, Madam Deputy Speaker, when we go lower down—I just want to deal with the Motion, and then get that out of the way, because the Motion issuing from my friend from Chaguanas West—“he take basket from de PNM”, and brought this Motion, obviously. It is not a Motion that he is good at. I know the Member for Chaguanas West. He is a fantastic debater. He is a man who writes properly. He does good articles in the *Sunshine*, I read all. [*Laughter*] The thing about it, Madam Deputy Speaker, [*Laughter and interruption*] he is even good at front pages in the *Sunshine*. But when I saw this part of it, I realized that my friend from Chaguanas West was being misled by the PNM.

**Miss Cox:** “How de PNM reach in dis?”

**Hon. Dr. F. Khan:** I will show it to you, Member for Laventille East/Morvant. I believe, since the Member for Chaguanas West is so close to the Member for Diego Martin North/East, who is an expert at propaganda, [*Laughter*] I think he listened to him because—hear this part of the Motion—Member for Chaguanas West, next time, run it by me. I will tell you what not to do. [*Laughter*]

**6.45 p.m.**

“*And whereas* in a further unprecedented move on January 23<sup>rd</sup>, 2015...”

And my friend from Diego Martin North/East knew exactly what he was going to do because I am going to call him out on this one.

—“the Speaker allowed the Member for Oropouche East to speak on the matter even though it had come to its ‘*premature end*’;”

Madam Deputy Speaker, the Speaker, after he was doing the initial Motion, when he started off the Motion, he started off by saying that:

“...I do not want to shut down anyone from speaking, but I have a duty, as the Presiding Officer, to ensure...whatever we are discussing does not infringe on the well-established principle that has been around for centuries that we should not interfere in matters that are before the courts...

...We could be treading on very dangerous grounds.”

So, Madam Deputy Speaker, the Speaker called upon the hon. Member, which is the Member for Chaguanas West, in between that call the Leader of the Opposition stood up. The Leader of the Opposition stood and said:

“Mr. Speaker, before you call...the Member, I rise on a point of clarification because what you have raised here is very fundamental and very interesting. But on a point of clarification, for my own benefit”—that is the Leader of the Opposition—“and for the benefit of members in the general public, could you just tell me—I am not sure I have it clearly—when did you approve this Motion...”—And he went on.

Mr. Speaker said:

“I received this Motion on”—such a date. “I approved”—it, and whatever—“I beg your pardon. I withdraw...January 16...48 hours ago.”—He went on.

Then the Leader of the Opposition got back up.

“Mr. Speaker, the corollary of the caution that you have raised...with me...”

And the Leader of the Opposition said what he thought about people bringing the privilege of the House, et cetera, and then he said:

“I thank you, Mr. Speaker. [*Desk thumping*]”

Mr. Speaker then says:

“And that is why, as you rightly said, hon. Leader, my duty is to balance the rights of the Members...”

And then he says:

“I recognize the Leader of Government Business...”

Dr. Moonilal gets up and ask for a point of clarification. That is what he did. He said:

I “again on a point of”—clarification, Mr. Speaker, I—“join the Leader of the Opposition...with great respect to the ruling and your statement...” And he asked a question.

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It goes on, Madam Deputy Speaker, onwards. After that Mr. Speaker said:

“I will allow the hon. Member for St. Joseph...”

Because he got up. So what was happening here—you know:

“I recognize the Member for St. Joseph.”

And it goes on again, Mr. Deyalsingh, the Member for St. Joseph went around with the whole thing. It goes again: Mr. Deyalsingh, Mr. Speaker, Mr. Deyalsingh, “Could I finish?” et cetera. Then Mr. Speaker said:

“I will just take one more contribution, as I said. I am going to allow the Member for Chaguanas West to begin his discussion but I want to just let Members know,”—and—“I raise it so that Members would be aware of”—it—“and forewarned.

I recognize the Leader of Government Business.”

And then Dr. Moonilal asked for a point of clarification and about what is going on with the Motion. Mr. Speaker said, after Dr. Moonilal:

“I think we have aired the views well. I now recognize the Member for Chaguanas West.”

The Member for Chaguanas West started off:

“Thank you, Mr. Speaker.”

He starts of speaking about the *Sunshine*, and he talked about something:

The “CEO of FCB and whether he is fit and qualified...”

Mr. Speaker, I have nothing more to mention about the—”

Mr. Speaker gets up:

“I do not think you are interested in debating your Motion. You have to move a Motion before we can debate it...”

Which is standard practice. You cannot start a Motion and debate it without moving it. So, you have to move the Motion before you debate it, and after you move your Motion you get a seconder.

So, Mr. Speaker was indicating to the Member for Chaguanas West the direction of the procedure of the House. I see nothing wrong with that.

“...first thing is to read your Motion because I have given you the all-clear to read your Motion, then you can make your—”

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Mr. Warner said:

“Mr. Speaker, before I read the Motion, you said you wanted to know about the content, and I was merely—”

Mr. Speaker said:

“No, no, no. I have already said what I have to say.”

He is not shutting up anybody.

“I have already said what I have to say. I have given you”—Member for Chaguanas West—“the all-clear.”

It is here:

“No, no, no. I have already said what I have to say. I have given you”—Mr. Chaguanas West—“the all-clear. I am monitoring this debate very carefully. That is all I can tell you. But”—please—“read your Motion and let us debate”—the—“Motion.”

How does the Speaker come about now for stopping the Motion? I do not understand it.

Mr. Warner said:

“Mr. Speaker, I will read the Motion.”

Mr. Speaker said:

“Yes, read”—the—“Motion.”

Mr. Warner reads the whole Motion, everything, nothing off, and then he says:

“Mr. Speaker, I am guided by your ruling and I want to say...”

And he goes on about and here outside. Mr. Warner spoke for quite a while and then he starts off about:

“I ask myself: those people who have been sent home...,

“God is a Trini”...”—et cetera.

Dr. Moonilal gets up. Now, this is significant, Madam Deputy Speaker, Dr. Moonilal gets up:

“Mr. Speaker, Standing Order 48(1). I mean, when are we”—going to hear—“about the Carlton Savannah?”

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Mr. Speaker said:

“I overrule”—you. Sit down.

So what Mr. Speaker said to Dr. Moonilal, he put him to sit down, so how could the Speaker not be acting fairly? He is giving the Member for Chaguanas West all rights to read his Motion. He said, go ahead I am monitoring, which a Speaker is supposed to do. He is entitled. Mr. Speaker is entitled by 49(1) to use the sub judice rule. He is entitled—always entitled. We cannot stop that.

So we go on again. Mr. Speaker overruled the Member, Dr. Moonilal, put him to sit down and goes on. Mr. Warner continues and goes on. Dr. Gopeesingh gets up:

“...48(1), Mr. Speaker. Relevance of CEMEX.”

Guess what Mr. Speaker says? Mr. Speaker said:

“I am listening very carefully to the hon. Member. I just want to let the hon. Member know we have to stick to the recitals here...we cannot go all over the place in terms of other matters...”

He puts Dr. Gopeesingh to sit down. He does not indicate it is sustained.  
[*Interruption*]

**Mr. McLeod:** So where is the bias?

**Hon. Dr. F. Khan:** There is no bias. He is putting the Members of the Government to sit down, overruling their objections, and allowing the Member for Chaguanas West to speak.

You know, Madam Deputy Speaker, he goes on. Mr. Warner continues and he talks about CEMEX, et cetera, CEO post-2009, pre-2006, and he goes on. Mr. Speaker said:

“I now understand where you are going.” Please—“Listen, a Motion of censure is a serious Motion, it is a no confidence Motion”—of—“a Member or a Minister and when approval is given to a Motion...”—please—“stick to the recitals. So you cannot bring in other matters. What is before this House, is”—the—“Motion...if you are going into pre as you said, 2’03...you cannot raise, what I call, issues that you have not sought approval for.”

Had they sought approval for that they might have gotten it, Madam Deputy Speaker:

“So you are going into a new area that the House did not approve and you might spend some time going into that area, and I am saying that we have to

stick to the contents and recitals of this Motion and do it very carefully given my earlier guidance, but I do not want you to go into any assertions into areas that we have not approved and the House has not approved.”

You see, Motions are on the House paper:

“Continue, please.”—Member—“Remember, hon. Member, this is a matter of no confidence. You have indicated in your Motion what you are concerned about and those are the matters that the House is interested in hearing. But I raised a matter earlier on about the High Court matter, so we proceed with these things in mind so we do offend our relationship with the court. That is all I am saying. Continue, please.”

Now, nowhere in that, what I just read, Mr. Speaker said that he shut up anybody Motion. He did not.

Mr. Warner said:

“Mr. Speaker, I thought when I told you I am talking pre-2006 and post-2009...you did not object, I thought that was approval.”

Mr. Speaker said:

“No! No, you see I cannot approve or not approve until I hear you. I cannot prejudge what you are going to say. So if you say pre-2003, I have to first hear what you are saying. Now I have heard where you are going, I am advising you, you are going down a wrong road in the context of the Motion. So continue, please.”

Mr. Warner says:

“Thank you, Mr. Speaker. I am through.”

Dr. Moonilal says:

“What about Carlton Savannah?”

And Dr. Gopeesingh said:

“No substance. No substance.”

Mr. Speaker said:

“Do we have a seconder”—for the—“Motion?”

Now, I remember in the teacup affair the same thing occurred. The seconder for the Motion—Mr. Warner sat down, he was the mover of the Motion, he sat down without a seconder. If you do not have a seconder, Madam Deputy Speaker, the Motion is dead. The Motion is dead. Now, Mr. Speaker said:

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“Hon. Member for Chaguanas West, have you concluded your contribution?”

He said:

Yes. “Totally, Mr. Speaker. Totally! Absolutely!” I am finished.

Dr. Moonilal gets up:

“Mr. Speaker, I just want to get the record...clear...”

He is seeking a point of clarification based on the Standing Orders, clarification.

“I...want to get the record very clear on what is happening here. Permission has been granted to the Member to raise a Motion...”

And he goes on, and we adjourned the House.

Madam Deputy Speaker, when you put it in context, without the fanfare and the politics, and what is now an election year, you put the facts on the table, and, as a surgeon, I am accustomed looking at facts, not hearsay. You see, Madam Deputy Speaker, you look at a notice that is not a noun. You look at a notice that is not a specific document that was sent onwards from a High Court, else it would be the capital “N”. This is what I know from high school. You have a notice—and I could read the definition of notice, and if you read the definition of notice in the dictionary, the n. notice is a noun that speaks to a specific item. A notice is something that is just given to somebody, a warning, et cetera, whatever you want to do, and it could be brought for anyone, the smaller notice. But somebody bringing a notice of a big notice could say, I brought a little notice of a big notice, and the thing about it, “I noticed the notice”. [Laughter] You understand, Madam Deputy Speaker? “I have noticed the notice” or “the notice was noticed”. You understand? And are you all noticing it? Right. Good.

Now, Madam Deputy Speaker—[*Interruption*] “You see, he making a joke for everything.” [Laughter and crosstalk] Madam Deputy Speaker, I am not going to go into who have CEPEP contract. I am not going to go into that because I think that was not supposed to be brought in this House, and that is a personal thing that you do not do.

Madam Deputy Speaker, I would just say to my hon. Member for Chaguanas West, I understand that you wanted to bring your Motion, and I remember in the Parliament of 1995 to 2000, I had to make a contribution and the then Speaker—no, sorry, it was 2001 with Barry Sinanan. I had to make a contribution in what we called the—I think it was Mr. Panday and his computer. Mr. Panday and the computer, where Mr. Panday had the computer out and he was put out of the



Parliament for a month, yeah. I got up to make a contribution on a Standing Order to allow Mr. Panday to have an extra time and I was shut down by Barry Sinanan, the then Speaker—and said I cannot use that Standing Order, it was too late.

I was on time, I was ready, I had my thing and I sat down there very angry. I understood exactly what the Member for Chaguanas West—he had his Motion, he wanted it to be debated, but, of course, you get a little politics in between, so he sat down. However, I had the same problem with Mr. Panday and the computer. I had to sit down and Mr. Panday—because that was the last day to allow him the extension from what was happening—Mr. Panday had to stay out the Parliament, I think, for a long time a very long time. Now everybody uses cell phone and computers inside the Parliament. You know, it is how history goes.

So, Madam Deputy Speaker, I just want to quote section—and this is for the Members of the House—Standing Order 46(2). People should take note of Standing Order 46(2), and I will read it into the record. Although it was not exact as it was with Dr. Moonilal, Standing Order 46(2) says:

“A Minister may conclude a debate on any motion that is critical of the Government or reflects adversely on, or is calculated to bring discredit upon the Government or a Government officer.”

So, when Dr. Moonilal stood up and spoke after, he was doing nothing wrong. He was working according to Standing Order 46(2). All the Motion was dead. *[Interruption]*

**Mr. Imbert:** You have to call the Standing Order.

**Hon. Dr. F. Khan:** No. No. I called it.

**Mr. Imbert:** He did not.

**Hon. Dr. F. Khan:** No, you do not have to call the Standing Order.

**Mr. Imbert:** Yes, you do.

**Hon. Dr. F. Khan:** All right. In this case he asked for clarification.

**7.00 p.m.**

I have made a case, and totally brought out exactly the facts as they were put on the table. I want to say that the Speaker, hon. Wade Mark, has done a lot for this House. We have changed the Standing Orders; we have changed the budget movement; we have changed the way things happen. We are now in the CPA what we call an “international player” in the Parliament of the country. Madam Deputy Speaker, you have been abroad on this CPA business and you understand the kind of respect that we got; and they always quote wherever you go, “Speaker Wade Mark has this”, “Speaker Wade Mark has said that”.

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To utilize something as frivolous as a notice—and the Speaker was correct in what he said—and the sub judice rule, I think personally both sides, even the Opposition who has spoken and talked about censure, should look again and understand that because it is an election year, you do not drag somebody down. The Member for Oropouche East said the correct thing: when you are building a case against somebody, you do not build a one case and run with it; a one item; it is a one item, and the one item was not even a proper item. It is an item because it was “propagandised”. It was misinterpreted by the Opposition and the media to mean a notice, which is a definite document, and it was carried like that. What I would like to say is look at the facts; look at what I have just said and vote with your conscience.

Thank you very much.

**Madam Deputy Speaker:** Member for Pointe-a-Pierre. [*Crosstalk*]

**Hon. Member:** “Oh no! Nooooo!”

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol Mc Leod):** Thank you very much, Madam Deputy Speaker. I think that the defence has been very well established and the prosecution has failed miserably. [*Desk thumping*]

I rise to defend, not just the Speaker of this honourable House, but a brother and a comrade of very long standing. I have come from a discipline that suggests that I should let you and Members of this House know that Wade Mark, the hon. Speaker, and I would say and would sing, we are comrades and brothers we will stand side by side. Our battles and woes are the same.

**Hon. Member:** You and Roget are comrades.

**Hon. E. Mc Leod:** No, I will leave Roget for you.

In this fight we must struggle for the right. It has been well-established that the Speaker erred, and the Speaker was man enough to come and apologize, most honourably, to this House. [*Desk thumping*] It therefore asks the question: Who among the accusers is without sin? “Any one ah dem?” The hon. Speaker did not divert any river to claim land that does not belong to him.

**Hon. Member:** “Ooooh!”

**Hon. E. Mc Leod:** Madam Deputy Speaker, someone of them suggested that there is the perception that the Speaker is a UNC Speaker, but in my view that is more than perception. Wade Mark helped to build the UNC, but Wade Mark has been objective sufficiently to conduct the business of this House without any UNC bias or bias for anybody else. [*Desk thumping*]

I happen to have been in the Parliament 1976—1981, and I sat in that Parliament under the speakership of the great Arnold Thomasos—his name was mentioned here—and I found him to be quite an effective Speaker, very knowledgeable, but he was a Speaker—and they say you must not ill speak the dead. This is no ill speak. I witnessed that Speaker being controlled quite often by signs they say of the lodge; a small bunch of keys on this little finger, manipulated by the chief at that time. Yes, I witnessed that. So I will not make any comparison between Speaker Mark and any Speaker who went before him. I will record the good things that I would have observed of each one of them.

But the other side in this debate so believe that they must be in control of everything, that even as they sit in Opposition, they think that they must be in control of the Speaker and the rest of this Parliament. Indeed, they went to some very ridiculous lengths that shook the confidence of this country—and the hon. Leader of the Opposition, Member for Diego Martin West, spoke about what happened in St. Kitts—was it in 1995, 1994, 1993? When action was taken against the Speaker of this House—1995—Madam Speaker Occah Seapaul at that time, the state of emergency. Run her out of office; that is what they did. So where is the moral authority on which they must stand to bad-mouth the hon. Speaker as much as they sought to do? That is not to say at all that one should not bring action here to reinforce the position that one might be seeking to realize. *[Interruption]*

No, I do not want to get into that really. All I would say about that is that the PNM always claimed to be on a platform of morality, and today we see definite signs of their desperation as they hug, kiss, and confederate with immorality. That is happening before our very eyes.

They talk about CEMEX, and I wanted to know what CEMEX has to do with this matter before the House. But let me say, Madam Deputy Speaker, that in 2002 there was a move by CEMEX to take over—how they call it again?—their move in a hostile takeover of Trinidad Cement Limited. I know of that.

In 2002, I intervened in that matter to save Trinidad Cement Limited, Arawak Cement in Barbados and Carib Cement in Jamaica. I saw TCL, Claxton Bay, Trinidad, Arawak in Barbados and Carib Cement in Jamaica, these three entities of this one Caribbean company, one might call it, as I see the University of the West Indies, as I see West Indies cricket, as unifying forces. One of them on sport, cricket, one of them on education and culture, the University of the West Indies, and the TCL group of companies, insofar as economic unification and

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activity might be concerned. CEMEX was attempting to take over that, and we read that to have the potential for great disaster in that economic unit of Caribbean integration.

As the leader of the representative organization for the workers in Trinidad Cement Limited, I intervened, not only with the Oilfields Workers' Trade Union behind me, as its leader, but also the Barbados Workers' Union representing those employed at Arawak Cement, and the National Workers Union in Jamaica representing those in Carib Cement. I got the leadership of those unions to come to Port of Spain and assist in our stratifying how we are going to fight this behemoth. [*Crosstalk*]

We were not satisfied with merely being the workers' representative; I caused the Oilfields Workers' Trade Union to acquire shares in Trinidad Cement Limited so that we could attend the special meeting that was called to determine how this company would go forward. [*Interruption*]

**Mr. Deyalsingh:** Madam Deputy Speaker, I stand on Standing Order 48(1). "Oh, gosh man, oh gosh!"

**Madam Deputy Speaker:** Member, I want to ask you to stick with the Motion, please. You may continue.

**Hon. E. Mc Leod:** Madam Deputy Speaker, it is not I who brought CEMEX into this debate. I am responding to what was said about CEMEX and our involvement. So that I claim that what I am saying is very relevant in this debate.

So we were able to go to the meeting, and we mobilized the institutional investors—

**Mr. Imbert:** Madam Deputy Speaker, Standing Order 48(1). The only issue that was raised about CEMEX was an allegation of insider trading by the Minister of Finance and the Economy, not the operations of that company. It is not relevant to this Motion.

**Madam Deputy Speaker:** Yes, I recognize that Member. I want to ask you again, Member, please stick with the Motion before us.

**Mrs. Gopee-Scoon:** Stick with the programme!

**Hon. E. Mc Leod:** Madam Deputy Speaker, they cannot take it.

**Mr. Imbert:** What's, your rambling?

**Hon. E. Mc Leod:** Madam Deputy Speaker, the CEMEX issue is going to come up again, I am sure.

**Mr. Imbert:** Bring it up another time.

**Hon. E. Mc Leod:** You are not going to bully me. Indeed, Madam Deputy Speaker, I will ignore him so hard that he too will begin to doubt his own existence. [*Laughter and crosstalk*]

**Mr. Imbert:** That is how you ignore me, by calling my name?

**7.15 p.m.**

**Hon. E. Mc Leod:** This Motion references one occasion, Madam Deputy Speaker, where the Speaker has already corrected the record. I made that point. The Speaker's initial action was made because of his duty to confine talk within the limits of relevancy without interfering with the freedom of discussion. The hon. Speaker did not adversely affect anybody's right to speak.

**Mr. Deyalsingh:** I thank you.

**Hon. E. Mc Leod:** You are a waste of time. "Doh" bother with you.

**Mr. Ramadhar:** "When yuh big and tall yuh could do what yuh want you know." [*Crosstalk*]

**Hon. E. Mc Leod:** "Ah telling yuh". How many times will the Opposition bring forward baseless Motions such as this one? Yes?—and do nothing but seek to subvert the policy programme and legislative agenda of this Government.

I remember, Madam Deputy Speaker, a very early Motion of no confidence brought to this House. It was a Motion of no confidence in the hon. Prime Minister, I think it was in 2012 or 2013 thereabouts—an early one, I think the earliest one. And the argument put forward by the Leader of the Opposition and the Member or Diego Martin West was that the Prime Minister should not keep the Member for Chaguanas West in the Cabinet because of other positions that he held at the international level and positions which they claimed carried some salary and pensionable benefit and so on. They went to town on the hon. Member for Chaguanas West. All of us on this side we consolidated our support for each other—yes? We spent 24 hours debating that particular Motion, and the Motion was against the Prime Minister keeping Jack.

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Today, the mover of that Motion then and the Leader of the Opposition get jack and he seems to be keeping jack. They all belong to one family. But it is his choice. It is his choice. Yes? If he wants to remain there with all the brutality that had been suffered over the years. Over the last four and a half years we have seen incessant Motions of no confidence against the Prime Minister, the Minister of Finance and the Economy, other Members of the Government and now the Speaker of the House. The Motion makes no reference really to the Speaker's impeccable handling of question time over the course of the last four and a half years. Quite often, you know, we were the ones who felt the brunt of the Speaker's objectivity and independence, as I am sure he will identify.

Madam Deputy Speaker, I have had the opportunity to know the hon. Speaker for a long time and he has been nothing but very forthright, very strong, very honest, very consistent and fair in his dealings with people, with organizations and so on. He has contributed tremendously, Madam Deputy Speaker, to the building of a very important social partner in the country—the trade union movement. He has contributed to that.

May I just read this little part, Madam Deputy Speaker—in the quest to remain relevant and in the face of astute leadership demonstrated by the hon. Prime Minister, Members opposite have sought to drag down the reputation of the Parliament and the Speaker, the centrepiece of the entire political system and—  
[*Interruption*]

**Mr. Deyalsingh:** Madam Deputy Speaker, I rise on 48(6).

**Madam Deputy Speaker:** Overruled. Go ahead.

**Hon. E. Mc Leod:**—the centrepiece of the entire political system to seek to now attack the Speaker of the House who has done nothing but sought to raise parliamentary standards since he first entered Parliament during the Third Republican Parliament in 1990 as an Opposition Senator, and continues to do so now as an independent umpire in the course of the conduct of our Parliament since 2010.

Madam Deputy Speaker, I think so much has already been said. I did not mean to belabour the point either. I join with the hon. Member for Diego Martin Central—  
[*Interruption*]

**Dr. Browne:** What?

**Hon. E. Mc Leod:**—in decrying the ridiculous approaches that have been taken this evening on this matter. Yeah? I therefore, wish to rebuke this Motion of

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no confidence as nothing more than another act of political desperation and media-grabbing headlines by a Member who feels a sense of angst, nervousness and a demonstration that Members opposite do not have anything meaningful to say regarding real public policy issues which citizens care about.

I suspect very strongly that the Member for Diego Martin Central, unlike his colleague for La Brea, will stand on the basis of his own hard work in Diego Martin Central and his articulation of the issues that he would have brought to this House, you know [*Crosstalk*]—“ah” putting in a little plea with yuh leader”. When is your screening? [*Laughter*] Madam

Deputy Speaker, thank you very much. [*Desk thumping*]

**The Acting Prime Minister and Minister of Legal Affairs and Minister of Justice (Hon. Prakash Ramadhar):** Madam Deputy Speaker, I thank you for the opportunity to enter into the debate. I had not intended to enter, but I thought that having regard to what I have heard here this evening it was important to put things into perspective and to restore some level of dignity and truth to the debate that we have been having here this evening. There has been much said— [*Crosstalk*] gentlemen, Sir.

**Madam Deputy Speaker:** Please.

**Hon. P. Ramadhar:**—to determine really one’s future actions, you look at one’s past—and in the common parlance, you look at one’s reputation. Madam Deputy Speaker, I ask, what is the reputation of the man who occupies the seat of Speaker of the Parliament of Trinidad and Tobago?

I am really warmed to have heard the Member for Pointe-a-Pierre who has known him for far longer than I have, and who may have known him in better circumstances than I have. But from the experience I have had knowing Mr. Mark, long before he was Speaker, and I ask anybody to contradict that Mr. Mark has always been a very honest man. Mr. Mark has always been a decent man. He may not be the quietest spoken of men, but one thing is sure, that when he spoke, he spoke what he believed and that is really the integrity and reputation and character of a man.

It is, you know, a little bit troubling to hear an acknowledgement from the Leader of the Opposition and indeed a rarity, an acknowledgement from the Member for Diego Martin North/East as to the good work and indeed of the reputation of the Speaker, until this incident. But why have we so diverted ourselves from what we believed of him, until this incident? It is very obvious to

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me. It may not be obvious to some, but to me it is about money, it is about abuse, it is about power and it is about politics. This society has degenerated to a position where if you belong to one side, nothing that appears to be connected to the other has value. Indeed, it must be made a target for destruction. The easiest thing to destroy in this nation is one's reputation and name.

Not too long ago we were debating a trademarks Bill, and a trademark really is about who you are, what you are in terms of business. But indeed, your name that you carry is about the value that you have put to yourself by the way you have lived and the way you have spoken, and the way you have conducted yourself. But in an instant of reckless disregard for all of these things that you may have lived all of your life to—a spoken word or a written word, could scar it or sometimes even destroy it.

I am reminded when Shakespeare spoke in Othello that he who steals my purse basically steals nothing. He steals trash. 'Twas his, 'twas mine. It is nothing. But he who steals my name takes from me my true value. I am paraphrasing—but does not enrich you. We see this happening in the society repeatedly.

So let me now put this back in the context of what we are dealing with. The reputation of Mr. Mark and the reputation of those who sit on the other side in the way that they deal with things, to have heard the great oratory from the Member of Diego Martin West. I want to congratulate him. I think he is one of the best debaters I might have ever have had the privilege to have heard, but not for good [Laughter] Not for good. He truly is a leader of many on that side, who has the capacity and God-given intelligence to distort, to twist and be mischievous at best, but evil in truth because there is something called truth. There is something called facts, and “meh” friend—you know, you talk about true facts, and we have something called essential truths. I always believe in the midst of all things that you find the essential truth. Persons may say things, they may do things and we may not know all of the facts that they believe they know or all of the circumstances that they exist in to understand the essential truth of what they say and of what they do.

My deceased father taught me from very young that you never judge a man until you know his circumstances. So, you always find the essential truth. Indeed, on Sunday morning, Madam Deputy Speaker, I was, by an act of coincidence, playing some music to work out, and for whatever happened a button was pressed and it went to a station that was running a programme from Pastor Duncan. You know, in that moment I was just drawn to what he was saying. He said, that you always—you know, the evil little one on that side—[Laughter]



**Mr. Imbert:** Madam Deputy Speaker, on a point of order. On a point of order. Withdraw and apologize. [*Crosstalk*] Withdraw and apologize.

**Madam Deputy Speaker:** The word is not appropriate, Member for St. Augustine—Member for St. Augustine, continue.

**Hon. P. Ramadhar:** Madam Deputy Speaker, I was speaking about the sermon I heard about the devil. [*Laughter*]

**Mr. Imbert:** Standing Order—this is not a joke—48(6). He is making a joke of it. Withdraw and apologize. [*Crosstalk*]

**Madam Deputy Speaker:** Hon. Member, please. Please, please. You may continue.

**7.30 p.m.**

**Hon. P. Ramadhar:** Madam Deputy Speaker, let us get serious here, and I am very serious. [*Interruption*] Could I be permitted—[*Crosstalk*]

**Madam Deputy Speaker:** Members for Port of Spain South and Diego Martin North/East, please! Please, allow the Member to speak in silence.

**Hon. P. Ramadhar:** Thank you very much. I was making the point that people play with the talents that they are given to abuse their God-given gift.

So, let me go back to Mr. Duncan. What he said then is that persons are used by forces that they are not even aware of, and he used the term, the Devil uses people in circumstances and an environment to do harm to each other, when little do they realize the forces that are in fact controlling them. And I reflected on that. It is a simple thing but an important factor, because what is happening here today and in the society is that there are powers that be, that you do not see or do not truly understand, that attempt to—[*Interruption*]—you know, I am going to ask you to put him out. If he cannot control himself then the Chair—

**Madam Deputy Speaker:** Member for Diego Martin North/East, please allow the Member to speak.

**Hon. P. Ramadhar:** I could understand why—

**Mr. Imbert:** What is he doing there?

**Madam Deputy Speaker:** Member for Diego Martin North/East, you know you are very strange as well. And I say this because when you were speaking you did not want to hear a pin drop, so please allow the Member for St. Augustine to speak in silence.

**Hon. P. Ramadhar:** And I could understand why the eagerness for certain persons here to be rid of Mr. Mark, because he is very firm about the discipline that is required in this august House. [*Desk thumping*]

Now, Madam Deputy Speaker, I was making the point about reputation, and the reputation now that we have seen, from many Members on the other side, is to have no regard of the consequence on others of their words and of their action. And you know there is a saying that water finds its own mark. [*Interruption*] You know, pardon the pun.

So that I am hearing now of this new familial bonding between the classic PNM and the classic Chaguanas West. It appears that there was never much difference, just a facade of difference, but today when they will all stand and speak as one in support of something that is ignoble and improper, and nefarious, it is important for us as a nation to identify the trademark of the PNM and its new membership.

What they do, Madam Deputy Speaker, is that they have an ability to speak, and I spoke of the ability of the leader of that group, to debate with such certainty, with such conviction, that if you do not catch yourself and take note, you would be drawn to believing what they say to be true. But the new member has a history and a reputation, and it is sometimes important—but, I want to be fair, because I always like to be balanced. One thing I can always say about the Member for Chaguanas West is that when he sat in Cabinet he was always clear about looking after the young people to ensure that their well-being was cared for.

And not just the young and oppressed persons, but he spoke also, repeatedly, about the need to look after those who are obtaining tertiary level education, and about jobs for them. And I always admired that. But, I also recognize the other part of that truth, and I had stood, sometimes singularly, sometimes in company with others, to say that if you have serious allegations hanging, you should clear them, and that you should not hold and occupy high political office.

Indeed, the Member for Pointe-a-Pierre spoke about that matter, where a no confidence Motion was brought to have him removed, and the Prime Minister had to face the embarrassment of having to come before a Parliament to defend her Cabinet. That is the duty of a leader. But, what has happened? We know that the court, there was a trial set, in his former capacity as vice-president—was it vice-chair of FIFA?

**Hon. Member:** Vice-President.

**Hon. P. Ramadhar:** Vice-President, and I want to say, as a lawyer, I was amazed at the brilliant legal strategy, that where the court, the hearing, where evidence could be taken, people could be questioned, where the truth could be found, a brilliant legal stroke, that he resigned and avoided that environment altogether. And maybe he learnt well from that, but I would hold on to that thought and I will return to it. Please remind me to return to that thought, because this is the central reason that I have risen to speak here today.

Let us go back to the reputation of Mr. Mark: sterling reputation for honesty, decency, straightforwardness, fairness and everything else. [*Interruption*] December 24, this is what I have been made to understand, a pre-action protocol letter was filed. So, on December 24, the *Sunshine* and its editor would have known that legal action was imminent.

**Dr. Gopeesingh:** That is right. [*Desk thumping*]

**Hon. P. Ramadhar:** Now, understand the timeline, eh. Understand the timeline here, December 24, you get a Christmas Eve present—court matter. What date was the Motion filed here, December 30? What is the coincidence of time in this? And let me explain why I say this; the Member for Chaguanas West has stood here and expressed almost in gleeful terms, that he is the recipient of 25 or 27 pre-action protocol letters, and that was, I do not know, maybe months ago. I do not know how many there are now.

We read with awful regularity in the newspapers the matters that are set down for trial and then put for alternative dispute resolution, or whatever, and judgments and so that will flow from that. When the pre-action protocol letter on December 24, was received, has it ever been looked at by anyone here that that bringing of the Motion to this august Chamber of the Parliament of the people of Trinidad and Tobago was an abuse of the process of the Parliament. Instead of dealing with the matter where it started, which is in the court, where evidence is given and you have to go in the witness box and state your case and be cross-examined, an institution that is as equal to, and in the eyes of many more important than the Parliament, because that is where the average citizen has access for justice. Any wrong, whether civil or criminal, it is to the courts that we resort, and there is a process for that, and the process of the courts and the essential truth of it is to find truth and to bring justice.

So that when the engagement of the pre-action protocol came, he realized, you know what, having regard to the reputation and history of that newspaper, that with flagrant disregard, prints and publishes lies, lies, lies, and you name

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whatever you want to call it, untruths, for the destruction of people's names and reputations. So, what does he do? Instead of allowing it to go there, he brings it here. [*Desk thumping*] And, in that effort, under the cloak of parliamentary privilege, could do here what he could never do into the open without a consequence of financial results.

And, let us understand what that means, this here is an abuse of the parliamentary process. It is an abuse of the privilege of Parliament. Because, as we know, we cherish the privilege that we could speak. We have the protection, and whatever cost, whether in blood or otherwise, in terms of your name, there is very little one can do other than possibly to write to the Speaker and complain, your name having been demolished here without any legal recourse. So, you run from the court and you bring it here, you know what was happening, and maybe by divine intervention, the Speaker—because, I agree thoroughly with the analysis of the Member for Barataria/San Juan, nobody stopped anybody from speaking, you know. The issue here was something called sub judice, there is a matter before the court. All that was being asked for is to be very careful, just to be careful, watch yourself, keep yourself contained within that understanding there is a related court matter.

But, the essence of what came here, was to deal with the court matter, so, therefore he could go no further. So, when the Member for La Brea jumps up to second, he said, “hol, hol, hol, hold on boy, whey yuh goin’, stop it, leh meh bring this to an end”—because he realized then the enormity on the spotlight of truth, the essential truth had come, and therefore he could proceed no further. But, let me go back now to the essential truth of all the things that had been put as circumstantial to suggest that Mr. Mark, who has a sterling reputation, acted inappropriately and without due consideration for the Parliament.

You know, we are hearing the Speaker having said “I received this notice a few hours ago,” but, oh god, no, the letter was received the day before. How many of us who have offices, or whatever, ever arrived at your office, and something may have been delivered on Friday but you see it Monday evening because you are busy with other things, and that you have a deadline for four o'clock Monday. Let me tell you why the truth sometimes—on Monday I attended my office, on my desk was an invitation that had been left by a very important institution on Friday, for me to host someone on Tuesday. Understand what has happened. The letter is dated Friday's date, and I did, in fact, get it hours before I am supposed to make arrangements. So, if anybody ever thought that if there are at least two inferences to something, give the benefit to a man who has a reputation for truth?

If he says a few hours he received it, could it not possibly mean then that even though it may have come to his office dated yesterday's date, that it comes to my attention a few hours before? Is that impossible to conceive? Or do we put the worse interpretation because it is convenient to your cause to destroy an institution? Because when you attack a Speaker you attack the institution, especially when it is based only on circumstantial and suspicion.

So that the reality we are dealing with here—understand this, eh, they could mutter “puh, puh, puh”, how much they want, they cannot avoid the essential truth. Right?

**Miss Cox:** What is “puh, puh, puh”?

**Hon. P. Ramadhar:** That is how it sounds on this end.

Madam Deputy Speaker, the essential truth—Mr. Mark, remember his reputation? This is in the glare of the world, of the parliamentarians and of all of Trinidad and Tobago and of the media—says that: I have received a notice. Was there a lie in that? Pause. Did he receive a notice that there was a matter pending, matters in the High Court? If the answer is—[*Interruption*]

**Mr. Deyalsingh:** “Who he get it from”?

**Hon. P. Ramadhar:** You see, that is what they want, who he gets it from? What is the essential truth here? Did he receive or did he not receive a document that emanated from the court? If the answer is yes, the essential truth is before us.

Having received the notice—whether he said that he received it via—and in the colourful language of my most eloquent friend, the Member for Oropouche East—from a postman with his bicycle, or from a boat on the waterfront, or by pigeon, or whatever, however it was received, through whatever medium, the long and short was, there was a truth in the court, that is in terms of proceedings. There was a legitimate document that came to his attention. And, I am not here to defend his looseness or slackness in the interpretation. I am here for the essential truth. If the essential truth is that he received a notice as a result of which he cautioned one of our Members that he is duty-bound to do. Not restrict, because this is the very man, gentlemen and ladies, this is the very—[*Laughter*—you know, they find this very, very funny, but [*Interruption*] I wonder if in the classrooms that my friend had taught at, they would have condoned this sort of conduct.

So, they do one thing and say one thing in one place, but then act in another way, classic PNM. So, here we are, the essential truth. And I want the nation to

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start thinking about essential truth and not just what people say. So that Mr. Mark having articulated, never shutting down anybody from speaking—remember it was he—of course the Member for La Brea has a lot of experience in being shut down. [*Interruption*] It was he who approved the Motion. But, it is when this information came to him, he had to be responsible and respond in kind, and therefore, there we are.

What is the big mystery? What is the great evil in all of this? Or is it just a convenient way to give an image to destroy, when an election may be a few months away. Do we really care? Is this really a genuine effort to talk about preserving the integrity of this institution? Or is it a cheap political gimmick that really emanates from a person—[*Interruption*]—I want to hear you now. Or does it not come from a person who is avoiding the courts again and bringing matters here so that he will not have to face a trial?

**7.45 p.m.**

And then if that precedent is set, all you have to do is to bring Motions of censure against any Member in this Chamber, say what you want to say and then report it in your paper. So this is about money. This is about abuse of privilege. This is about abuse of the court. This is an abuse of the Parliament. [*Desk thumping*] This is an abuse of human rights at the end of it, because every man must be entitled to have his name protected. So by bringing this Motion here today is a furtherance of that wicked intent—[*Interruption*]

**Hon. Member:** Since he start talking. [*Laughter*]

**Hon. P. Ramadhar:** It is a furtherance of wicked intent. And I for one, and I am sure every Member of the Congress of the People in this Parliament—[*Interruption*]

**Hon. Members:** What! [*Crosstalk and desk thumping*]

**Hon. P. Ramadhar:**—will support and express confidence in the Speaker. [*Crosstalk*] And I want to tell you, maybe on another position, I will show the connection between what is happening out there and what is happening here.

Madam Deputy Speaker, and also on behalf—I have instructions on behalf of our hon. Prime Minister, Mrs. Kamla Persad-Bissessar, to put on the record her expression of confidence in the Speaker of the Republic of Trinidad and Tobago. [*Desk thumping*]

So, Madam Deputy Speaker, let me just say as I take my seat, that in the context of what I have said and what many of my colleagues have said, whether you like the man or you do not like the man, the essential truth is that he has done

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no wrong. We cannot fall victim to the wicked intent of those who wish to manipulate our system, to bring odium and disrepute to a man and an institution. Thank you very much, Madam Deputy Speaker. [*Desk thumping*]

**Madam Deputy Speaker:** Hon. Members, I call on the Leader of the House to move a Procedural Motion.

**PROCEDURAL MOTION**

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Madam Deputy Speaker, in accordance with Standing Order 15(5), I beg to move that the House continue to sit until the conclusion of the debate and the vote on this matter before us. I beg to move.

*Question put and agreed to.*

**Madam Deputy Speaker:** Hon. Members, this House is suspended for five minutes.

**7.48 p.m.:** *Sitting suspended.*

**7.53 p.m.:** *Sitting resumed.*

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**Dr. Moonilal:** [*Crosstalk*] Madam Deputy Speaker, there are no speakers again on the Government side. I do not know if anybody wants to “extempo” a bit on the Opposition side. [*Laughter*] Yes, I think they will put somebody on just for a couple of minutes until Mr. Warner returns to his seat. Mr. Warner is not in the Chamber at this time, so he can talk until he comes back.

**Mr. Imbert:** You cannot tell him how long to talk.

**Mr. NiLeung Hypolite (Laventille West):** Thank you kindly, Madam Deputy Speaker.

**Mr. Imbert:** He could talk for as long as he wants.

**Mr. N. Hypolite:** Madam Deputy Speaker—[*Interruption*]

**Hon. Peters:** Lingo. [*Crosstalk and laughter*]

**Mr. N. Hypolite:**—we are here debating a very important Motion put forward by the Member for Chaguanas West. [*Crosstalk*]

Madam Deputy Speaker—[*Interruption*]

**Mr. Moonilal:** Right, he come back now.

**Mr. N. Hypolite:** This is a situation whereby—[*Interruption and crosstalk*]

**Miss Cox:** We are very concerned.

**Mr. N. Hypolite:** The Members on this side are very concerned about the position taken by the Speaker. Nonetheless, I wish to thank you for the few minutes and move on. Thank you. [*Laughter and desk thumping*]

**Madam Deputy Speaker:** Hon. Members, before I call on the Member for Chaguanas West, who is the mover of this Motion, to reply, is there any other Member who wishes to speak. If there is no other, I now call on the Member for Chaguanas West. [*Desk thumping*]

**Mr. Peters:** “Jack, your PNM family save yuh, boy.”

**Mr. Jack Warner** (*Chaguanas West*): Thank you, Madam Deputy Speaker. I particularly want to commend the last speaker, [*Laughter*] both for his eloquence and for the substance.

But, Madam Deputy Speaker, as I rise, I rise with some mixed feeling to know how low and how personal they can go to deal with a serious issue. I am disturbed to know how we can trivialize almost everything and anything, and in particular, I am talking to the Member for Oropouche East. He, of course, referred to some private letters I sent to the Speaker of the House, one in January 2011 and the other in September 2014.

Madam Deputy Speaker, let me put it in the *Hansard* clearly. In 2011 I was the Chairman of the UNC. At a meeting in Diego Martin I said publicly, Mr. Wade Mark is not fit to be Speaker. I was called in by the Political Leader of the party and prevailed upon to give him a chance. What he will do, he is a loyal member, and so on and so on. And I said fine, and I did gave him a chance and he did perform in 2011. I make no apologies for saying so. He did perform. He was very, of course, amenable and in fact he did not talk down to anybody in those days. I commended him highly for it.

Madam Deputy Speaker, as the years progressed, however, he began to be chameleon-like and to change his colours, and I observed those things and I told him so, privately as well as publicly. In 2014, we had the first finance committee meeting under the new Standing Orders, and we spent a lot of time here, and I felt it was a very good session, it was the first ever in this House. I felt the Speaker had raised the bar so high that whoever comes after him would have something to follow. And I told him so in the letter. And if I could have done that when he did



something well, why can I not do that when he did something badly. Why? And, in fact, I have come with it very early, clearly. What I am talking about here is not about the Speaker, you know, it is the Office of the Speaker.

My friend from Oropouche East said he “tried to help me”, I quote him. The Member for Oropouche East, I want to tell you again, I do not want your help. You see the problem is, Madam Deputy Speaker, the Member for Oropouche East believes that he can walk on water, and possibly he can, but in three months’ time he will sink. You see, I have nothing to tell him, let him go ahead. You see, while I was here on the 23<sup>rd</sup>, the day of the Motion, they were saying to me, Madam Deputy Speaker, “talk about Carlton Savannah, talk about Carlton Savannah, nah”. Strident voices and so on, “talk about Carlton Savannah”, knowing full well that in that part of the Motion the Speaker had debarred me from speaking.

And therefore after the Motion, I do not know if you were here, Madam Deputy Speaker, they were all in their glee. They posed for pictures in front of the cameras and so on, for the newspaper, “we ketch him”. And all I said to them, Father forgive them they know not what they do.

I came here and I told you, Madam Deputy Speaker, about some contracts which the Speaker had. You stopped me in my tracks from speaking and I respected that. However, subsequently I heard, I have a sister with CEPEP contract, I have a brother with CEPEP contract, I have an aunt with CEPEP contract, and some of these things I do not even know about. But, Madam Deputy Speaker, I would not use this forum to denigrate anybody’s family and especially people who, of course, cannot defend themselves. Let me just say, however, when I was speaking about the Speaker and the CEPEP contracts, I was saying then and I will say now here and outside, it is wrong for the Speaker to have had a beneficial interest in four CEPEP contracts.

### **8.00 p.m.**

Madam Deputy Speaker, as I finish, let me say also that the time will come very soon when the public will know all about CEPEP. They will know “who aunt get, who nenen, who cousin; they will know whose father got a house built for \$800,000 in cash; they will know who have millions in the bank, what accounts and so on, at the right time. But I would not choose here at this point in time to denigrate anybody.

While I was here also, I heard the Member for Caroni East, Dr. Tim Gopeesingh, say that—I quote—he muttered that they will lock me up if I travel. I want to tell the Member for Caroni East, I do not have his lock-up experience. I

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was never in jail. I was never handcuffed. I know he could advise me about those things, but I cannot advise him. Therefore, I want to tell him I have no cause to fear. I could travel anywhere, anytime, when I want to.

Furthermore, the Member for Oropouche East talked about the front page in the *Sunshine*—the last issue of the *Sunshine*—and he said—when the Minister of Education was having a meal and so on. The article referred to a secret meeting in Millennium Park, Trincity. The article called names. It called Ramhit; it called Shane Sagar and so on, it called Kallco, and it asked the question: how could a Minister of Government in the Cabinet meet with these contractors who have to work for him, or for the Ministry? And also it showed there were files being transferred.

Now, the Member for Oropouche East sees nothing wrong with that. Fine. That is the level of their ethics. I accept that, but I do not want to trivialize that, as he has done because my mantra has always been, if I cannot bring someone up to my level, I “eh” going down to theirs, and you will never find me, at no point in time, Minister or no Minister, meeting guys surreptitiously for three/four hours, exchanging, of course, Government documents, coming out with a bag in your hand, God knows with what, and that is being trivialized here by the Leader of Government Business. Heaven help us. Heaven help us.

Madam Deputy Speaker, he also made the point about a single issue; a single issue is being blown out of proportion. I ask myself: if I go to church every Sunday for four Sundays a month—

**Dr. Gopeesingh:** God help you, boy.

**Mr. J. Warner:** Let Him help you first—and the fifth Sunday, Madam Deputy Speaker, I commit a crime, must I be forgiven? The fifth Sunday I commit a capital offence. Four Sundays “ah” praying, but the fact is, on the fifth day you commit a crime, and everything you have done pales before that.

The Speaker could have come here and bring five new Standing Orders, he could have come here and did anything he wanted, with the salaries and so on, the fact is, at the critical moment, he failed us, and that, for me, is an offence. It is a cardinal offence which cannot be easily forgiven. Therefore, being a single issue is totally irrelevant, as far as I am concerned. And then I am told, “How low has the mighty fallen”—the Member for Oropouche East.

I am glad to see that Member is one of the few who has risen, thank God. He has risen. Let me fall. Let me fall, Madam Deputy Speaker. I will fall among the

people who put me up. I would not even forget them. I will fall among those whom I live with. And I make the point, any politician—[*Interruption*]

**Hon. Member:** “Yuh cyar go anywhere else.”

**Mr. J. Warner:** “Ah could go Trincity, Millennium Park.” Any politician—

**Madam Deputy Speaker:** Please.

**Mr. J. Warner:**—who does not have the same friends he had—[*Interruption*]

**Madam Deputy Speaker:** Please allow the Member to speak in silence. Address the Chair, Member.

**Mr. J. Warner:** As I was saying, any politician who does not have the same friends he had before he became a politician, he has failed, and therefore I have no problem—I have no problem at all. I was never locked up, I was never handcuffed, and I was never put in the prison. All right. But you see, again, Madam Deputy Speaker, I was not mighty, you know, I was foolish. [*Interruption*]

**Madam Deputy Speaker:** Please, please. Allow the Member to speak in silence.

**Mr. J. Warner:** “Tempt meh. Tempt meh.” Madam Deputy Speaker, I was not mighty, “yuh know, ah was never mighty, ah was powerful foolish”. I was being foolish for being instrumental in putting on this country one of the biggest political curses this country could have ever seen. [*Desk thumping*] That is my sin! And every one of them, bar none, in some way, directly or indirectly, I played a part in putting them there, and that is why I say today it is a cardinal sin. I am foolish.

So telling me the mighty has fallen, I have not fallen anywhere. I sat down in Chaguanas West and defeated a whole Cabinet in a bye-election. Where did I fall? Where did I fall? Nobody fired me! Nobody fired me! One of the things we have done in this country for the first time, we have seen in this country’s history an AG being fired. I was never fired. I left in disgust, and I want to show them I can do it again, and the time will come very soon when I will do it again.

But the point is, the Member for Oropouche East said the letter could have come from anywhere: the coast guard, the sky, a man on a bicycle, he said. He said, of course, it was not important where it came from. He also said—those are long journeys—about, of course, the High Court stamp was immaterial. If the letter was not important, Madam Deputy Speaker—if it was not important, why then did the Judiciary make a statement and disabuse itself of the letter?

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If it was not important then, why did the Speaker then go and apologize—if it was not important? If the coast guard could have brought it, and a man on a bicycle, and a lady on the moon could have brought it, fine. But the fact is, not one of those brought it. The Speaker did! And the Speaker misled this House when he said it came from the High Court. [*Desk thumping*] That is the issue! They could run from the issue, they cannot hide from it! That is the issue. I am coming to talk just now about my friend, the Member for Barataria/San Juan. I hate to talk about him in any negative terms because he is my friend, both inside and outside this Government and one of the few whom I respect—one of the few.

But, Madam Deputy Speaker, let me go back to the Member for Oropouche East, you see, because I am making the point that he said it was not important, and also following him, the Member for Toco/Sangre Grande. [*Laughter*] In my life—and I have had a long life. In my life, I have never heard a speaker who said nothing of substance.

**Mrs. Mc Intosh:** Who writes nothing of substance?

**Mr. J. Warner:** What is worse, he was reading. So if you—[*Interruption*]

**Dr. Moonilal:** Madam Deputy Speaker, Standing Order 48(4). It is really offensive and insulting.

**Hon. Members:** Ahhhhhh. Ohhhhh.

**Mr. Imbert:** Nonsense!

**Mrs. Mc Intosh:** He said nothing of substance. What is wrong with that?

**Dr. Moonilal:** Do not beat me up, please, PNM.

**Mrs. Mc Intosh:** What is wrong with that?

**Madam Deputy Speaker:** Member, you may continue.

**Mr. J. Warner:** Thank you, Madam Deputy Speaker. [*Crosstalk*] You know, Madam Deputy Speaker, I deliberately did not talk anything about a party in Debe waterfall, eh. “Ah didn’t talk anything at all about party and funds and christening for children and so on, and if I am tempted, I will go down there. I eh tempted yet.” Right.

**Hon. Member:** The “barakee”.

**Mr. J. Warner:** The “barakee.”

**Dr. Moonilal:** What is that? [*Crosstalk*]

**Mr. J. Warner:** So, Madam Deputy Speaker—that is for the platform. Hold on. That will come to you.

**Madam Deputy Speaker:** Speak. Speak. Stay on the Motion.

**Mr. J. Warner:** Yes. I will go to the Member for Toco/Sangre Grande. Madam Deputy Speaker, you know what is painful for me? In those golden days when I was in the UNC, I recall we had said that he will go up for Toco/Sangre Grande, and, in truth, we did not believe he would have won, you know. At about half past nine/10 o'clock, he called. He said, “Jack, the boss lady there?” I said, “Yes.” He said, “Tell her I have brought in number 21, the last seat”.

**Dr. Griffith:** That never happened. [*Laughter*]

**Mr. J. Warner:** All right. Madam Deputy Speaker, we all applauded and so on, because he did the impossible. I was happy. But a man who has spent 23 years in this Parliament, in my humble view, gave the most pathetic performance this afternoon. [*Desk thumping*]

**Dr. Rowley:** Hear, hear, hear, hear.

**Mr. J. Warner:** The most pathetic than any Member has given. And worse yet, he read it! How could you read and read badly? How could you, of course, read what you write and do not know what you are reading? [*Laughter*] And worse yet again, he had two years as Speaker of this House. I was very reluctant to mention this afternoon—[*Interruption*]

**Dr. Rowley:** The man put “meh” out, indefinitely.

**Mr. J. Warner:** He put “yuh” out?

**Dr. Rowley:** Indefinitely.

**Mr. J. Warner:** In three months’ time you will put him out. “Doh worry.”

In other words, Madam Deputy Speaker, the Member for Toco/Sangre Grande added nothing to this debate. What was his point, I ask? What was the relevance? And I repeat, to think he was a former Speaker. You see, the point is this. Members get the impression that because the majority is on that side and the minority on this side, that the debate is won or lost here. We may lose here based on the numbers, but we will never lose out there. Never! [*Desk thumping*] And the real crowd is out there, so I am not worried. And we shall take a count tonight and we shall see all those who voted for and against and history will judge them.

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You know, my friend from Barataria/San Juan gave me a political crossword puzzle. [*Laughter*] He gave me an English lesson in capital “N” and common “n”. [*Laughter*]

**Hon. Member:** Playing Scrabble.

**Mr. J. Warner:** I am hearing about capital “Notice” and common “notice”. [*Laughter and desk thumping*] You know, we have been here for the last six hours, you mean to say you are coming to impose that on us here tonight?

**Mr. Imbert:** Childishness.

**Mr. J. Warner:** Cutridge—sorry. Member for Barataria/San Juan, this “cyar” make sense because the Speaker did not say he received notice. He said, “I received a notice”. Let me go further—“a notice”. Therefore, I am saying he was specific and does not support your statement. [*Crosstalk*] But the point is, what is important here is not “a” or capital “N” or common “n”, what is important here, Member for Barataria/San Juan, is the fact that the Speaker said he got it from the High Court—f-r-o-m. [*Desk thumping*] And whether the “from” was in capital or common, it is still “from”, and in saying so, he misled the House. [*Desk thumping*] That is the point!

All the semantics and the histrionics, and so on, they are totally irrelevant to the cause. The fact is, he said he got it “from”. And I want to make the point also that—let me leave you. That is okay. Let me go quickly to the Member for Pointe-a-Pierre, who came here to regale us with his autobiography—[*Laughter and interruption*]

**Mr. Imbert:** For yet another time.

**Mr. J. Warner:**—of the trade union movement.

**Mr. Imbert:** For yet another time.

**Dr. Rowley:** Speech number 20.

**Mr. J. Warner:** All he had to do is stand up with 20 and next week, come here again with 21, and after 22—same speech. Nobody has any doubt about his work as a trade unionist. Possibly one day he will convince Roget how important he was, but for the time being this House is not concerned about that, and how many unions you formed in Barbados. That is not the issue. The issue is, the Speaker came here and he misled the House! That is the issue! Nothing more, nothing less! And you know, my friend—we are good friends, and I sat down here and “ah grind, ah grind” because you listen to what I say—I say for the first time I

could understand the influence on your left because that is not like you. That is not like you, Member for Pointe-a-Pierre.

So therefore we go to the Member for St. Augustine, “Mr. Essential Truth”. [*Laughter and desk thumping*] He says that the pre-action protocol letter came on December 24, and tried to link that to the “No Confidence” Motion. Madam Deputy Speaker, nobody has sued me. I have got no pre-action protocol letter. I “doh” even know who get what, when. Right? Therefore I am saying to you, to say I got a letter on the 24<sup>th</sup> is again misleading the House.

**Mr. Imbert:** “Dah is how he is.”

**Mr. J. Warner:** But again, as an acting Prime Minister, “ah could understand dat”. You see, Madam Deputy Speaker, the “essential truth” which he did not tell this House is that he lost three more persons again this afternoon—[*Interruption*]

**Hon. Member:** Four. He lose four.

**Mr. J. Warner:**—from the COP. He lose four. While he was speaking to us, the essential truth was he lost four more: Joe Pires, Aleong, Granger, all gone. But you know something? The media will never put that.

If it was the ILP with a little councillor from in the back of Bejucal or Chin Chin big headline tomorrow, but the COP is like a maxi-taxi only dropping people and “ain’t” picking up none. [*Laughter and desk thumping*] Thank you, Member for St. Joseph. Thank you. [*Desk thumping and laughter*]

**8.15 p.m.**

Madam Deputy Speaker, let me give you another essential truth. The Member for St. Augustine does not know that every time he defends this Government, of course, his stock goes down lower and lower. He does not understand that. He will lie prostrate before them day after day, and the more he does that, the more his stock goes down, and he comes here again to do the same thing and I will have to spend no time to defend that. Let him talk. Three months will not kill anybody. Three months from now he is history. History, you see.

At this point, therefore, I would like to make—in fact, let me say this. I was told also too by the Member for St. Augustine that the Motion came here so as to avoid a court action. I said to myself, Jesus Christ. Madam Deputy Speaker—[*Interruption*]

**Dr. Griffith:** [*Inaudible*]

**Mr. J. Warner:** You grumble, Member for Toco/Manzanilla, you have two more months to go. Madam Deputy Speaker, let me say this to you. I brought that

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Motion here on December 30 and I had no clue of any pre-action protocol letter. But let us admit now, I have a Motion here on this Order Paper, No. 4, against Mr. Howai, almost similar in term. It came from the Leader of the Opposition, does he have a pre-action protocol letter? Is it because this is linked to something? The same Motion, almost, is here, and therefore, what link is this to any pre-action protocol letter?

Let me tell you also further, the case with Azad Ali and Howai and Sunshine Publishing Company, that case, I am advised this afternoon, starts on March 23, does it mean that this Motion cannot come before this Parliament?

**Mr. Imbert:** It “ain’t” start yet.

**Mr. J. Warner:** It “ain’t” start yet. It may be postponed, but are you telling this House that because that matter is in the court on March 23, this Motion cannot be used? I do not see the logic, but I think that if we listened to the Leader of the Opposition when he spoke, it is quite clear that there is no nexus between this and, of course, a court action. So, Madam Deputy Speaker, what is the fact? How much time do I have again? [*Crosstalk*]

**Madam Deputy Speaker:** 8.24 p.m., you have around 24 minutes.

**Mr. J. Warner:** Six more minutes? All right. Madam Deputy Speaker, it is a fact that I had the greatest respect and admiration for the hon. Wade Mark. That is a fact. The letters that I wrote him speak for themselves. So to come here to make at least some big gambage, no big thing. I had for him the greatest respect and admiration. I admired his professional approach as Speaker. I said so in here and out there. So therefore, as far as I am concerned I have documented the good, but today having documented the good, today we are seeing the bad and the ugly.

Madam Deputy Speaker, the problem is—and this is serious talk—when a person is an exemplar, a highly admired official, a person who welcomes visitors to his Chamber, a person who welcomes children to his office, a person who travels widely, when that person fails, when he fails especially in the Office of the Speaker—hear me well—when he fails the Office of the Speaker, the damage is all the greater. If you want to know anything at all, of course, about a tall building and a short building, put them together. Therefore, I am saying all these accolades which he got, but what he did in this Chamber protecting the Minister of Finance and the Economy and by misleading the House, threatening me with his finger, threatening me—I sit down here. I cowered. I cowered, you know. I was terrified and I said to myself, “What I get myself in here, boy? Right. What I get myself in here? Right.”



**Hon. Member:** What about David Simmons?

**Mr. J. Warner:** David Simmons is the fella who saved you from the jail in headquarters. Right? In police headquarters he was in handcuff. [*Crosstalk*] Sure, sure. “Da’ is” true? Google. Google and see, nah. Google Tim Gopeesingh and see.

**Madam Deputy Speaker:** Please, please, please!

**Mr. J. Warner:** Sorry, Madam Deputy Speaker. So I am saying, therefore, the damage is all the greater. The Speaker has brought this institution into disrepute and moreover too, he has created distrust and cynicism for all the other institutions in this country. This House, this Chamber, is the bedrock of democracy. If we are objective, we will look around the society and see that in the last four and half years almost all our institutions are falling to pieces. This was the last one. This was the last one and the Speaker by his action has thumped this one as well, and that is my worry.

Madam Deputy Speaker, this nation, as a nation, can never go forward until we have effective institutions with effective checks and balances and we are all held in high regard by the population. The Speaker has seriously undermined this august Chamber, he has seriously undermined this House, he has misled us deliberately and, in that context, the Speaker must resign.

I beg to move. [*Desk thumping*]

*Question put.*

**Dr. Moonilal:** “Nobody ain’t say aye.”

**Mr. Imbert:** What is that?

**Dr. Rowley:** Yes to declare?

**Hon. Members:** Aye.

**Miss Mc Donald:** And a division.

**Madam Deputy Speaker:** I am asking again. All in favour, say aye.

**Hon Members:** Aye!

**Madam Deputy Speaker:** Any against?

**Hon. Members:** No!

**Dr. Rowley:** Division

*Wade Mark (Loss of Confidence in)*  
[MADAM DEPUTY SPEAKER]

*Friday, February 27, 2015*

*The House divided:* Ayes 12 Noes 22

AYES

Mc Donald, Miss M.

Rowley, Hon. Dr. K.

Cox, Miss D.

Hypolite, N.

Mc Intosh, Mrs. P.

Imbert, C.

Jeffrey, F.

Deyalsingh, T.

Thomas, Mrs. J.

Hospedales, Miss A.

Gopee-Scoon, Mrs. P.

Warner, J.

NOES

Moonilal, Hon. Dr. R.

Ramadhar, Hon. P.

Mc Leod, Hon. E.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.

Seemungal, Hon. J.

De Coteau, Hon. C.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Wade Mark (*Loss of Confidence in*)

Friday, February 27, 2015

Baker, Hon. Dr. D.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

Sharma, C.

Ramadharsingh Dr. G.

**Madam Deputy Speaker:** Hon. Members, with a division of 12 Members voting for, 22 Members voting against and no abstention, the Motion of the Loss of Confidence in Mr. Wade Mark as Speaker of the House of Representatives has been approved. Sorry! Sorry! [*Desk thumping and laughter*] I am sorry. [*Desk thumping and laughter*] [*Crosstalk*]

Hon. Members, I crave your indulgence. I crave your indulgence to correct my statement. [*Crosstalk*] I crave your indulgence to correct my statement.

**Dr. Rowley:** You are correct.

**Madam Deputy Speaker:** I crave your indulgence to correct my statement please. Hon. Members, with a division of 12 Members voting for, 22 Members voting against and no abstention, the Motion of the Loss of Confidence in Mr. Wade Mark as Speaker of the House of Representatives has been—[*Interruption*]

**Hon. Members:** Has been approved.

**Madam Deputy Speaker:**—has been defeated. [*Desk thumping*]

*Motion negative.*

#### ADJOURNMENT

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Madam Deputy Speaker, yet again I must speak after a Motion from the Member for Chaguanas West. I say nothing because I cannot contribute to the Motion now.

*Adjournment*  
[HON. DR. R. MOONILAL]

*Friday, February 27, 2015*

I want to beg to move that this House do now adjourn to next Friday, and to be very clear on the date, Madam Deputy Speaker, next Friday is March 6th at 1.30 p.m., and to serve notice that it is the intention of the Government to continue debate on the Motor Vehicles Authority Bill—that is Bill No. 1 on the Order Paper—and to begin debate on the Act to amend the Bail Act, Chap. 4:60. So the business next week will be to continue debate on the Motor Vehicles Authority Bill, Bill No. 1, and Bill No. 4 on the Order Paper, an Act to amend the Bail Act, Chap. 4:60.

Madam Deputy Speaker, we are expecting a report from the Elections and Boundaries Commission. I am not sure if the report is at the House as yet, so that we will have to defer that matter until it is properly on the Order Paper. Time permitting, next week Friday, we intend to go very late. We may also continue debate on the Trademarks Bill, Bill No. 2 on the Order Paper. Next week Friday, Friday 6th of March at 1.30 p.m.

I beg to move, Madam Deputy Speaker.

**Madam Deputy Speaker:** Hon. Members, before putting the question to the House, there is a matter that qualifies to be raised on the Motion for the Adjournment of the House filed by the Member for Diego Martin North/East.

**8.30 p.m.**

### **Use of Building at Long Circular Road (Resultant Traffic Congestion)**

**Mr. Colm Imbert** (*Diego Martin North/East*): Thank you, Madam Deputy Speaker. Madam Deputy Speaker—[*Technical difficulties with Audio*] If this matter is not dealt with, we will have the obstruction—[*Technical difficulties with Audio*] The matter I am about to raise is the grant of approval by the Minister of Planning and Sustainable Development to use a building at No. 129 Long Circular Road in Maraval, which is in my constituency, for the operation of a school.

Now, Madam Deputy Speaker, that permission was given by the Minister of Planning and Sustainable Development in February 2015 for use of the building at Long Circular Road and for those who do reside in the area, traffic—[*Technical difficulties with Audio*] in Maraval and Madam Deputy Speaker, for those who do not reside in the area—[*Technical difficulties with Audio*]—from Chaguanas East obviously.

There has been a one-way traffic scheme implemented in Maraval now for several years, for many years. The Maraval area is one of the most traffic

*Adjournment*

*Friday, February 27, 2015*

sensitive areas in the country. The number of vehicles on the Saddle Road in Maraval has been counted at in excess of 15,000 vehicles—[*Technical difficulties with Audio*] something as simple as a garbage truck picking up garbage or one car stopping—[*Technical difficulties with Audio*] [*Technician resolves Audio difficulties*]

Thank you. Thank you, Member for Port of Spain North/St. Ann's.

Now, over 15,000 cars per day use the Saddle Road in Maraval, and as I said, the area is so sensitive that if you have a garbage truck collecting garbage or one car has stopped on the road, you have bumper to bumper traffic for miles in every direction. In order to address this problem, the Ministry of Works and Infrastructure implemented a one-way traffic scheme in the Maraval area many years ago, and this one-way traffic scheme prohibits the use of the Saddle Road in Boissiere Village between the hours of 8.00 a.m., I believe, and—or 7.30 a.m. [*Crosstalk*] 6.00 a.m. and 9.00 a.m. [*Crosstalk*] 6.30 to 8.30. It does not matter. During school hours. It prohibits the use—[*Continuous crosstalk*] Madam Deputy Speaker, could you ask the Members opposite to be quiet?

**Madam Deputy Speaker:** Members, please allow the Member to speak in silence.

**Mr. C. Imbert:** The one-way traffic scheme in Maraval prohibits the use of Saddle Road through Boissiere Village for entry into Maraval during school hours on weekdays and therefore, every car coming into Maraval on a weekday, Monday to Friday, must go through Federation Park around Long Circular Road, pass Long Circular Mall, down pass Assumption Church, down to the roundabout by the Country Club and then into Maraval. And anybody who lives in that area or who is coming from Santa Cruz or any other area that feeds into Maraval will know this. It is a very traffic sensitive area. And therefore, the establishment of any institution, such as a school or anything else, is a matter of grave concern.

In the lower Maraval area as well, there has been rampant commercialization of a residential area. In many instances, many of the establishments in that area do not have the requisite approvals. The residents of lower Maraval have formed themselves into an association called the Lower Maraval Residents Association to fight back against the commercialization of their peaceful neighbourhood and also to deal with matters such as this, and they have authorized me to raise this matter here today.

*Adjournment*  
[MR. IMBERT]

*Friday, February 27, 2015*

There has been a battle going on for some months now over the establishment of this school. But one of the problems preventing the promoters of this school from going ahead is the fact that the statutory authority, the Highways Division, in the persona of the Director of Highways has said resolutely on several occasions that the establishment of the school would have a catastrophic effect on traffic in the Maraval area. The catchment for that area is in excess of 15,000 people that would be affected by any obstruction of traffic in the morning period on the Long Circular Road or in the Maraval area.

I want to read into the record a letter from the Director of Highways dated August 06, 2014—as I said, this matter has been going on for months. And it is written to:

Ms. Stara Ramlogan,  
Assistant Director,  
Town and Country Planning.

Dear Ms. Ramlogan,

Reference: Proposed school to be opened on the Corner of Long Circular Road and Champs Elysées Road

We are in receipt of an objection letter from the residents of Champs Elysées regarding the above captioned matter. The residents are objecting to the opening of another educational facility as there are already a number of educational, religious and recreational facilities together with restaurants and other commercial establishments which contribute to the tremendous traffic congestion within the area.

This is the Director of Highways making his point.

The location of the proposed school and its road access is ill-advised as the current road network system in the Maraval/Long Circular area is unable to effectively support the incoming traffic that is expected with this infrastructural addition.

We, therefore, strongly recommend that the consideration for the approval of the aforementioned school be rescinded.

That was August 06, 2014 from the Director of Highways.

September 14, 2014, another letter from the Director of Highways:

*Adjournment*

*Friday, February 27, 2015*

This is to advise that the Highways Division of the Ministry of Works and Infrastructure is still of the view that the location of the proposed school on the corner of Long Circular Road and Champs Elysées Road is ill-advised. The current road network system in the Maraval/Long Circular area is unable to effectively support the incoming traffic that is expected with this infrastructural addition.

And now, we have Monday, October 07, the Director of Highways writing, again, to one of the promoters of the school:

Mr. Philip Hamel-Smith,  
Director of Arbor School,  
Corner Dere and Albion Streets,  
Port of Spain.

Dear Sir,

Re: Arbor & Rosewood Schools at 129 Long Circular Road

The Ministry of Works and Infrastructure, Highways Division, has reviewed and evaluated your traffic impact study executed by LF Systems. After careful evaluation of the submission, the Highways Division still has reservations about the relocation of your institution on No. 129 Long Circular Road.

The traffic impact assessment gave some insight on some of the conditions in the area but failed to capture issues from a broader perspective. No consideration was given to existing conditions on Saddle Road and Maraval Roundabout which also will be impacted by any new traffic generating entity. Further, numerous expectations were made in the report which can have adverse effects if these assumptions do not go as planned.

The Highways Division knows the area in question experiences significant traffic, more particularly during the peak periods. Our information has demonstrated that Champs Elysées Road is heavily utilized as an alternative route and is also used for residential purposes. The Maraval area is known to be burdened by land-use where the general road infrastructure is unable to efficiently manage.

As a responsible state agency that has a mandate to manage and protect roadways, it is unfortunate that we have to disapprove your proposal to relocate a new educational institution in this area.

*Adjournment*  
[MR. IMBERT]

*Friday, February 27, 2015*

This is the Director of Highways, October 07, 2014.

The fact of the matter is the position of the Director of Highways, I am informed, has not changed. The Highways Division is still of the view, and correctly so, that the location of a school opposite the Assumption Church in Maraval will have a profound and catastrophic effect on traffic in the Maraval area and on the citizens of Maraval and on my constituents. Therefore, what possessed the Minister of Planning and Sustainable Development to ignore these letters written by the Director of Highways who is the statutory authority for traffic, to ignore them and grant permission for the school?

**Hon. Member:** What!

**Mr. C. Imbert:** Yes, that is what he has done. The Minister has ignored the advice given to him by the statutory authority. And Madam Deputy Speaker, just wrapping up now, this is called unreasonableness by a public authority. The Minister has no authority—[*Crosstalk*] It is a subject for judicial review. The Minister has no authority to substitute himself for the Director of Highways. He is not a traffic expert. He has no locus in the law with respect to traffic. I condemn this action of the Minister and I call upon his colleagues to explain why the Minister of Planning and Sustainable Development has overruled the Highways Division of the Ministry of Works and Infrastructure on behalf of my constituents.

Madam Deputy Speaker, I thank you. [*Desk thumping*]

**Madam Deputy Speaker:** Hon. Members, the Minister of Planning and Sustainable Development is currently engaged in an official function at this point in time. However, the Minister has given the undertaking to provide an answer at a subsequent sitting.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 8.41 p.m.*



*Written Answer to Question*

*Friday, February 27, 2015*

**WRITTEN ANSWER TO QUESTION**

**Claims against the State**

**(Details of)**

*The following question stood on the Order Paper in the name of Dr. Keith Rowley Diego Martin West:*

- 42.** With respect to the legal proceedings of all types for the period June 2010 to November 1, 2014, for which the state has been or is in litigation where a claim has been made against the state, would the Honourable Attorney General:
- (a) identify all matters in which a claim has been made against the State and for which an out of court settlement has been arrived at and/or has been settled;
  - (b) indicate the claimant and his/her legal representative;
  - (c) indicate the date of the settlement/payment and the total amount paid including identification of claim and the total legal costs incurred, paid or owed on each item?

The Attorney General (Hon. Anand Ramlogan SC): Mr. Speaker, the response to Question No. 42 is as follows:

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
CV 2013-00518 — Steve Dhaharrie v The Attorney General	Shawn A. Roopnarine	\$50,000.00	Ex gratia
Proposed Claim by Totaram Dookie — Damages Pre Action	Bhacepatti Singh	\$7,249.11	Ex Gratia Payment
CV 2010-04849 - Mahlon Williams v The Attorney General of Trinidad and Tobago	Gerald Ramdeen, Criston Williams	\$240,000 \$45,000 cost	July, 2011 - Settlement of Liability with Damages to be assessed

Written Answer to Question

Friday, February 27, 2015

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Candid Mulrain (wrongful arrest and detention)	Carla Scipio	\$45,000.00	2/3/12 Ex gratia per out of Court settlement
Sheldon Richards (pre-action)	Melissa Keisha Roberts	\$111,100.00	May 17, 2012 - Paid by cheque
Trevor Preddie v The Attorney General and Sgt Mc Kenzie CV 2011/155	Joseph Honore	General Damages in the sum of \$61,000.00	May 22nd 2012 - Order entered in court on
Randy Ramjohn and Ryan Ramjohn v the Attorney General (CV 2008-01451)	Cindy Bhagwandeem	Order entered by Consent — Defendant to pay damages to the 1st Claimant in the sum of \$48,000.00 together with interest at the rate of 7% from the 25th April, 2008 to the 25th June 2012.  Costs agreed in the sum of \$21,000.00	June 25, 2012.
Lloyd Daniel (Preaction)	Quincy Marshall	\$31,375.00	3.9.2012 (By way of letter)
Marshal Enau CV 2010-4790	Kent Samlal	\$65,000.00	4.10.2012 (Order)
Sheldon Allsop v. AG, CV 2012-02828	Safiya Charles	\$69,000.00	Settled on 31/10/12
Brian Williams (pre-action)	Ted Roopnarine	\$47,200.00	Settled on 31/10/12

*Written Answer to Question*

*Friday, February 27, 2015*

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Joseph Rojas et al v The Attorney General Breach of contract)	Cindy Bhagwandeem Kent Samlal	\$535,093.52	3 December 2012
Mitra Rampersad (Personal injuries)	Imran Khan	\$35,000.00	Ex gratia order 13.12.12
David Bhagwandeem v. AG, CV 2012-03594	Dipnarine Rampersad	\$12,000.00	Consent order entered on 21.01.13
Kenneth St. Bernard v. AG, CV 2011-04943	Lemuel Murphy	\$47,800.00	Consent order entered on 21/01/13
Akil Crawford CV 2011-03940	Kelvin Ratiram	\$60,000.00	14.2.2013 (Order)
Louisa David-Mathew CV 2012-00014	Rennie Gosine	\$68,000.00	19.2.2013 (Order)
Shahreed Koon Koon v the Attorney General CV (2012-00767)	Brian Busby	Compensatory Damages in the sum of \$130,000.00 together with interest at 9% from March 8, 2007 to March 19, 2012. Exemplary Damages in the sum of \$50,000.00. Special Damages in the sum of \$1,750.00. Costs in the sum of \$45,232.44 (prescribed)	March 6, 2013.

Written Answer to Question

Friday, February 27, 2015

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
V & S Pharmaceutical v. AG, CV 2012-03111	Savitri Sookraj-Beharry	\$4,986.00	Consent order entered on 18.03.13
Jagdeo Babwah, Sabita Babwah v the Attorney General (CV 2012-4897)	Indra Lutchman-Ramdial	Court Order based on approved settlement proposals — Claimant's damages are assessed in the sum of \$9,300.00 with respect to Jagdeo Babwah, Ishwar Ramdass and Samdaye Ramdass inclusive of interest.	March 21, 2013.
Consolidated with Johan Ramdass and Aaron Ramdass v the Attorney General (CV 2012-4898) and Ishwar Ramdass and Ramdaye Ramdass v the Attorney General (CV 2012-4899)	Indra Lutchman-Ramdial	The damages with respect to the Claimants Johan Babwah and Aaron Babwah are assessed at \$12,400.00 inclusive of interest.  The Defendant to pay the Claimant assessed costs in the sum of \$13,000.00	
CV2011-1027 Sharifa Walker v Ag	Kent Samlal-	Damages, interest and costs in the sum of \$142,862.91	Consent order 7.5.13
Elizabeth Wharton v the Attorney General (CV2012-2039)	Lemuel Murphy	Liability Settled. Damages to be Assessed before a Master in Chambers	14th June, 2013 – Liability Settled Matter ongoing re Settlement

Written Answer to Question

Friday, February 27, 2015

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Trevor Layne v. AG, CV 2011-04131	Patricia Dindyal	\$32,640.00	Consent order entered on 18 <sup>th</sup> June, 2013
Lawrence Nicome (preaction)	Richard Freeman	\$38,500.00	7.6.2013 (By way of letter)
Bissoondath Seecharan (pre-action) 17/10/12	Susan Kalipersad	\$92,000.00	Settled on 10/06/13
Curtis Patterson v the Attorney General (CV 2012-2135)	Kevin Ramcharan and Leandra Ramcharan	Defendant to pay Claimant damages in the agreed sum of \$42,000.00 at a rate of 6% per annum from the 25 <sup>th</sup> May, 2012 to the date of judgment (June 17, 2013)	Order by Consent dated June 17, 2013
Sean Hosen (Breach of 4 (a) Constitutional right)	L. Murphy	\$42,000.00	16.7.2013
CV 2011-4922 Nigel Schelborn v UWI and AG	Shabaana Mohammed	Damages and interest in the sum of \$14,000.00  Costs in the sum of \$6,750.00	Consent Order 19.7.13
David Roberts v. AG (preaction) 08/08/2012	Lemuel Murphy	\$90,000.00	Settled on 23/07/13

Written Answer to Question

Friday, February 27, 2015

<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Bernard Browne v. AG, CV 2011-03905; Gabriel Alexis v. AG CV 2011-03902 (12/10/11)	Mark Seepersad	\$30,000.00 general damages, \$20,000.00 exemplary damages	Consent order entered on 26/09/13
Claim No. CV 2011-04258  LESTER GARCIA v. THE ATTORNEY GENERAL OF TRINIDAD AND TOBAGO	Bindra Dolsingh	\$55,000.00	October 22 2013 - Consent Order
Timothy Alexander v the Attorney General (CV 2012-04545)	Naresh M. Ramchandi John Heath	Matter settled on 9 days false imprisonment. Defendant to pay Claimant damages in the sum of \$155,800.00 inclusive of interest. Defendant to pay Claimant \$4,500.00 for loss of income. Defendant to pay Claimant prescribed costs in the sum of \$23,131.50.	12th February, 2014
Keno Harris CV 2013-01494	Joseph Honore	\$41,34.68	11.2.2014 (By way of letter)
Ramanan Hoolasie v AG CV	Abdel Mohammed	\$144,007.13	February 14, 2014 –

Written Answer to Question

Friday, February 27, 2015

2012-1459			Consent order
<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Taradath & Avinash Bridgemohan — CV 2012 — 3079	Ravi D. Bunsee	\$111,550.00	Consent Order 11/03/2014
Anthony Maynard v AG CV 2013-02013	Shawn A. Roopnarine	\$63,102.00	May 14, 2014 - Consent order
Frank Sookram CV 2014-01349	Earle Martin James	\$35,868.93	23.6.2014 (By way of letter)
Richard Brisbane v PC Ronnie and The Attorney General CV 2012/04036	Ancil Moses	General Damages in the sum of \$100,000.00 Special Damages in the sum of \$11,782.00	22nd July 2014 - Order entered in court
Anthony Walker — pre action — AG/SG: 5/13/2013	James Philbert	\$36,500.00	Letter signed by James Philbert 15/09/2014
Anthony Walker — pre action — AG/SG: 5/13/2013	James Philbert	\$36,500.00	Letter signed by James Philbert 15/09/2014
Jerome Calliste v PC Abraham, PC Harripersad, PC Jhilmit and AG	Earle Martin James	\$95,000.00	September 17, 2014 - Consent order. (ex gratia)

Written Answer to Question

Friday, February 27, 2015

CV 2012-2477			payment with no admission of liability)
<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
CV 2013-2976 Camilla  Douglas v PC James  Andrew #17351 and AG	Rennie Gosine	General damages in the sum of \$125,000 plus interest in the sum of \$10, 625.00 Special damages in the sum of \$30,000.00 plus interest in the sum of \$4,650.00  Prescribed costs in the sum of \$34,541.25	Consent Order 13.10.14
Reshma Francis v The Attorney General CV 2013- 04681  Nadira Ramdial v The Attorney General CV 2013- 04679  Satesh Francis v The Attorney General CV2013- 04682	Imran Khan   Imran Khan   Imran Khan	General Damages in the sum of \$25,000.00  Special Damages in the sum of \$2,400.00  General Damages in the sum of \$20,000.00  Special Damages in the sum of \$2950.00	Order entered in court on 20th  October 2014  Order entered in court on 20th  October 2014
		General Damages in the sum of \$35,000.00  Special Damages in the sum of	Order entered in court on 15th  December 2014



Written Answer to Question

Friday, February 27, 2015

		\$19,235.00	
Preston Ramroach v AG CV 2010-4873	Dipnarine, Rampersad	\$366,236.69	October 27, 2014 - Consent order
<b>Claimant</b>	<b>Claimant's Attorney</b>	<b>Amount/ Terms of Settlement</b>	<b>Date of Settlement</b>
Fitzroy Phillip Malicious prosecution)	Kent Samlal Abdel Mohammed	\$55,000.00	8.11.14
CV 2013-01863 Victor Burke v The Attorney General of Trinidad and Tobago and Acting Corporal Bobb #12748	Natasha Baiju- Patrick	\$98,085.00	9, December, 2014 - Consent Order
Lester St Clair (Wrongful arrest and detention)	H. Ramnath	\$35,000.00	10.12.14
Makeda Joseph (personal Injuries)	K. Scotland	\$45,000.00	15.12.14 Ex gratia Order recorded