



# TRINIDAD AND TOBAGO GAZETTE

## (EXTRAORDINARY)

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### APPOINTMENT OF A TRIBUNAL

BY THE POWERS VESTED in His Excellency Professor George Maxwell Richards, President of the Republic of Trinidad and Tobago, under and by virtue of the Constitution and in particular, section 136 there is constituted and appointed a Tribunal comprising The Right Honourable Mr. Justice Michael de la Bastide, T.C., Chairman and Members, The Honourable Mr. Justice Humphrey Stollmeyer, J.A. and The Honourable Mme. Justice Maureen Rajnauth Lee for the following purposes:

1. To inquire into complaints made by Members of the Integrity Commission that Mrs. Gladys Gafoor, appointed Member and Deputy Chairman of the Integrity Commission on the 15th March, 2010 has, from or after that date through January, 2012 and continuing, engaged in conduct, that is to say—

- (a) having participated in the decision making processes of the Commission, thereafter, unreasonably resiling from and/or refusing to abide by the decisions of the Commission;
- (b) retaining confidential documents of the Commission provided to her in the course of the Commission's business and, unreasonably refusing to return same when required to do so;
- (c) conducting herself in her relations with her fellow Members and with staff of the Commission in an intimidatory manner not conducive to accomplishing the work of the Commission;
- (d) in relation to matters coming before the Commission, preferring her personal status and perceived reputation and standing as an Attorney over the work and reputation of the Commission and without any or any sufficient regard for the fact that her appointment as a member and Deputy Chairman is for the benefit of the Commission;
- (e) in relation to the work of the Commission, preferring her personal status and perceived reputation and standing as an Attorney over the work and reputation of the Commission and without any or any sufficient regard for the fact that her appointment as a member and Deputy Chairman is for the benefit of the Commission;
- (f) conducting herself in relation to the business of the Commission and in her relations with her fellow Members and staff of the Commission in such a manner as to have brought or contributed significantly to bringing the work of the Commission to a state of impasse and/or such a stage that a majority of her fellow Commissioners are unable to work with her;
- (g) conducting herself in relation to the business of the Commission including its confidential processes and documentation in a manner which is likely to bring the Commission into disrepute;
- (h) conducting herself in relation to the business of the Commission and in her relations with her fellow Members and staff of the Commission in such a manner as to have undermined the authority of the Commission;
- (i) notwithstanding having had the gist of the complaints above drawn to her attention, dismissing the said complaints as being petty allegations which are patently untrue;

and that by her manner, conduct and behaviour in relation to her duties and/or her office as Member and/or Deputy Chairman of the Integrity Commission, such conduct and behaviour when taken together, amount to misconduct in relation to her duties and/or misbehaviour in office.

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2. To report to and to advise His Excellency on such facts found by the Tribunal, whether such conduct and/or behaviour by Mrs. Gladys Gafoor as Member and Deputy Chairman, constitutes conduct and/or misbehaviour within the meaning of the Integrity in Public Life Act, Chap. 22:01, as amended (hereinafter 'the Act') and in particular section 8(2)(d) and (e) thereof and of section 136(7) of the Constitution, with particular reference to whether such conduct—

- (a) affects her ability to perform her duties and to discharge the functions of her office as Member and Deputy Chairman of the Integrity Commission;
- (b) affects the perception of others, including members of the public and other Members of the Integrity Commission, of her ability to perform her duties and to discharge the functions of her office as Member and Deputy Chairman of the Integrity Commission;
- (c) if Mrs. Gladys Gafoor was allowed to continue in the said office, whether her continuation in office would be inimical to the good governance by the Integrity Commission in and about the discharge of its business and mandate under the Constitution and the Act;
- (d) is such as to have brought or contributed to bringing the important constitutional office of the Integrity Commission as established under the Constitution and the Act into disrepute.

3. By the said report, that the Tribunal do advise His Excellency whether Mrs. Gladys Gafoor ought to be removed from the Office of Member and Deputy Chairman of the Integrity Commission, pursuant to the provisions of section 136(10) of the Constitution and section 8(2) of the Act and that, the Tribunal do undertake this commission as a matter of utmost urgency and with all appropriate despatch.

4. Counsel appointed by His Excellency to the Tribunal is Mr. Reginald Armour, S.C.

Dated the 6th day of February, 2012.

E. DANIEL-LIVERPOOL  
*Secretary to His Excellency  
the President*