

HOUSE OF REPRESENTATIVES*Friday, May 19, 2000*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I wish to advise that apart from those Members who have already got leave of absence from this honourable House, I have received communication from the Member for Caroni Central and the Member for Diego Martin West. The Member for Caroni Central has asked to be excused from today's sitting and the Member for Diego Martin West has asked to be excused from sittings between today and 31 May, 2000. The leave of absence which they seek is granted.

I also need, hon. Members, to draw to your notice the death, in recent times, of a former Member of this House and the Senate, and a former Member of the House of the Federal Legislature; I refer to the death of Ronald J. Williams. Members on both sides may wish to express condolences.

**RONALD J. WILLIAMS
(DEATH)**

The Minister of Trade & Industry and Consumer Affairs (Hon. Mervyn Assam): Mr. Speaker, I rise on behalf of this side of the House to express our deep and sincere condolences to the family, friends and relatives of the late Ronald Williams, familiarly known as "Ronnie".

Ronnie Williams has made several contributions to the development of Trinidad and Tobago, in several capacities. In fact, Ronald Williams and myself attended the same university, although many years apart. He was a graduate of the University of Toronto where he graduated with a degree in Commerce, and returned to Trinidad to join the family business. He was a very successful businessman and he participated in every area of the family's business; whether it was in the import/export, the insurance, manufacturing and so forth and did make a name for himself.

Intermittently, he took time off for public duty, in that, as you said, he was a Member of the Federal Parliament at quite an early age. I think he was 29 years old when he became a Member of the Federal Parliament, which, as everyone knows, did not last for more than four or five years. Subsequently, he gave public service as chairman of what was then CDC, the Carnival Development Committee.

Ronald J. Williams (Death)
[HON. M. ASSAM]

Friday, May 19, 2000

He also, as another Williams, after Eric Williams, then Ronnie Williams, now another Eric Williams, served as a Member for Port of Spain South and became a minister in charge of state enterprises. During his tenure as minister he earned the name of "Chinese Chopper" because he attempted to make state enterprises more efficient and, therefore, some of his actions had been deemed to be rather ruthless during his tenure of pursuing and discharging his responsibilities.

He was also an ardent mas player; he played mas in some of the most interesting J'ouvert bands, I understand. He was also an organizational man, in that, he was a long-standing member of Maple, where he loved to drink, smoke and play cards. He was also a member of Cosmos, another club to which he gave a lot of attention and patronage. Of late, of course, Ronald Williams, after having given many years of service to the family business had retired and passed it on to his son and was in some sort of retirement, attempting to enjoy the rest of his life, when "Basil" called him.

Mr. Speaker, I am sure Members opposite know much more about Mr. Williams than I do, but I just wanted to give a brief outline of what I have known about him and to pay tribute to him for an outstanding career, for his wonderful contribution in so many different areas of public and private life, and to say that we on this side mourn his passing, and we wish to express our deep regret and sadness, at this particular time, to all the persons whose lives Mr. Williams had some influence on, and upon whom he impacted in so many different ways.

I wish to say that we on this side do mourn his loss and express our condolences to all his family.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, it appears as though we now have a new item on our parliamentary agenda. I think it is now becoming the norm that week after week we are here eulogizing some one of our greats. It appears, especially in the field of culture: Sundar Popo, Pat Castagne, Kitchener, and the list just seems to be getting longer and longer.

Dr. Mohammed: Better watch yourself!

Mr. K. Valley: One wonders whether there is some truth in the saying that as the century changes, we see all types of changes. Whether we are seeing a changing of the guard, the end of an era, here we pay tribute to a businessman, politician, an artiste and a fun lover, because I think if anybody can say anything about Ronald Williams, it is that, yes, he enjoyed a good time.

Ronald J. Williams (Death)

Friday, May 19, 2000

A man of integrity and honesty, who never suffered fools gladly. He would shoot from the hip and say it as he saw it; as a fact, always maintaining that integrity and never once holding malice. I remember on one occasion that I called Ronnie for something and he gave me about 10 minutes of unprintable language and about half an hour later he called me and said, “Ken, come and get it”. He was a person that if something bothered him, he would get it off his mind without malice.

I knew Ronnie, not quite well, but his having served as Chairman of Algico where I worked for some time, and also some of us who enjoyed some fun from time to time, especially on a Friday evening, we would meet him at Cosmos or Maple and enjoy a good game with him, and really enjoy his company.

He served the People's National Movement well. As said by the Member for St. Joseph, he was one of the Members of the Federal Parliament, 1958—1962. He served as a Senator, as the Member of Parliament for Port of Spain South and as the Chairman of the Carnival Development Committee, where it is said that he instituted some good reform. Ronnie at age—the newspapers report 72, I think it was closer to 75 years—lived a good life— a very good life I would think—up to the end. He left his mark in the business community and I think the people in culture still respect him for his work in that area.

The People's National Movement has lost yet another good friend, even if at times we felt that he could have used some better language, but he said it as he saw it.

On behalf of the Members on this side of the House and the People's National Movement, we extend our sympathy to his family and the national community, which has lost yet another exemplar. I thank you, Mr. Speaker.

Mr. Speaker: Hon. Members, I wish to identify with the comments which have been made by both sides of the House on the passing of Ronald J. Williams. It is said that we are born to die, and it is quite clear that the Republic of Trinidad and Tobago is only the poorer with the passing of Ronald J. Williams, who made tremendous contribution and who obviously paid his dues in the society to which he belonged and the society of his birth.

One Member has referred to the fact that he relaxed, at times, by drinking, smoking and playing cards. But here was a man who was outspoken, who was very definitely colourful, fearless, unafraid and who, in many senses, was a committed citizen.

Ronald J. Williams (Death)
[MR. SPEAKER]

Friday, May 19, 2000

I remember an occasion on which he was reported as having described himself as “an unrepentant capitalist”. Here was a man who was born into what one would regard as a privileged family and who did not hesitate to look the other man in the eye and see only another human being. In his entire life there is this thread that could be detected which had to do with recognizing others as human beings and he was prepared to buck, perhaps, family and friends; to be able to look others in the eye and see, not necessarily another ethnic group, but a human being.

He has obviously paid his dues in the society. It is fitting that the type of tributes that both sides of the House have paid to him should, indeed, be paid in this Chamber in which he made contribution. It is not often that one has an opportunity of making contribution in both Houses of Parliament, and he did it in both and in the Federal Legislature.

1.45 p.m.

It has been said he entered politics at an early age, in his 20s. I am sure he has lived a very full life and has done it without too many regrets. None of us is perfect, and I am sure he made no claim to a saintly office.

Hon. Members, I am sure I speak on behalf of all of you when I ask that the Clerk of the House be directed to send a letter of condolence to his immediate family and express the sentiments of the House on his passing. I accordingly ask hon. Members to stand in silence for one minute as a mark of respect.

The House stood.

Mr. Speaker: Just before we get to Papers Laid, I wish to draw to the notice of the House and strangers who are here that when I suggested we stand for one minute’s silence, it was a polite way of saying that we shall do it. The one person sitting in the front row who did not do it for whatever reason, I want him to know that was not appreciated and is not on, and if anything like that is tried again, he would be put out immediately.

PAPERS LAID

1. Report of the Auditor General on the Accounts and Financial Statements of the Programme of Institutional Strengthening of the Women’s Affairs Division of the Ministry of Culture and Gender Affairs for the year ended December 31, 1996.[*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]

To be referred to the Public Accounts Committee.

2. Report of the Auditor General on the Accounts of the Deposit Insurance Corporation for the year ended September 30, 1999. [*Hon. R. L. Maharaj*]
3. Trinidad Nitrogen Company Limited Financial Statements for the year ended December 31, 1999.

Papers 2 and 3 to be referred to the Public Accounts (Enterprises) Committee.

ORAL ANSWERS TO QUESTIONS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Government is asking for an adjournment of one week in respect of three questions: Question No. 57, in light of what is requested in (b) we need a further week in order to complete the answer. I have spoken to the hon. Member for Laventille East/Morvant in respect of that question, and I have spoken to the Opposition Chief Whip.

Questions 64 and 65, a little more information is requested for these two questions. The draft has been done and we are asking for one more week.

Mr. Speaker: Do I detect that the Member for Diego Martin Central wants to say something?

Mr. Valley: Mr. Speaker, I do not know if the term “agreement” is the correct word to use.

Mr. Speaker: What would you suggest?

Mr. Valley: I have no objections, I was notified by the Leader of the House that he is unable to answer the question, and if he does not have it, there is very little we can do, so we have no objection, but there is no agreement as such.

Mr. Speaker: I need to ask you, because in the absence of agreement, we will need to put it to the House.

Mr. Valley: I have no objections, but if it is put to the House, we would at best abstain. The point I am making is that I think the word “agreement” in the circumstance is not the correct term to use.

Mr. Speaker: It is just that in this particular year, I do not want it to be repeated that I am doing things which one side of the House does not want.

Oral Answers to Questions
[MR. SPEAKER]

Friday, May 19, 2000

The following questions stood on the Order Paper:

**Foreign Lawyers and/or Foreign Law Firms
(Contract of)**

- 57.** (a) Would the Attorney General identify the foreign lawyers and/or foreign law firms retained or contracted by the Government to provide legal advice and/or other legal services between January 01, 1996 and March 30, 2000?
- (b) Could the Attorney General advise as to the nature of the work involved in each case and the respective cost?
- (c) Would the Minister further indicate how many of these cases involved advice or opinions orally presented as opposed to written advice or opinions? *[Mr. Fitzgerald Hinds]*

Signal Hill Land Development Issue

- 64.** (a) Would the Minister of Housing and Settlements please inform the House when will the Government of Trinidad and Tobago intervene in the Signal Hill Land Development issue and ensure that the participants receive their housing lots at not more than \$5.00 per sq. ft.?
- (b) Since the project is part of a national programme, could the Minister please state when the Signal Hill Development lots will be distributed? *[Miss Pamela Nicholson]*

**Signal Hill Land Development Participants
(Collection of Moneys)**

- 65.** (a) Would the Minister of Housing and Settlements please tell this House whether over \$5 million was collected by the NHA. on behalf of hundreds of Signal Hill Land Development participants?
- (b) If this is so, could the Minister please state why is he not communicating formally with the participants to resolve the problems associated with this Development? *[Miss Pamela Nicholson]*

Questions, by leave, deferred.

Recruitment of Teachers

54. Mr. Fitzgerald Hinds (*Laventille East/Morvant*) asked the Minister of Education:

- (a) Could the Minister indicate how many teachers have been recruited and posted at the nation's schools between January 1996 and March 01, 2000?
- (b) Would the Minister further indicate how many have left the teaching service during the same period?
- (c) Would the Minister further state how many of those who left did so because of:
 - (i) compulsory retirement;
 - (ii) early retirement at 50 years;
 - (iii) resignation before age 50 for any reason?

The Minister of Education (Hon. Kamla Persad-Bissessar): Mr. Speaker, I am advised that 2,491 teachers were recruited and posted in the nation's schools between January 1996 and March 01, 2000. One thousand, nine hundred and eighteen teachers left the teaching service during the same period.

For those who left, 250 did so because of compulsory retirement, 78 left because of early retirement at 50 years, and 525 teachers resigned before the age of 50. The remainder, 1,065 retired between age 50 and 59, or left the job for other reasons between those ages such as death, retirement, marriage, or otherwise.

Thank you.

Forensic Science Centre (Document Examiners)

55. Mr. Fitzgerald Hinds (*Laventille East/Morvant*) asked the Minister of National Security:

- (a) Would the Minister indicate the number of document examiners employed by the Government's Forensic Science Centre as at March 01, 2000?
- (b) Is the Minister aware that the shortage of document examiners has hindered the prosecution of certain criminal offences?
- (c) Would the Minister indicate what action is being taken to rectify this obvious lacuna in the criminal justice system?

The Minister of National Security (Sen. Brig. The Hon. Joseph Theodore): Mr. Speaker, as of March 01, 2000, the Forensic Science Centre had one document examiner on staff. It should be noted that the ministry has had difficulty in sourcing persons with the requisite skills and training because persons skilled in this discipline who have been approached by the Forensic Science Centre have requested significant remuneration packages.

The shortage of document examiners has resulted in a delay in the processing of reports relating to documents submitted to the Forensic Science Centre and we are aware that it has caused a resultant delay in the prosecution of certain offences.

The shortage of professional and scientific staff at the Forensic Science Centre is being addressed. In this regard, the Minister of Public Administration recently established a committee to advise on strategies to attract and retain the staff required. The committee is comprised of senior officers from the Ministry of National Security, including the Director and Deputy Director of the Forensic Science Centre, the Ministry of Public Administration and the Personnel Department. The committee has met and is preparing a note with proposals to address the problem in the short term while pursuing long-term solutions.

In the meantime however, we are looking at the position of document examiner and steps are being taken for a Chemist I to pursue the Master of Science degree in Forensic Science, with specialization in document examination, with effect from October, 2000.

Thank you.

Mr. Hinds: Is the Minister saying in respect of Part (b) that the shortage of document examiners at the moment only results in delays rather than cases falling by the wayside and being dismissed as a consequence?

Sen. Brig. The Hon. J. Theodore: Mr. Speaker, I acknowledge that the previous shortage of document examiners may have resulted in delays. I would not venture to suggest that the absence resulted in any cases falling by the wayside. However, the point to note is that there is a document examiner on staff at this time.

Thank you, Mr. Speaker.

Terms of Contract
(Mr. Geoffrey Robertson, QC)

60. Mr. Fitzgerald Hinds (*Laventille East/Morvant*) asked the Attorney General and Minister of Legal Affairs:

Could the Attorney General and Minister of Legal Affairs state:

- (a) Is Mr. Geoffrey Robertson, QC, retained by way of contract with the Government of the Republic of Trinidad and Tobago?
- (b) If yes, what are the terms of the contract and could the Attorney General state the full amount of the fees or retainer to be paid to Mr. Geoffrey Robertson, QC, for his services as Legal Counsel to the Commission of Inquiry established to enquire into the administration of justice?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, this honourable House is advised that Mr. Geoffrey Robertson, QC, has been appointed by joint agreement of the Attorney General and the commissioners as Counsel to the Commission of Inquiry into the Administration of Justice in Trinidad and Tobago.

As the chairman of the said commission observed in his address at the opening of the Commission of Inquiry on Monday April 17, 2000 that:

“The role of counsel to an Enquiry is sometimes misunderstood. Although usually appointed by or with a joint approval of the Attorney General and the commissioners, he or she remains throughout, Counsel to the Commission. The Commissioners instruct him and he is responsible to them alone, and not to the Attorney General or the Government, or the witnesses. It is his duty to advise us on the law, to gather and collate all the evidence relevant to our Enquiry and to undertake such further research as may be required. He gathers it and presents it, but he does not play any further part in the Enquiry, either by helping to write our report or by making a closing speech telling us what should be in our report.”

Mr. Speaker, I wish to advise this House that Mr. Geoffrey Robertson QC is a leading Queen’s Counsel in the United Kingdom and has an extensive practice throughout the Commonwealth and before the Judicial Committee of the Privy Council and before the European Court of Human Rights.

He is a Master of Honourable Society of Middle Temple which is one of the four Inns of Court in England which is responsible for the admission of lawyers to practise in the United Kingdom. He is also a Recorder, that is a part-time Judge for the City of London and a member of the Bars of Trinidad and Tobago, Antigua and Australia amongst other countries. He is the author of three legal textbooks and was Counsel to the Royal Commission in Antigua which investigated gun-running to the Medellin Drugs Cartel.

Mr. Speaker, I am pleased to inform this House that Mr. Robertson has agreed to waive his professional fees for preparatory and advisory work that he has done and will do in Trinidad and Tobago, and he has agreed to appear for a nominal retainer of £500 for each day that the commission holds a hearing.

Since the commission estimates that there will be six such days, his appearance fees will be limited to £3,000. In so far as it has been and will be necessary for him to advise the commissioners and to research law and prepare evidence and generally serve the commission outside this country, he has agreed to act at half his advertised hourly rate. As with the commissioners themselves, the expenses of having him and his wife in Trinidad and Tobago for the necessary hearings period will be met, as will any additional expenses which he or his office necessarily incurs in the service of the commission.

2.00 p.m.

Since he will not be involved in writing the Report, his retainer is expected to end at the close of the hearings scheduled for the week of June 19. It is impossible for me to state, at this stage, the full amount of Mr. Robertson's fees. That will, of course, depend upon the volume of evidence and the demands that the commission may make of him. But they will be very substantially less than the market price for a counsel of his experience and seniority.

Mr. Hinds: Mr. Speaker, a supplemental question. Is the Attorney General able to tell us, for the moment, what is the hourly rate that he spoke of a moment ago?

Hon. R. L. Maharaj: Mr. Speaker, the hourly rate for Mr. Geoffrey Robertson, as advertised in the United Kingdom, is £350 per hour.

Mr. Hinds: Mr. Speaker, am I to understand the Attorney General as saying to us that all his expenses, whilst he operates in Trinidad and Tobago, will be met by the state?

Hon. R. L. Maharaj: Mr. Speaker, I thought that was clear. All his expenses would be met by the state, and his fee in Trinidad and Tobago would be a nominal retainer of £500 for each day, and it is expected that it will be six days, so that would be £3,000. According to the answer, he is not expected to do any work in the United Kingdom for the commission, but if he has to do it, he will do it at half of his published hourly rate.

Mr. Hinds: Mr. Speaker, a supplemental question. Is the Attorney General able to tell us what are those projected expenses likely to be?

Hon. R. L. Maharaj: Mr. Speaker, that was not asked for but if the hon. Member wants it I can get it for him because I do not have that today.

Mr. Valley: A supplemental question, Mr. Speaker. When the Attorney General speaks of all his expenses, is he speaking about expenses in Trinidad and Tobago while he is here, or are we talking about all his expenses. In other words, while he is away from London, whether there would be expenses incurred at his London office?

Hon. R. L. Maharaj: Mr. Speaker, I thought this answer was so simple. If Mr. Robertson is coming to Trinidad and Tobago and the commission is sitting for six days, it would be his expenses in Trinidad and Tobago.

Mr. Valley: Good.

Hon. R. L. Maharaj: The answer is clear, Mr. Speaker. For £3,000, a junior in Trinidad and Tobago would not appear for that. So it is £3,000 if it is six days. If he has to do work in the United Kingdom and instructed by the commission, there is a published rate of £350 for Mr. Geoffrey Robertson, but he said if he has to do that he will do it for half the published rate.

Mr. Valley: Another supplemental, please, Mr. Speaker. Would the hon. Attorney General inform this honourable House why we are being so favoured by Mr. Robertson.

Mr. Panday: Because we are nice. *[Laughter]*

Mr. Speaker: That does not—

Miss Nicholson: Thank you, Mr. Speaker. Mr. Speaker, before asking this question, the question that was sent to you and approved—

Mr. Speaker: With the greatest deference, Member for Tobago West—

Miss Nicholson: Yes.

Mr. Speaker: Please sit down! You are sufficiently experienced to know that the Standing Orders permit you simply to ask the question that is permitted, and you are not permitted to make any speech or address anybody with respect to whatever changes I suggested on the original question that you posed. That is quite clear!

Miss Nicholson: Okay. Another question to you, Mr. Speaker. Can we comment publicly on it?

Mr. Speaker: The Member, obviously, does not want to ask this question today. I called on the hon. Member to ask question No. 66 as it appears on the Order Paper, not to enter into controversy, or to try to enter into controversy with the Speaker, today.

Miss Nicholson: All right, another day.

Three Chains Act (Construal of Provisions)

66. Miss Pamela Nicholson asked the Hon. Attorney General and Minister of Legal Affairs:

Could the Attorney General state how the provisions of the “Three Chains Act” are to be construed in relation to the coast of the Island of Tobago?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the lands of Tobago were granted by the Crown to appointed commissioners for sale and disposal. But the Crown reserved around the coast of the island, a strip of land three chains in width, that is 198 feet, from the high water mark which could be used by the Crown for the erection of forts and batteries. Mr. Speaker, I know that we should know it, but for the record: A “fort” is a small, fortified place used for defence—it can be large too. A “battery” is a place where cannons and their equipment are mounted.

Section 2 of the Three Chains (Tobago) Act, Chap. 57:04, vested title of the three chains in the proprietors, their heirs and assigns of the lands adjoining the three chains. However, this title was not absolute, but subject to the following exceptions:

1. The state, as it sees fit can build any forts or batteries along the three chains without having to pay compensation;
2. The state can also erect public buildings on this strip of land without paying compensation as long as those buildings do not interfere with existing buildings erected by the proprietor or with any cultivated land;

3. The owners of land on the interior have the right of a shipping place and they can build storage facilities for their produce on any part of the three chains which is not already occupied;
4. Those persons who built a house or building on the three chains and occupied that house or building for at least seven years before the Act was passed, which date is May 26, 1865, were allowed to continue to occupy those buildings and where space was available ten feet of land around the building, they were also granted title to the land;
5. The right of road to the public through the three chains was expressly reserved. However, the President may, by Order, at any time take possession of any part of the three chains to make roads as long as the roads do not interfere with existing buildings or cultivated areas unless such cultivation shall lie in the path of the proposed road.

Up to the present time, two orders have been made to acquire lands on the three chains for the making of roads. For example, in 1961, an Order was made for the purpose of making a road to provide access to state lands at Great Courland Bay in the parish of St. David.

Thank you very much, Mr. Speaker.

Miss Nicholson: Mr. Attorney General, based on the section, I think it is section 5 that talks about the reserve for the road, if there is a road that is constantly used for decades by the public, is it the role of the Government to reserve that road for the public?

Mr. Speaker: Again, a supplementary question comes to me to determine whether it is fit and proper and it naturally arises, I would suggest that that question that you are posing be contained in another question.

MISCELLANEOUS TAXES (AMDT.) (NO. 2) BILL

Bill to amend the Miscellaneous Taxes Act, Chap. 77:01. [*The Minister of Finance and Planning and Development*], read the first time

EQUAL OPPORTUNITY (NO. 2) BILL

Order for second reading read.

The Prime Minister (Hon. Basdeo Panday): Mr. Speaker, I beg to move,

That a Bill entitled, An Act to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different status, to establish an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected therewith, be now read a second time.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

Mr. Speaker, I regard it as a great honour and a great privilege to move the second reading of the Equal Opportunity Bill, 1999. For me, it is a dream come true in the continuum of a struggle I began since my student days in London.

2.10 p.m.

I am convinced now, as I was convinced then, that the greatest problem facing mankind today is its failure to manage diversity. If one looks across the globe, whether it be Africa, Asia, eastern Europe or even some of the developed countries, one will notice that the conflagrations taking place, the wars and the conflicts, have as their basis a single theme and that theme is their failure to manage diversity. Whether that diversity is based upon a difference of tribes or ethnicity as in Rwanda and Burundi; whether it is based on a difference of religion as the conflict in Nigeria between Christians and Muslims; whether it is a diversity that is based upon a difference, again, of religion as in Lebanon; whether it is a diversity based on the difference of religion as in Ireland between Catholics and Protestants; whether it is diversity based upon race giving rise to so much conflict in developed nations such as in the United States and even in Britain; whether it is Indonesia, in Timor, wherever one sees conflict in the world today, that conflict is based on the failure of man to manage diversity. The purpose of this Bill is to help us deal with the management of diversity in our own society.

Mr. Speaker, I quote from the Law Commission of Trinidad and Tobago Working Paper on Equal Opportunity legislation dated March 17, 1996 at page 1 and it says there:

“In a society rich in diversity such as ours, it is important to safeguard the integrity of different races, social groups and men and women from unjust and unequal treatment and the denial of equal opportunity. Equally important is the need to arrest institutionalized and historically entrenched patterns of discrimination all of which are evident in Trinidad and Tobago society in varying degrees.”

So that, unless we in Trinidad and Tobago take steps to manage our diversity, the danger always lurks that our society will degenerate to the levels of conflict that obtain in other parts of the world.

Now, Mr. Speaker, one cannot legislate love. One cannot legislate justice. One cannot legislate goodness. One cannot legislate truth. One cannot legislate these things. One cannot legislate equality. One cannot legislate fairness. What one can do, Mr. Speaker, is legislate against injustice and one can legislate against unfairness and one can legislate against inequality and one can make the practice sanctionable. That is what we do in law. That is how we use law to condition human behaviour, to make sure that people act in a way that conduces to the welfare and well-being of the society.

For example, one cannot legislate or decree that there shall be no murder; simply say that there shall be no murder and then there will be no murder. One cannot legislate and say there shall be no larceny and stop there and, because one has done that, believe that all larceny would stop and all rape would stop if one simply passes a law saying there shall be no rape. One cannot legislate positively good behaviour but what one can do, Mr. Speaker, as in the case of murder, is say, “If you premeditatedly kill someone you shall be guilty of murder and you shall be sentenced to hang by the neck until you are dead”. One cannot legislate non-murder. What one can legislate is that those who violate the right of others to have their own lives will be penalized. So that is the basis of our law about murder.

One cannot legislate morality, but one can deter immoral conduct by imposing sanctions and breaches, and you will see, Mr. Speaker, when I come to deal with the Bill itself, that this is the approach that the Bill takes. So since you cannot legislate morality so one cannot legislate non-discrimination. One cannot just pass a law saying, “Thou shalt not discriminate”. Nothing will happen. However, what you can do is say, “If you discriminate against others, certain penalties, certain conditions and certain action will follow”. Having said that, Mr. Speaker, this piece of legislation is going to be the most progressive piece of social legislation since the independence of this country. [*Desk thumping*] And I will tell you why I say so.

Our Constitution and, indeed, our anthem speak of certain rights. In the Constitution, section 4 provides that there are certain entrenched freedoms that shall be enjoyed. I am sure you are aware, Mr. Speaker, of the freedom, the right. It is a right. If you notice how the Constitution puts it, the Constitution speaks about fundamental human rights. So that I have a right, you have a right, we all have rights, and that is the right to liberty and the right to life and the right to security of the person or the right to enjoyment of property, the right to respect for one’s private and family life and the right to equality of treatment from any public authority.

I think that is extremely important to underline and emphasize—the right to equality of treatment from any public authority in the exercise of any functions. There is the right to join political parties, express views and so forth, the freedom of movement, freedom of conscience and religious belief and observance; freedom of thought and expression, freedom of assembly, and freedom of the press. They speak of rights but for every right there is a corresponding duty. There is no such thing as absolute freedom. It does not exist except in the jungle, and in any civilized society there is no such thing as absolute freedom.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

In fact, I think it was Burke who said, in his memorable tome, *The Leviathan* I think it was, that if there were no obligation upon men, if there were no corresponding duties to rights that we have, then the life in such a state would be nasty, cruel, brutish and short. [Interruption] That is Hobbes. Hobbes is *The Leviathan*. Yes, the Member is quite right, Hobbes instead of Burke. But the quotation is right, Mr. Speaker. So that, when the Constitution speaks of rights the Constitution also imposes duties. The national anthem speaks of, "Here every creed and race find an equal place". That is a wish. That is an aspiration. That is a hope. That is a dream. That is what we aspire to. There is no mechanism in the society to enforce that dream, to make it a reality, to make sure that in this society every race shall have an equal place. The purpose of this piece of legislation, which I have the honour to move, is that it will provide the mechanism for giving life and blood and spirit and sinew to the aspirations in our national anthem and to the integration and aspirations of the Constitution of this country.

Mr. Speaker, I think I had better explain, before I go on to justify the introduction of the law, that although the Constitution does contain these rights, there is no mechanism in law to enforce these rights in private law, only in public law. That is why the Constitution speaks of the right to equality of treatment from any public authority, not a private authority. That is why we need this Bill, although that provision is in the Constitution. I again refer to the Working Paper on Equal Opportunity legislation in which it says:

"Before contemplating..."

Let me put it this way. The law is that if the state infringes your right to liberty, to life, whatever, all those rights that are stated in section 4 of the Constitution, the aggrieved person can go by way of constitutional motion to the court, but only if the state does it, not if private persons do it. So in examining the right to go by way of a constitutional motion, the report to which I refer says:

"Before contemplating a constitutional motion, therefore, one must determine whether the relief can be sought under any other law, e.g. under a statute, under the common law or under the law of torts, and one must also assess whether this means of redress is adequate."

Now there is no tort against discrimination and we are now talking about private law. In public law, however, there is the constitutional motion and there is a case I want to refer to. It is a case of Maharaj against the Attorney General of Trinidad and Tobago. The Maharaj to which I refer is Ramesh Lawrence Maharaj. Mr. Speaker, how time changes. At one time he had the Attorney General in court

now he is the Attorney General [*Interruption*] and the Leader of the Opposition had him in court the other day. But very interesting is what Lord Diplock had to say in that case of Maharaj against the Attorney General reported in 1978 at 2 *All England Reports* 670 at page 677 his Lordship said:

“The question arises as to what is the scope of the anti-discrimination provisions in the Constitution embodied in the fundamental rights guarantees.”

2.25 p.m.

And Lord Diplock said:

“this raises the question, ‘against whom is the protection of the individual in the exercise and enjoyment of those rights and freedoms granted?’ He then proceeds to answer by quoting Phillips JA:

‘The combined effect of these sections...gives rise to the necessary implication that the primary objective of Chapter I of the Constitution is to prohibit the contravention by the State of any of the fundamental rights or freedoms...’”

Mr. Speaker, if an ordinary person discriminates against you, therefore, because of your race, colour, creed or whatever, you have no rights. You cannot enforce those rights. They are there in theory, but you cannot enforce them, because you have now left the realm of public law and entered into the realm of private law. When you enter into the realm of private law, it means that there must be a law that says that there is reject—that there must be a tort. I know of no tort of discrimination.

It is necessary, therefore, that this law be passed to give effect to women who are discriminated against, children who are discriminated against; disabled people who are discriminated against; and when people are discriminated on the grounds of race, colour, creed, religion, ethnicity, or whatever, this law will protect them.

Mr. Speaker, having justified the need for this law and this Bill, I now turn to the Bill itself. In the Explanatory Note it says:

“The Bill seeks to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different sex, colour, race, origin, including geographical origin, religion, marital status or ability and to establish an Equal Opportunity Commission and an Equal Opportunity Tribunal.”

I will explain that a little later on when I come to examine the Bill in detail.

Mr. Speaker, race is defined to cover colour, ethnic origin, or mixed race. Sex expressly excludes sexual preference or orientation. I know that may be of concern to Members on the other side and the status of a person refers to his or her sex, race, origin—the penny took long to drop Sir, but it did—including geographical origin religion marital status or disability.

The Bill also provides for types of discrimination, which are to be prohibited. Clause 4 applies to discrimination in relation to employment, education, the provision of goods and services, the provision of accommodation and offensive behaviour under clause 7. Discrimination must either be discrimination on the grounds of status—and I shall deal with the definition of status later—or it may be discrimination by victimization, and that is defined in clauses 5 and 6 respectively.

Clause 7 prohibits offensive behaviour in public which offends or insults another person or group on the ground of race, origin or religion and would prohibit the inciting of racial or religious hatred.

The Bill makes special provisions for discrimination in the field of employment meaning that by clauses 8, 9, 10 or 11 discriminating against an applicant for a job such as an employee, a trainee or prospective trainee is prohibited.

The Bill does not apply to a case where being of a particular sex—a genuine occupational qualification requires that person be of that sex and examples are given and I shall deal with those examples.

The Bill will not apply to a case where a person of a particular religion needs to be employed in a religious shop. Likewise employment in the case of domestic services and family business is excluded from the ambit of the Bill. Provision of the Bill will not also apply to an employer in relation to employment of a disabled person where the latter is unable to carry out the requirements of the job. For example, a person might not have the use of his arms and that person might be required to be a typist, or that the employer feels that he would be subject to unjustifiable hardship or the risk of injury would arise.

Mr. Speaker, the Bill also prohibits certain exceptions, of course, discrimination against students and prospective students at educational institutions, and against members of the public who seek to avail themselves of goods, facilities, services or accommodation to which members of the public have access, but the Bill will not apply to competitive sporting events. For example, Sir, if somebody chose Ato Boldon over me for a certain job that could not possibly be discrimination, if one qualification of the job depended upon speed.—
[Interruption]—I thought you had a law against bad dogs.

Mrs. Persad-Bissessar: Dangerous dogs. *[Laughter]*

Hon. B. Panday: Mr. Speaker, the Bill, therefore, as I said, does not apply to competitive sporting events and the granting of privileges to women in connection with pregnancy and childbirth. I do not expect the men would want to be treated equally in that regard. *[Laughter]* I do not know, when I look on the other side. The member of single sex clubs—it might be ladies—clubs—is not to discriminate against men if one says, this is a ladies' club. Some of my friends on the other side may qualify but the law exempts that.

The Bill provides for the establishment of an Equal Opportunity Commission and that is the part that deals with the structure for enforcement of the provisions and it is at two levels. One level is at the level of an Equal Opportunity Commission and the other is at the level of an Equal Opportunity Tribunal. There is a difference between the commission and the tribunal. The commission will comprise "...five commissioners appointed by the President after consultation with the Prime Minister and Leader of the Opposition." The commissioners would be qualified and have experience in law, industrial relations, sociology or administration and the members would reflect the balance of race and gender.

The Bill goes on to provide for a procedure for lodging complaints to the commission and the commission is a very favourable aspect of this Bill. The Bill seeks to resolve problems by discussion, negotiation, and arbitration in a non-adversarial setting—conciliatory proceedings. So it sets up the commission and when a complaint is made to the commission—let me read it: The commission sets about to conciliate between the parties outside of the glare of publicity to see whether a resolution can be found to the allegation that has been made. It is only when the commission is unable to settle a complaint by conciliation that the commission would under clause 36 prepare and publish a report on the investigation for public inspection and if the complaint is not resolved, initiate proceedings before the tribunal.

Now, when you reach to the tribunal you are in the area of quasi-legal jurisdiction. Once you are in a quasi-legal jurisdiction you will have to comply with the Constitution and that would explain why the tribunal is constituted in the way that it is.

2.35 p.m.

The Equal Opportunity Tribunal shall comprise a chairman and two lay assessors. The chairman would be equal in status to a judge of the High Court. The assessors would be appointed by the President where they are suitably qualified and the tribunal would be a superior court of record. I am sure one would remember a similar difficulty arose with the Industrial Court.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

I must confess that I was party to give rise to that controversy where it was discovered that the court did not have the powers of contempt, because the court did not have the reservoir of the power to determine prerogative remedies. We are avoiding that in this tribunal by making the tribunal a superior court of record, and it will have power to hear and determine complaints referred to it by the commission, as was said earlier, and to make such declarations and orders and awards as it thinks fit; to summon persons to attend before it. Of course, if persons refuse to come before it, it can exercise the jurisdiction of a superior court of record in that regard.

In particular, the Bill provides for an appeal from the decision of the tribunal, but an appeal on a point of law and with leave of the court on a point of fact. Again, I think it is similar to the provisions of the Industrial Relations Act. I think when we compare both Acts, we would see that there is a tremendous similarity. To such an extent is there a similarity that when I was studying this Bill, I came across something which rather amused me. I thought it was an appropriate time to tell you, Mr. Speaker.

It is clause 46 which says:

“In addition to the powers conferred on it under the foregoing provisions of this Part, the Tribunal may—

- (c) generally give all such directions and do all such things as are necessary or expedient for the expedient and just hearing and determination of the trade dispute or any other matter before it.”

That gives you an idea of where most of the provisions came from. Of course, the word “trade” there is not applicable and we will seek an amendment, of course, at that stage.

Mr. Speaker, this indicates that there is a precedent for this Bill which we have accepted in this society.

Mr. Valley: In trade law.

Hon. B. Panday: My friend says in trade law it is all right; in discrimination law it is bad. The Bill provides for the submission to Parliament of annual reports prepared by the commission and, of course, it provides for an offence of non-disclosure of information concerning the affairs of persons acquired by the members of the commission, the tribunal or the staff, during the course of their duties.

Mr. Speaker, the Bill is going to be called the Equal Opportunity Act, 1999. It is to come into effect on a date to be proclaimed by the President. In the Bill, clause 3 goes on to define most of the matters that are going to be germane and relevant to the Bill itself. It defines “commissioner”, “disability”, “employment”, “ethnicity”, and for the benefit of persons on the other side, it defines what a man means. A man is “a male person of any age”.

I think there are implications in that definition, Mr. Speaker. It has to be a male person. It defines what is marital status which is, of course, being single, married, married but living separately or apart from one's spouse, divorced or widowed.

The Bill goes on to define what is notice, what is race, who is going to be the registrar, relevant law, religious shops, sex. That is why male and female is defined in the Bill, because sex does not include sexual preference or orientation. So, it is not meaningless. Status, of course, in relation to a person means the sex of that person, his race, ethnicity, origin—which includes geographical origin—religion, marital status and any disability of that person.

Mr. Speaker, it is important to note that this Bill is limited in scope, except for clause 7, as I said. This Bill applies to only a certain kind of discrimination, or rather, discrimination only in relation to certain things, not to everything. The Bill applies to discrimination in relation to employment. One must not discriminate against people in employment on the grounds of their sex, race, ethnicity, origin, religion, marital status or disability, and one must not discriminate against them in the provision of education, goods and services, and the provision of accommodation.

I am sure, Mr. Speaker, you would remember. We were in London in those days in the 1970s and we would be looking for “digs”, a place to stay, and we would see a sign on the board, “No Irish dogs and blacks need apply”. I am sure you remember that. That is what this Bill will prevent. It will prevent discrimination in relation to accommodation. *[Interruption]* Does one not know there is discrimination with respect to the allocation of occupation in Trinidad and Tobago? If one does not believe me, my friend, those who are better than us have said that. Even Selwyn Ryan says that, but apparently one does not have much faith in him.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

The Bill also applies to offensive behaviour, as in clause 7, to which I shall allude shortly. Mr. Speaker, the definition of the term “status” also limits the Bill in some regard. It says:

“For the purposes of this Act, a person (the “discriminator”) discriminates against another person (the “aggrieved person”) on the grounds of status if, by reason of—

(a) the status of the aggrieved person;”

What is status? It is itself confined to sex, race, ethnicity, origin, including geographical origin, religion, marital status and disability. So, clause 5 further circumscribes the Bill.

This paragraph is very interesting. It says that one discriminates against a person in violation of this Bill:

“by reason of—

(a) the status of the aggrieved person;

(b) the characteristic that appertains generally to persons of the status of the aggrieved person; or”

It means that in our society and, in every society, general condemnation is attributed to people on a general basis. For example, we say that women are bad drivers. It may not be true, but that is a characteristic that obtains generally to persons of the status of aggrieved persons. We also say that single persons are not as good as married persons. That is discriminating on the basis of status. But, important also, one discriminates against someone by reason of a characteristic that is generally imputed to persons of the status of the aggrieved person. I am sure you have heard it before that “all blondes are dumb”. The dumb blond syndrome. It is not true at all, but it is a characteristic that is generally imputed.

Mr. Imbert: How many blondes do we have here?

Mr. Valley: What about gray-haired people?

Hon. B. Panday: I want to inform my friend that this is not gray, Sir. This is platinum blond. [*Desk thumping*] [*Laughter*] There is another category of discrimination which the Bill takes into account, and that is that one can discriminate against someone—in addition to the whole question of the relevance of status—as a result of victimization; discrimination by victimization.

The Bill says:

“A person (the “discriminator”) discriminates by victimisation against another person (“the person victimised”) in any circumstances relevant for the purposes of any provision of this Act if he treats the person victimised less favourably than in those circumstances he treats or would treat other persons, and does so by reason that the person victimised has—

(a) brought proceedings...”

So, if someone brings proceedings against one under this Bill and one victimizes him as a result of that, that is discrimination which will come within the ambit of this Bill, or that the person has given information in connection with proceedings brought against persons under this Bill. If that person has done certain other things under this Bill, if one victimizes that person, that is a form of discrimination which is going to be dealt with by this Bill.

It is very important in this Bill to read the exclusions which again further circumscribe the ambit of the Bill. Subsection (1) does not apply to treatment of persons by reason of any allegation made by him if the allegation was false and not made in good faith. One will notice that this Bill is the result of the transformation of much public discussion and many enquiries and amendments. The first Bill, I think, was a Bill in 1998, but even before that, there was talk about an Act in the 1987 Hyatali Constitution Commission.

2.50 p.m.

Then there were about three Bills since I laid this in Parliament. This Bill has been drafted and redrafted as a result of comments made by the public, inquiries, public consultation and that sort of thing. *[Interruption]* There are some people who just live in the society; they do not exist in it.

There was a Joint Select Committee of Parliament in which Members of the Opposition served and to which the public sent their views. The Joint Select Committee of Parliament appointed to consider the Working Paper on Equal Opportunity Legislation and to submit recommendations to Parliament. My information is that the hon. Wade Mark, Dr. Daphne Phillips, Sen. Carol Cuffy Dowlat, Sen. Penelope Beckles, Sen. Prof. Kenneth Ramchand, Sen. Dr. Eric St. Cyr—all these were people—*[Interruption]* hold on, John Humphrey, Trevor Sudama, Chandresh Sharma, Fuad Khan, Jarette Narine, Roger Boynes—oh, but they do not know whether they had any inquiry. Obviously they were asleep half of the time these things were taking place, but that is to be understood and expected.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

One of the clauses that seems to have created some controversy was clause 7. I think it is important to read clause 7. Clause 7 says:

“A person shall not otherwise than in private...”

you can do it in private, but not in public.

“...do any act which—

- (a) is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of persons;
- (b) is done because of the gender, race, ethnicity, origin or religion of the other person or of some or all of the persons in the group; and
- (c) which is done with the intention of inciting gender, racial or religious hatred.”

For the purposes of this Bill; an act is not done in private, even though it may be done when no one was looking, if it—

“(2) (a) causes words, sounds, images or writing to be communicated to the public;”

One can do it in private, make a tape and spread the tape around; that is not regarded as being private anymore. If one publishes something in private and circulates it, that is not private anymore. One can do it and keep it in his or her diary or home that is perfectly all right.

“...it is taken not to be done in private if it—

- (b) it is done in a public place;”

Public place is defined in the Bill. It is not done in private if it—

- (c) is done in the sight and hearing of persons who are in a public place.”

Mr. Speaker, I think this may also have to do with something in which I was engaged under the Summary Offences (Amdt.) Act, which said it is an offence to hold a public meeting without informing the police. In my rebel days, when I was the leader of a trade union, I wanted to speak to workers. It was urgent and I did not have time to inform the police, so I went into a lady’s yard, I went into her porch and I put the microphone in the lady’s driveway and I began speaking on the microphone about a trade union matter, and there were people who were

standing on the lady's lawn. But the lady's lawn got into the road, and there were hundreds of people in the road. I was promptly arrested for holding a public meeting without informing the police. I pleaded in that case, that this was not a public meeting, because a public meeting was defined as "a meeting which was held in a public place for a public purpose." I said I was in this lady's porch and that, by no stretch of the imagination, can be regarded as a public place, and I was speaking to private persons; only those persons who were on her lawn. Is it my fault that there are people in the road listening? It is not my fault." Mr. Speaker, I won the case. I was freed by the Magistrate.

I think this is put in here to prevent—*[Interruption]* I think this is put in here, that the act—is not done privately if it is done in a public place and is done in the sight and hearing of persons who are in a public place so that it would have covered the situation such as the one about which I have told you.

Mr. Speaker, what they are trying to say here is, there are certain things which are permissible, if it is done in private, but if you do it in public, then it becomes an offence against the society. If one should take off one's clothes in one's bedroom, that is not an offence. One may be completely nude in one's bedroom, but if one goes down Frederick Street and does it, that is against the law, it is indecent exposure. One may do some things in private which are perfectly normal, but if one does them in public, they become offensive. This is what this Bill is about: you must not be able to divide the society by pretending that you are doing things in private when, in fact, you are doing them in public; and you must not be able to incite racial hatred or insult people because of their race, colour, creed, sex or gender. You must not be able to do that. What is offensive about this clause, I wonder? *[Interruption]* "Ah", my friends on the other side say.

Mr. Bereaux: We have not started to talk yet.

Hon. B. Panday: I thought a Bill was passed in this House recently about dangerous dogs.

Mr. Maharaj: It is about to be proclaimed.

Hon. B. Panday: Or, it has not been proclaimed, okay.

Mr. Bereaux: You could say anything you want.

Hon. B. Panday: Clause 7 says:

"A person shall not otherwise than in private, do any act which—

- (a) is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of persons;"

Are my friends on the other side saying: "Yes, you must be allowed to do that?"

Mr. Hinds: But you just did it.

Hon. B. Panday: This is privilege. *[Laughter]* You could do it in Parliament, but not outside. Here is private.

Mr. Bereaux: You could look under a ladder.

Hon. B. Panday: Are my friends saying that you must not do an act that is done because—

“a person shall not otherwise than in private, do any act which—

- (b) is done because of the gender, race, ethnicity, origin or religion of the other person...”

Are they saying you must do that in the society? If they are saying you must do that, then why do they not go and tell their children they must do that? Why do we not do it in the churches? It is because it is wrong. If it is wrong in the church, it is wrong here. If it is wrong in public, it is wrong elsewhere. Oh, my friends are not arguing against it, I am so happy. One must not do an act which is done with the intention of inciting gender, racial or religious hatred. Why should that be allowed? Why should there be an objection to that? For the purposes of this clause, Mr. Speaker, I have quoted the exceptions.

Mr. Speaker, Part III, clause 8, of the Bill deals with discrimination in employment. It says:

“An employer or a prospective employer shall not discriminate against a person—

- (a) in the arrangements he makes for the purpose of determining who should be offered employment;
- (b) in the terms or conditions on which employment is offered; or
- (c) by refusing or deliberately omitting to offer employment.”

3.00 p.m.

The Bill is important, in that, it says there will be exceptions to this general provision. For example, an employer should not use as a criterion in the qualification for a job racial or sexist criteria or region—that someone comes from a certain place. I do not know if my friends know that when I go to Laventille to campaign and I am so warmly embraced by my colleagues there, I am told that people of Laventille are discriminated against when they seek employment, because they are from Laventille; I am told that. That is going to be an offence in this Bill; you cannot discriminate against people, if they are qualified and fit for the job, on the basis that they come from a particular part of the country; that is what this Bill is about. How can they be against that?

Mr. Speaker, you cannot say that this job is not for people from Laventille or not for people from any part of the country and so forth. The Bill says:

“An employer shall not discriminate against a person employed by him—

- (a) in the terms or conditions of employment that the employer affords the person;
- (b) in the way the employer affords the person access to opportunities for promotion, transfer or training or to any other benefit...”

It would be an act of discrimination if you dismiss the person or subject that person to other detriment.

There are certain categories of work and jobs which require you to specify, maybe, gender and to indicate that men would not qualify for this job. When that is the case, you are free; the Bill does not apply. I think the Bill gives some examples, if I remember, but it says in clause 11:

“(1) Sections 8 to 10 shall not apply in respect of discrimination on the grounds of sex in a case where being of a particular sex is a genuine occupational qualification for employment, promotion, transfer or training.”

I can think of several. For example, if you are advertising for female prison officers. You want female prison officers to serve in the female prisons because of the nature of the job. It would not be discriminatory to say “only females, no males”. Or a male masseur; it may be necessary because of the nature of that job, to specify “male masseurs” and, therefore, the Bill says that when that happens, when special types of jobs which are peculiarly related to gender, then there is no violation of the Bill.

In clause 11(2) it says:

“Without limiting the generality of subsection (1), being of a particular sex is a genuine occupational qualification if—

- (a) the duties relating to the employment can be performed only by a person having physical attributes (excluding physical strength or stamina) which only a person of a particular sex possesses.”

I can think immediately of advertising women’s swimsuits. If you are looking for a model to advertise women’s swimsuits, it may be that some fellows would qualify.

Mr. Manning: We want no confessions here!

Hon. B. Panday: They say not to look on the other side; okay, I would not look on the other side. But it is clear that such a job has got to distinguish, not discriminate. You cannot have a man modelling ladies swimsuits and maybe *vice versa*, so the Bill is quite sensible when it makes these exceptions. [*Laughter*]

There may be other garments for which one requires models, for which the Leader of the Opposition would not qualify—[*Laughter*—where you are not discriminating:

“...employment or training involve participation in a dramatic performance or other entertainment in a capacity for which a person of a particular sex is required for reasons of authenticity;”

This can be in reverse. For example, you want someone to play the heroine or leading lady, you have Romeo and Juliet; you cannot have a “hard back” man rat playing Juliet—[*Laughter*—you would need to discriminate for women.

But more importantly, Mr. Speaker, when I was reading this clause there came to mind a film that I saw; I think it is “Some Like It Hot” in which Tony Curtis played the part of a woman. If you are, therefore, casting for that role, you would not want a woman to play the part of a woman, because of the nature of the role. You would want a man to pretend to be a woman so, again, there must be distinction rather than discrimination. [*Interruption*] [*Laughter*]

Again, you will not be discriminating in employment or training if the participation involves “an artist’s, photographic or exhibition model”. An artist may be painting and he wants to paint the body of a beautiful lady, he has to discriminate. He does not want men sitting in front of him and distracting him. Of course, there is the case where employment or training need to be performed “by a person of a particular sex to preserve decency and privacy”. I am sure my friends on the opposite side can think of several examples that will satisfy this clause.

It is not discrimination when:

“the nature of the establishment, or the part of it within which the work is done, requires the employment to be held by a person of a particular sex;”

One can think of female nurses for a ladies ward, that kind of thing; that would not be brought under the purview of this Bill. The clause says also:

“(3) Sections 8 to 10 shall not apply in a case where—

- (a) the duties relating to the employment or training involve participation in a dramatic performance or other entertainment in a capacity for which a person of a particular race is required for reasons of authenticity;”

Again, another film came to my mind, I think it was called "The Defiant Ones". There are no thespians among us; oh yes, there is another thespian on this side of the Chair. I think the film was called "The Defiant Ones" which involved, again, Tony Curtis and Sidney Poitier.

It was a case of a person of African descent and a person of European descent being handcuffed together as prisoners, being transported and they escaped from the prison van. The whole moral of the story was that unless they cooperated with one another, there was no chance of survival for either of them; beautiful story. *[Interruption]*

Mr. Manning: Thespian.

Hon. B. Panday: Thespian, you like the word? There is a case in which you required a person of African descent and a European, because the whole moral and theme of the story was to indicate that unless you cooperate you would not survive. If that kind of thing happens, it is taken care of in this Bill.

Mr. Speaker, the Bill shall not apply in respect of discrimination on the grounds of religion, where in the case of a particular religion it is a necessary qualification for employment in a religious shop. You would hardly want to force an employer of a puja store to employ a person of a Christian religion or the Muslim faith, because of the nature of that store; or a Christian religious shop, because of the sensitive nature of the activity engaged in. *[Interruption]* Thank you my friend. One would not want to prevent persons of a certain religion being employed, that would be discriminating under this Bill.

The Bill would not apply in the case of family business. Most of Trinidad and Tobago has been built upon family businesses. When you have a job going in the family business you employ a member of the family, that is not discriminating, either on the grounds of sex, race, marital status or any of the status conditions mentioned in the definition to the Bill. *[Interruption]* How much more time do I have, Mr. Speaker?

Mr. Speaker: You have about ten more minutes.

Hon. B. Panday: Thank you. Mr. Speaker, I shall try to finish in the next 10 minutes.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

Mr. Speaker, Part IV of the Bill says:

- “(1) An educational establishment shall not discriminate against a person—
- (a) by refusing or failing to accept that person's application for admission as a student; or
 - (b) in the terms and conditions on which it admits him as a student.”

You will recall that in Trinidad and Tobago we had a case of the hijab where a child was being told, “You have to dress in a particular way before you can come to this school.” We feel, and it is the Government’s educational policy, that no child shall be discriminated against in obtaining an education in Trinidad and Tobago. It is for this reason that we took the bold and daring step to abolish the Common Entrance Exam this year, because it was discriminating against children having a secondary education.

Mr. Manning: Mr. Speaker, I thank the hon. Prime Minister for giving way. I wonder if he would be kind enough to let us know with what he has replaced it, and how it is different from the Common Entrance Examination, in terms of the discrimination of which he speaks.

Hon. B. Panday: That will come in the debate on education or on the public platform, but my friend knows that I am too wily a fox to permit him to distract me and make me deviate from the theme upon which I have embarked. He knows that. He wants me to talk about what exam would replace it and so forth. What do you think, I born yesterday? [*Laughter*] We will deal with that another time, the point is, it is the Government’s policy in Trinidad and Tobago that no child shall be discriminated against because of age. [*Desk thumping*] That is what they did; they discriminated against children on the basis of age in the society and geographical location. They said, “You are 11 or 12 years old, you do not deserve an education; no secondary education!” That is a criminal act that has been perpetrated upon the students of Trinidad and Tobago for 26 years. [*Crosstalk*] Discrimination!

Mr. Speaker, what we are saying is that you cannot discriminate against a child because of his or her religion; things like the hijab and so forth. I understand clearly why my friend is so upset. My friend knows that most of our young people, who have degenerated to drug abuse and criminal activity, have been the result of the 11-plus exam in which some 8,000 to 10,000 children per year, for 26 years, were denied a secondary education in Trinidad and Tobago. He knows that! [*Desk thumping*] I can see the guilt on his face.

There is only one way to escape from that guilt, that is to go down on your knees and beg the students of Trinidad and Tobago and say that you are sorry that you have perpetrated such a criminal act upon them.

Mr. Manning: You could not recognize truth if it came straight in front your face.

Hon. B. Panday: The Bill states:

“An educational establishment shall not discriminate against a student—

- (a) by denying or limiting the student’s access to any benefits, facilities or services provided by the educational establishment; or
- (b) by expelling the student or subjecting the student to any other detriment.”

That would cover the hijab case completely.

3.15 p.m.

Mr. Speaker, there are other aspects of the Bill. Clause 15 of the Bill does not apply to the non-admission of students of a particular sex by an educational establishment which admits students of one sex only.

Mr. Speaker, you know there is the San Fernando Boys’ School, an all-male school, and you are not discriminating if you only take boys and if it is like the St. Joseph’s Convent, or other girls’ school, you are not discriminating if you exclude boys, so provision is made in the Bill from exempting these cases because of these special circumstances.

There was a case in this country—there is so much more I need to say, but I must respect the time of Parliament—in which I think the Attorney General got involved where children were being denied entrance into certain clubs to enjoy themselves and have fun. It was alleged that the children were being denied entrance on the ground of their race, ethnicity and so forth. Do you know there was no law in the country to deal with that? The Attorney General because of his knowledge and erudition, and his skillful exploitation of the law, changed the liquor licences and the entertainment licences and said if you are discriminating against persons on the ground of sex, we will not give you a licence to run the bar. So a roundabout manner was used to enforce the right of a child or persons to be admitted to public places without discrimination.

Equal Opportunity (No. 2) Bill
[HON. B. PANDAY]

Friday, May 19, 2000

Do not tell me it does not happen in Trinidad and Tobago. I remember earlier on, a Member said: “Yes, but we are not in England, we are in Trinidad.” It happens in Trinidad all the time.

Clause 17 says:

“17 (1) Any person concerned with the provision (whether or not for payment) of goods, facilities and services to the public or a section of the public shall not discriminate against a person who seeks to obtain those goods, facilities and services—

- (a) by refusing to supply the goods, provide the facilities or perform the services;
- (b) in the terms on which he supplies the goods, provides the facilities or performs the services; or
- (c) in the manner in which he supplies the goods, provides the facilities or performs the services.”

On the basis of that person’s status.

Clause 17(2) gives examples. I want to mention—and of course I am still subject to the learned Attorney General’s view—although subclause (2) gives examples of the facilities and services mentioned in subclause (1) and it talks about public place, hotel, guest house and so forth, I am of the view that this clause will not invoke the *ejusdem generis* rule. The fact that examples are given does not mean that the law will be confined to only those instances that are stated in the rule, but I am, subject to the learning of the Attorney General, or the learning of my colleagues on the other side who are eminent lawyers.

Mr. Speaker, do you remember in this country at one time there was a great hue and cry about the colour of the people employed in the banks and there was an inquiry into this? Persons of a certain colour were discriminated against and it was because of the pressure of the political directorate at the time that this was changed. I cannot recall. Tell me, I will accept what you say.

Hon. Member: It was in 1970.

Hon. B. Panday: Thank you very much. Do not tell me that these things did not obtain in this country. And there are other forms of entertainment mentioned which you cannot deny persons. It is an important thing that you cannot deny persons accommodation because of their race or sex or from where they come.

Mr. Speaker, give me two more minutes. The structure of the Bill is when all these things have been put into place and the person has a complaint, he makes it to the commission. The commission investigates the complaint so that you are removing the adversarial atmosphere of a court of law and they call the parties together and try to settle by conciliation or whatever non-judicial means available to them and if the problem is solved, fine. If they cannot resolve the problem, it is only then it is referred to the tribunal and the Bill makes provision for the appointment of the tribunal.

I will now wait on my colleague's contribution and if there is anything further, when the time comes to reply to this Bill, I will be only too willing to accommodate the Members of the Opposition.

Mr. Speaker, I beg to move.

Question proposed.

Mrs. Camille Robinson-Regis (*Arouca South*): Mr. Speaker, I have been asked to lead off the debate on this Bill on behalf of the People's National Movement and on behalf of the Opposition in the Parliament of Trinidad and Tobago.

I believe that even though we on this side will present the views of the People's National Movement, it is imperative that the antecedents to this Bill as voiced by persons in the society of Trinidad and Tobago must be made known, and I would use this opportunity before I get into the clauses of the Bill to set a particular stage which indicates what focus was taken by members of the community and other persons in Trinidad and Tobago who are not members of the People's National Movement.

Mr. Speaker, I begin with your permission, by quoting from the *Trinidad Guardian* of October 03, 1988 under the headline "CLUB 88 seeking to divide TT says NAR youth leader".

"Re-elected chairman Ganga Singh, in presenting a report on his stewardship, charged Basdeo Panday and his colleagues for 'creating CLUB 88 as the centre-stage for their machinations, attempting once more to divide the country along racial and regional lines.'" [*Desk thumping*]

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

The Chairman of the NAR Youth League continued:

“Conceding that Panday has always been ‘a fearless fighter for equality’, Ganga Singh...”

the current Member of Parliament for Caroni East,

“nevertheless accused the former NAR deputy political leader of never extending ‘that hand of equality to the young people of the country, for his policy has always been one of marginalism and tokenism.’”

He continues:

“It may come as a shock to Panday to realise that he is not an immortal Messiah.”

Mr. Panday: I thought I was immortal.

Mrs. C. Robinson-Regis: That was in 1988, Mr. Speaker. The *Trinidad Guardian* of May 20, 1990 under the heading “UNC leadership not national—Suruj.”

“Leadership of the United National Congress (UNC) is not national in scope; it is sectarian and nationals of East Indian origin are being psychologically separated from society by the party's front liners.”

This assertion was made last evening by government Senator Suruj Rambachan, in an address to the Laventille constituency of the ruling National Alliance for Reconstruction (NAR), during which he launched a scathing attack on the UNC.”

He continued:

“You cannot claim that your struggle is for equality and against discrimination and ‘apartheid’ if this is what the leadership of the UNC practises in its behaviour,” he said.

“One of excluding the other races in the population; one of denying the right to freely participate in the affairs as important as elections. Such leadership can never, should never, and will never be trusted with the mantle of national leadership and the role of government.”

He continued:

“Mr. Panday is a political psychologist and knows that if he succeeds in having people believe that there is discrimination he will be able to divide the people.”

Mr. Speaker, I continue with 1998 from the *Newsday* of Sunday, July 5, 1998 under the heading “Equal Opportunities Bill puts churches under house arrest”.

A letter to the editor by Pastor Vernon Duncan says:

“The Government’s proposed attempt to legislate cultural, social and religious behaviour that have become the norm in our society, seems certain to backfire and irreparably injure the relative societal harmony that Trinidad and Tobago now enjoys.”

Mr. Speaker, I continue with 1996 in the *Trinidad and Tobago Mirror* under the headline “Race is suddenly an issue everywhere ‘NOW IS INDIAN TIME’”. The reporter is David Millette and he says:

“Methinks the penchant of PM Panday to label all his perceived enemies as racists is playing a big role in causing this divide in the society.”

“No amount of cover up by his apologists could deny that.”

3.30 p.m.

Mr. Speaker, this is just a sampling of some of the statements made by persons throughout the society who have had some kind of relationship, close or otherwise, with the very mover of this piece of legislation. The very Member of Parliament who has said that throughout his years, even in university, he had the belief in equal opportunity. Those who are close to him—not us in the PNM; not us who are not close to him—but a person who, after 1988, has become a Member of his Government the Member for Caroni East to be exact; and a person who, after 1990, became chairman of one of the state enterprises and who knows the individual we are speaking about understand the reason for the policy decision being made by this particular Government to come to the Parliament with an Equal Opportunity Bill. [*Desk thumping*]

We must ask the question: Can a leopard ever change his spots? We must ask another question: In the formation of a government, is there on the other side, any principle which dictates that persons who belong to that government must be persons who believe in a similar principle?

After I have quoted 1988—

“...the NAR youth leader...”

Ganga Singh talking about:

“creating CLUB 88 as the centre-stage for their machinations, attempting once more to divide the country along racial and regional lines.”

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

He was also saying:

“...his policy has always been one of marginalism and tokenism.”

Is the Member for Caroni East one of the tokens in that policy of tokenism? [*Desk thumping*]

We also have to ask the question: Is there any shared vision? Does he still believe that his now political leader only seeks to marginalise persons and divide the country along racial lines? We must also ask the question: Has there been a change when, in 1990, Suruj Rambachan who became—during the tenure of this Government—a chairman of a state enterprise, does he still believe that you cannot claim that your struggle is for equality and you are against discrimination and apartheid if this is what the leadership of the UNC practises? Was he also a token, Mr. Speaker?

As I ask those questions, I am interested in the very mechanism that has brought this piece of legislation to the Parliament. Because the Member for Couva North said that it was a burning desire on his part. But if I may, I am concerned that throughout his presentation he did nothing to indicate to us or to the national community, how important this legislation will be to the country of Trinidad and Tobago, or, how it will change what already subsists in Trinidad and Tobago.

Mr. Speaker, the legislation in its very objective does nothing more than make a statement of principles on how people of Trinidad and Tobago should operate in normal, social behaviour. From the time of independence—even before independence—the people of Trinidad and Tobago were well aware and have been well aware of how they should operate in normal, social relations. In instances where there has been any form of discrimination, the members of the society of Trinidad and Tobago have received justice before the courts of Trinidad and Tobago.

When the Member for Couva North comes to the Parliament today and says this legislation is imperative, if persons are to receive justice, we, on this side, say that this could not be further from the truth. Because we have seen in terms of employment practices, that persons who feel aggrieved in terms of employment practices, who feel discriminated against, have gone to the Industrial Court—the industrial tribunal of Trinidad and Tobago and have received redress. [*Desk thumping*]

The legislation talks about persons who—because of a certain characteristic—may be either not employed or during the course of their employment may be discriminated against. Mr. Speaker, I just want to remind you of the case of an employee of one of the banking institutions who was suspended because he combed his hair in a pony tail. That young man went to the Industrial Court of Trinidad and Tobago and was able to receive redress.

So when we look at this legislation and we are told by the mover of this Bill that this is the formula for dealing with that kind of discrimination, we, on this side, say that that is not so, because the court has already established its jurisdiction to deal with discrimination of that nature. [*Desk thumping*] When we are told that persons who are denied admission to a particular school, and have been discriminated against—because they wear a hijab. It was under the tenure of the 1991 to 1995 PNM Government that this issue was raised. And it is clear that Government schools had no difficulty with this; this was a statement of the Government schools, set up under the People's National Movement through legislation and through normal Government relations in the society. When this hijab issue, which was quoted by the Member for Couva North, was raised before the courts, the child who felt discriminated against—the court was able to deal with this issue and there was no Equal Opportunity legislation existing. [*Desk thumping*]

3.40 p.m.

Mr. Speaker, we also want to remind the Member for Couva North of something, when he glibly stands before this Parliament and says that the Member for San Fernando East should apologize to the children of the nation who are now the criminals. First of all let me say, it is unfortunate that the Member for Couva North believes that he should continuously label persons who have failed the Common Entrance, “criminals”. That is unfortunate [*Desk thumping*] and indeed there should be a law against that kind of behaviour.

When the Member for Couva North stands in this honourable House and says that the Member for San Fernando East should apologize to those persons who are now criminals, who failed the Common Entrance, I want him to remember that—and we are being told that it is young people who are committing those crimes, so those persons must be in their twenties—it was about 1987 when those persons may have failed the Common Entrance and, Mr. Speaker, if his memory is short let us on this side remind him that it was during his tenure as deputy political leader of the NAR [*Interruption*] and deputy Prime Minister—thank you—that

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

COLA was removed, [*Desk thumping*] that 10 per cent reduction in salaries was taken and, Mr. Speaker, those are perhaps the persons whose parents could not afford to send them to a private school because their salaries were cut unilaterally. If today they had failed the Common Entrance and could not be sent to a private school, then he is the one who should apologize. [*Desk thumping*]

Mr. Speaker, I want to remind you that this legislation, we continue to maintain, is merely a statement of decent behaviour. When we talk about decent behaviour I want to move specifically to clause 7 which talks about:

“A person shall not otherwise than in private, do any act which—

- (a) is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or group of persons;”

I ask the question, what is the intention of this particular clause? I trust that we will receive an answer on this side from those on the other side. I would also ask another question: If this legislation was implemented not today, but a few years ago or even a few months ago, what would be the sanction for a person who said, in public, “Do them before they do you?” [*Desk thumping*] What would be the sanction, Mr. Speaker, for someone who said, in public, “We are in a state of war”? What would be the sanction for someone who called another a pseudoracist? What would be the sanction for someone who said that they could not ensure the safety of a particular journalist? Mr. Speaker, I ask you, what would be the sanction for a person who called another a sewer rat?

Is that an act done in public which is reasonably likely in all the circumstances to offend, insult, humiliate or intimidate another person or a group of persons? [*Desk thumping*] Is that an act which is done because of race, ethnicity, origin or religion of the other person, or will it fall under an act which is done with the intention of inciting racial, gender or religious hatred? I ask for an explanation of how the Bill will apply. Give us an explanation.

Give us an explanation of a situation where, in 1999, and with your permission, I quote from the *Trinidad Guardian* of Monday, February 22, 1999 under the heading, “Panday slams religious leaders Dangerous bigots”:

“Prime Minister Basdeo Panday yesterday lambasted religious leaders who abuse their right to freedom of speech.

‘I notice the emergence of dangerous bigots...’”

I am hearing the Member for Couva North indicating that these persons should be locked up. If he had even perused this Bill now before the House, he would recognize that there is no such sanction or any other penalty of that nature existing in this Bill. So that is why I ask the question, what is the true intention of clause 7? [*Desk thumping*] Is it to result in persons being locked up? Is that the true intention? Is that statement being made the true intention? Is this the beginning of a public order act? Is clause 7 the beginning of a public order act which would result in persons making these statements being, as he is suggesting, locked up?

I continue to quote from the *Trinidad Guardian* of April 27, 1990. The headline is “Panday repeats call for Equal Opportunities Commission” where he says:

“Alienation, which includes racism, and discrimination, real or perceived, are not going to be whisked away by making fine speeches such as the late Dr. Eric Williams was prone to do for years, while the PNM went ahead and set up the most vicious system of racism in the country.”

He continued:

“Opposition to this (type of legislation) can only come from the parasitic oligarchy in whose interest it has always been to perpetuate divisions among the masses, whether it be on the basis of race or culture or sex. These are the real racists in the society.”

Mr. Speaker, is that the intention of this legislation, to deal with his so-called parasitic oligarchy of which he has become an integral part at this time? In relation to clause 7, the *Guardian* of April 5, 1997 says, “TUCO knocks PM on calypso” And they talk about—and Mr. Speaker this is the point we on this side have been making:

“Why should Mr. Panday single out calypsonians for criticism? We have already asked him to identify the songs that people have perceived as promoting racialism. So far, he has not responded to this request.’

‘In addition, there are laws already existing that could deal with any citizen who is libellous or slanderous, promotes indecency and vulgarity, or produces a work that is seditious.’”

We on this side reiterate that point, that there is already law existing.

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

I would like to go on to talk about discrimination in employment which comes under Part III of this legislation where it says:

“An employer or a prospective employer shall not discriminate against a person—

- (a) in the arrangements he makes for the purpose of determining who should be offered employment;
- (b) in the terms or conditions on which employment is offered; or
- (c) by refusing or deliberately omitting to offer employment.

9. An employer shall not discriminate against a person employed by him—

- (a) in the terms or conditions...
- (b) in the way the employer affords the person access to opportunities for promotion...or
- (c) by dismissing the person or subjecting the person to any other detriment.”

We on this side want to reiterate two things, that these so-called types of discrimination are being handled by the Industrial Court of Trinidad and Tobago. We ask the question, in circumstances where someone places sixth in an interview and then that person is given employment, would that serve as a reason for instituting discriminatory action against the Government or a Minister in the Government of Trinidad and Tobago? [*Desk thumping*] Would this legislation deal with that kind of situation, Mr. Speaker?

I want, under the section which deals with employment, to go on to talk about clause 10 which says:

“A person shall not discriminate against another person where that other person is seeking or undergoing training for any employment—

- (a) in the terms or conditions on which that other person is afforded access to any training course or other facilities concerned with such training; or
- (b) by terminating that other person’s training or subjecting that other person to any detriment during the course of training.”

On this particular clause I ask the question, if this legislation is passed, if students who were doing on-the-job training and woke up one morning and found that the OJT was gone, would they have an action against the Government under this particular clause? [*Desk thumping*] I also ask the question, persons receiving vocational training during the termination of the Civilian Conservation Corps, the closure of the various youth camps and the closure of a series of other facilities which offered vocational training under this Government, upon the passage of this legislation would those persons have the right to take action against the state? [*Desk thumping*]

I also indicate that even though this legislation has outlined a mechanism, as is said, for social behaviour, it is almost what is called “horse and cart” legislation because, after it sets up a whole list of things that would be termed discrimination, a horse and cart is driven through the legislation by the innumerable exceptions to the legislation that exist. [*Desk thumping*] So that things are given with one hand and taken away with the other. [*Desk thumping*] That is why I would suggest that this piece of legislation and the very mechanism or the very method by which the mover of the legislation presented it, indicates that it is only a propaganda mechanism. I say this without fear of contradiction because we have seen several pieces of propaganda legislation come before this Parliament.

3.55 p.m.

Mr. Speaker, I want to remind you of the legislation that dealt with extension of tenure in office of public servants. Thus far it has only been one police commissioner who has benefited from that particular piece of legislation. [*Desk thumping*]. I want to remind you of the piece of legislation which amended the Summary Offences Act, where it was said that you needed a particular time within which to inform the police service. Thus far, as far as we know, it was only when the PNM was setting up its “People’s Parliament” in Woodford Square that the police came to talk to the PNM about that piece of legislation. Nobody else, as far as we know, has come under the ambit of that legislation.

Mr. Speaker, I want to remind you of the Freedom of Information Act, which is now legislation on our statute books yet, last week, the *Express* newspaper was able to get Edo’s bank account; Carville’s bank account; who has an account in Trinidad; and who has an account in Virginia, all without going through the Freedom of Information legislation. [*Desk thumping*]

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

Mr. Speaker, we on this side are saying that this is merely another one of those pieces of legislation which those on the other side would want to stand before the public and say, we passed An Equal Opportunity Commission Bill. We on this side, as I said before, say that without fear of contradiction because as I go to the Bill again, I must ask the question under Part IV of the Bill where it says:

“Any person concerned with the provision (whether or not for payment) of goods, facilities and services to the public or a section of the public shall not discriminate against a person who seeks to obtain those goods, facilities and services—”

This clause goes on to talk about refusal to supply the goods and supplying the facilities not within the terms as the person who is applying would like the goods, and then subclause 17(2) goes on to say:

“The following are examples of the facilities and services mentioned in subsection (1):

(a) access to and use of any place which members of the public or a section of the public are permitted to enter;”

Mr. Speaker, I just want to ask the question: Is the Convention Centre a facility where access to and use of a place which members of the public or a section of the public are permitted to enter? I just want to ask the question: If the Convention Centre is one of those places and if the PNM might have an action— if this particular legislation is passed—for not being allowed to use the facilities of the Convention Centre for its last special convention of the party?

Miss Nicholson: Everybody should be able to use the Convention Centre.

Mrs. C. Robinson-Regis: I am asking because as my colleague from Tobago West rightly said, everybody should be permitted to use that facility. [*Desk thumping*] Is that a form of discrimination? I go on to ask the question under subsection 17(2) which says:

“The following are examples of the facilities and services mentioned in subsection (1):”

“(f) the services of any profession or trade, or any statutory authority or municipal authority.”

Mr. Speaker, I am asking the question: When PNM—controlled municipal authorities are not given the requisite moneys in order to deal with roads in their areas, is that a form of discrimination by the Minister of Local Government? Would these municipal authorities have an action once this legislation is passed? [*Desk thumping*]

I go on to request some explanation with regard to Part VI of the legislation which talks about the establishment of an Equal Opportunity Commission. Clause 26(4) says:

“The membership of the Commission shall reflect, as far as possible, a balance of race and gender.”

Mr. Speaker, we in Trinidad and Tobago have always attempted to balance the races. We have always said that persons should be employed based on their qualifications and merit. Is this legislation instituting a practice where, if someone may be of a particular race, gender or ethnicity, and that particular race, gender or ethnicity is already represented on the Equal Opportunity Commission and by putting on one other person that will create what is called or lead to a so-called imbalance, would that person not be allowed to serve as a commissioner, if on merit he or she may be the best person for the job?

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, is the commission by its very composition setting up a mechanism for dividing the country along race, ethnic or gender lines? [*Desk thumping*] We would like an explanation of that particular subclause of the legislation.

We have also seen that the Member for Couva North indicated that an amendment would come with regard to the misuse of the term “trade dispute” in this particular piece of legislation, and it is interesting that the Member said that this was almost copied wholesale from the Industrial Relations Act. Indeed, as I have repeated on more than one occasion, the Industrial Relations Act can deal with several of the issues raised in this Equal Opportunity legislation. It may be interesting to note that the Industrial Relations Act that exists on our statute books was passed by a special majority.

Mr. Deputy Speaker, if many of the features of this Bill equate with that particular piece of legislation, we would like to know why this legislation does not deserve a special majority and particularly in relation to clause 7, which talks about offensive behaviour. There may be some explanation which, on the face of it, seems to be in contravention of section 4 of the Constitution which talks about the right to join political parties and to express political views; freedom of conscience and religious belief and observance; freedom of thought and expression; and freedom of the press.

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-REGIS]

Friday, May 19, 2000

4.05 p.m.

We are of the view that this clause, in particular, seeks to stymie those freedoms which now exist amongst the people of Trinidad and Tobago and, thus, we are asking the question, "If clause 7 of this Bill appears to offend section 4 of the Constitution, why is this particular piece of legislation not being passed with a special majority?" [*Desk thumping*]

Mr. Deputy Speaker, we are of the view that this legislation merely reflects this Government's *ad hoc* approach to instituting legislation. It merely reflects this Government's continuous belief that they can pull legislation out of the air without stating to the Parliament or the national community what were the policy considerations that brought this legislation before the House.

I would just like to point out that, whereas the Member of Parliament for Couva North said to the Parliament that there was a Joint Select Committee appointed to deal with the Bill, in fact, the Joint Select Committee was not appointed to deal with the Bill at all. The Joint Select Committee was appointed to deal with and consider the Working Paper on Equal Opportunity Legislation and to submit recommendations to Parliament thereon.

We on this side are saying that there was never any joint select committee to deal with the Bill. All the joint select committee considered was the Law Commission's Working Paper on Equal Opportunity Legislation.

Mr. Deputy Speaker: Hon. Members, the speaking time of the hon. Member for Arouca South has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mr. P Manning*]

Question put and agreed to.

Mrs. C. Robinson-Regis: Mr. Deputy Speaker, I continue by saying that the working paper was what was considered by the Joint Select Committee, and this was established in March, 1997. In addition to the fact that it only considered the working paper, the report that came before the House was not signed by members of the Opposition, nor were members of the Opposition given an opportunity to consider the final report of this Joint Select Committee. So, when the Member for Couva North says that an opportunity was given to consider this Bill, that is complete and utter nonsense and, probably a half-truth.

As we look even at the report of that particular Joint Select Committee, we see—and if I look at the document—over 100 persons and organizations were invited to comment. Here it is. 170 individuals and organizations, both public and private were specially identified by the committee to receive copies of the working paper, and written comments on the working paper were received from seven individuals or organizations—out of 170.

Mr. Deputy Speaker, I must point out that where this legislation says that it is to deal with discrimination and to promote equality of opportunity and the like, there were no comments from religious organizations, no comments from organizations like the IRO, no comments from organizations like the Maha Sabha, no comments from organizations like the COATT, the African Association of Trinidad and Tobago, Club L'Ouverture, SWAHA or the NCIC. So, it is clear that none of the major organizations which may be affected by this legislation had the opportunity or even came to any of the meetings to comment either on the working paper or on the Bill which is now before the Parliament.

The Opposition attended—either all of the Members or some of the Members—at least half of the meetings of the committee and, we are informed, Mr. Deputy Speaker, that on many occasions, meetings did not deal extensively with how the legislation would come to the Parliament or how the working paper and the findings of the working paper would relate to the actual Bill that came to the Parliament of Trinidad and Tobago. So, it is untrue to say that comments were made on the Bill and that there was an opportunity given through a Joint Select Committee to have discussion on the Bill.

We also have concerns about the mechanism by which issues will be raised before the commission and the tribunal that is to be established by this legislation. It seems as though it is another layer of bureaucracy and time-consuming energy for persons to even get one complaint heard by the commission, because it goes through a whole detailed process of how complaints are to be made, how investigations are to be done, and it says that the commission shall investigate each complaint lodged with it. So, whether it is a spurious complaint or otherwise, each and every complaint must be investigated by the commission.

Mr. Deputy Speaker, we are of the view that this particular legislation will not serve to do any justice for the people of Trinidad and Tobago, and we are sure in our belief that even though the idea of equal opportunities is laudable, equal equality of opportunity exists in Trinidad and Tobago. [*Desk thumping*] In circumstances where it does not exist, it is not for want of the people of Trinidad and Tobago making every effort to ensure that this kind of equality exists.

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-RÉGIS]

Friday, May 19, 2000

I would like to take this opportunity to indicate what was the kind of thinking of the government of Trinidad and Tobago between 1991 and 1995 in terms of dealing with similar concerns of this nature. I talk about the establishment of the Centre for Ethnic Studies during that period, and I would like to take this opportunity to quote that Centre's mission statement:

“To promote equity and excellence by providing a viable, humane and comprehensive educational policy framework and essential ingredients of a plan leading to the attainment of knowledge, values, competencies and skills which will equip each person to function as a useful citizen.” [*Desk thumping*]

Mr. Deputy Speaker, as I quote that particular mission statement, I would like to indicate that in addition to the establishment of the Centre for Ethnic Studies during the period 1991—1995, there also existed in the office of the Prime Minister, a particular group of organizations which would come to discuss harmony within the society. That organization—or I should call it a round table—was made up of several organizations which reflected the major ethnic and racial groups in Trinidad and Tobago.

Those organizations were COATT, Club L'Ouverture, the Association of African Associations of Trinidad and Tobago, the Maha Sabha, the NCIC and the Muslim Co-ordinating Committee. By that round-table discussion being established in the office of the Prime Minister, sensible management was brought to bear on any kinds of issues that may have reared their heads in the society. [*Desk thumping*]

It was not a situation of the Prime Minister calling people pseudoracist. It was not a situation of the Prime Minister inciting persons towards acting in violent or hateful ways. It was a situation of sensible and controlled management by the Prime Minister of Trinidad and Tobago at the time, 1991—1995.

Mr. Deputy Speaker, we continue to say that this legislation will be nothing more than another piece of legislation on the statute books without a mechanism for true implementation. We are confirmed in our view that this legislation either will be unimplementable or will not be implemented. It will be stuck in bureaucracy and it will not achieve whatever aim or objective it is said to achieve. That is why we continue to ask the question: What is the true purpose of this equal opportunity legislation?

4.20 p.m.

Mr. Deputy Speaker, we also contend that the laws that exist in Trinidad and Tobago can deal with any instances of discrimination that may arise. We already have said, and we are firm in our view, that this legislation will set up, if it is passed, a tribunal which will not lead to the kind of results that the legislation says it is trying to achieve. As we look at Part VIII of the legislation which says the Equal Opportunity Tribunal is to be established, for the purposes of this Bill, as a superior court of record. It also says that any person who brings an action, or complains of an action under this legislation would be able to lodge a complaint, the complaint investigated and the tribunal deal with the issues.

This legislation does not give the tribunal any opportunity to stop the so-called discrimination from continuing. If someone lodges a complaint, there is no way that this particular commission, or the tribunal, can stop the discrimination from occurring. While the complaint is being investigated, it can continue and continue because this legislation does not allow for an injunctive relief by the person who claims he is being discriminated against. If the investigation takes five years to be completed, the so-called discrimination can continue for five years, if the person discriminated against does not obtain an injunctive relief from the very courts which now exist and which already have the ability to deal with the circumstances attempted to be addressed by this particular piece of legislation.

Mr. Deputy Speaker, we are firm in our view that this legislation will just lead to another layer of bureaucracy without solving any problems or challenges. We also believe that this legislation will institute, or will promote further divisions in the society of Trinidad and Tobago.

Mr. Deputy Speaker, if you would permit me, I would also like to ask, in relation to clause 13, where it is said:

“Notwithstanding sections 8 to 10, a family business may employ only relatives.”

If a family business has been established and has grown like a business like J. N. Harriman, or Maraj and Sons or Seereeram Brothers, essentially it is a family business, but it has grown, would those businesses fall under the ambit of this particular legislation? Would that be a family business? Would establishments like J. N. Harriman, Maraj and Sons or Seereeram Brothers, which started off as family businesses, be deemed family businesses in accordance with this particular piece of legislation, Mr. Deputy Speaker?

Equal Opportunity (No. 2) Bill
[MRS. ROBINSON-RÉGIS]

Friday, May 19, 2000

We would also like to be apprised—if you permit me—in the definition section, under the heading “marital status”, it goes on to define marital status:

- “(a) single;
- (b) married;
- (c) married but living separately and apart from one’s spouse;
- (d) divorced; or
- (e) widowed.”

We would like to ask if the term “cohabitant” or “cohabitee” can be included in this legislation?” Because, at present, we have debated several pieces of legislation dealing with persons who are cohabitees or cohabitants, and consequently they would be discriminated against, if they are not included in this legislation, Mr. Deputy Speaker.

[MR. SPEAKER *in the Chair*]

We would also like to find out if, under Part IV of the legislation; where it says, at clause 15(2)(b):

“An educational establishment shall not discriminate against a student—

- (b) by expelling the student or subjecting the student to any other detriment.”

Mr. Speaker, I may be reading this legislation incorrectly, but I cannot see how an educational establishment can be stopped from expelling a student, if a student does something for which, in accordance with the guidelines or rules and regulations of the establishment, he should be expelled. I do not know if I am reading the legislation incorrectly, and I trust that when the other side responds they would be able to explain what is meant by:

“An educational establishment shall not discriminate against a student—

- (b) by expelling the student or subjecting the student to any other detriment.”

What does that mean?

Mr. Speaker, we would also like an explanation under Part VII, “complaints”. Clause 36 states:

“A person who, without reasonable excuse, refuses or fails to comply with any requirement of a notice under sections 33 and 35(2), is liable on summary conviction—

(a) in the case of an individual, to a fine of one thousand dollars;

(b) in the case of a body corporate, to a fine of five thousand dollars,

for every day that the individual or body corporate refuses or fails to comply with any requirement of a notice.”

Mr. Speaker, this seems draconian in the extreme. If a person fails to comply with a notice of the Equal Opportunity Commission, he or she can be fined \$1,000 for every day that the individual or body corporate refuses or fails to comply.

I would, in closing, ask the other side to re-examine this particular piece of legislation. If the mover of the Bill is so pleased with using the mechanism of the Parliament of joint select committees then, I would ask the other side to consider sending this Bill to a joint select committee, in order for the actual legislation to be re-examined. The Bill has never been before a joint select committee. *[Desk thumping]*

4.30 p.m.

[Crosstalk] Additionally, Mr. Speaker, I would also like to reiterate that the existing laws of Trinidad and Tobago already deal with the issues raised in this legislation. I would like to reiterate that the legislation would only set another layer of bureaucracy. Furthermore, decent behaviour, whether in public or private, can never be truly legislated. Decent behaviour at all levels of society could never, ever be truly legislated.

Mr. Speaker, I thank you.

Mr. Speaker: I recognize the Member for St. Joseph, but I would call upon him immediately we return from the suspended sitting of the House. Hon. Members, the sitting of the House is suspended for half an hour.

4.33 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister of Trade & Industry and Consumer Affairs (Hon. Mervyn Assam): Thank you, Mr. Speaker, for giving me an opportunity to join in this debate on a Bill entitled an Act to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different status, to establish an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected therewith.

Mr. Speaker, I listened very carefully to the Member for Arouca South who, I believe, is an attorney by profession. I was very disappointed at the disjointed contribution she made. Clearly, she did not understand the Bill and she used the opportunity to read newspaper clippings in order to deride the member for Caroni East.

Mr. Speaker, you know that Peter denied Christ thrice and yet was made head of the church, “Thou art Peter and upon this rock I will build my church”. Saul of Tarsus was one of the greatest persecutors of the church, and on the road to Damascus he was struck and the Lord said to him “Saul, Saul, why dost thou persecute me.” Saul’s name was changed to Paul and he became one of the strongest—if not the strongest—defender of Christianity, spreading it throughout the length and breadth of the earth.

Saint Augustine, Mr. Speaker, if you have ever read his confessions, which I did many years ago, became the Bishop of Hippo in North Africa and also another doctor of the church, when he was young he used to say, “Oh, God, make me good, but not just yet,” because he wanted to continue to have a fling until he matured. When he received the Spirit and matured he served God thereafter.

If in 1988, Mr. Speaker, the young ebullient, effervescent person who is now the Member for Caroni East made statements, he certainly must have made statements in a situation where his judgment was flawed—[*Laughter*—]where his information was certainly deficient, and after 12 years or so he has come to realize that in 1988, as that very energetic member of the youth arm of the National Alliance For Reconstruction, he was wrong. But that was 12 years ago, and 12 years is a long time and young men must make mistakes. As the prophet Joel said, young men must make mistakes.

5.05 p.m.

Mr. Speaker, when you have the Member for Diego Martin Central who was a member of the Cabinet from 1991—1995 and the Member for San Fernando East who was the then Prime Minister and who is still leader of that party and Leader of the Opposition blurting out after Sen. Penelope Beckles was fired as a Senator

that he was resigning from the PNM because his leader was vindictive and spiteful, I want to know how the Member for Arouca South is going to reconcile those statements made only a few months ago. I am wondering how—according to her—would the Member for San Fernando East have gotten redress at that time? He could only get redress today if and when we pass this Equal Opportunity Bill.

I am sorry to say it in his absence, but the Member for Diego Martin West had a similar predicament, because immediately after the 1995 general elections, he resigned as the deputy leader of that party like Mr. Ramrekeringh and Mr. Mottley. All three deputies resigned. The Member for San Fernando East, the emperor, had no clothes. His three deputies left him naked. Do you know what the Member for Diego Martin West said at the time? He said that the Member for San Fernando East misled the party, not that he did not know that he was going to call an election, but he misled the party into the analysis of the facts that led him to call an election, notwithstanding the fact that Ferdie Ferreira had done a study indicating to the Member for San Fernando East that it was not propitious to do so.

Mr. Speaker, the Member wants to make a case against the Member for Caroni East 12 years ago and this is the most recent history of the behaviour of the Member for Diego Martin Central and the Member for Diego Martin West against their leader. Not to speak about that bitter leadership challenge that ensued where the PNM almost spat on the Member for Diego Martin West as he was leaving the precincts of Balisier House. So we must be very careful when we come here and try to chastise other people, because when you live in glass houses, you must not throw stones. That is very important.

Mr. Speaker, she says she is an attorney and she says that this Bill is merely a statement of decent behaviour, a statement of principles, how people should behave in normal social behaviour, or how they should have normal social relations, but I would have thought that they taught the psychology of law and the sociology of law when one is doing law studies. If she had done the psychology and the sociology of law in pursuit of her LL.B, she would have realized that is part of law. Part of law is not only to be punitive, to impose sanctions, but also to point the way to decent behaviour, and to help establish normal relations because law must have a moral purpose. It is not only to punish people, and therefore, if it is a statement of decent behaviour, or a statement of principle, to me, these are two inherent qualities in any law, in addition to the other things you are to try to promulgate when you are passing law. So I do not understand how this lawyer thinks.

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

Mr. Speaker, you sit in a hallowed position and I remember in 1962, although I was in Canada at the time, that beautiful piece of wood carving on which you sit was donated, I believe, by the Indian Government to the Republic of Trinidad and Tobago as a gift on the occasion of independence. Inscribed on that, I see the scales of justice and that suggests equality. You know, even though we have certain fundamental rights enshrined in the first independence Constitution which was replaced by the Republican Constitution, Act No. 4 of 1976, equality has eluded and evaded us in this country for many years. Because, notwithstanding the law, the practices of the successive governments of the People's National Movement almost institutionalized discrimination, inequality and injustice in the application of law, and that is a fact which can be demonstrated in volumes.

I have a special interest in this Bill for a number of reasons. The first reason is, as a young man I left this country and went to study in Canada hoping that I would spend four years to do an Honours degree, but I remained there for 14 years because I went on to do graduate work and professional work, and then I started to work. *[Interruption]* You can say what you want, I do not care, you are a dunce, so I do not care.

Mr. Speaker, I spent 14 years there, and I understand what discrimination is about. I remember coming out of the Sidney Smith Arts Building one day and a group of West Indians, mainly Trinidadians, were coming out and this woman shouted: "You 'niggers' keep Toronto clean, get out of the city and keep Toronto clean." There was another area of Toronto where only White Anglo Saxon Protestants (WASPs) lived. They used to have a sign in front of the portals of that enclave which said: "No 'niggers', dogs, or Jews allowed." That was the status of a black man in Toronto, so I understand discrimination and although the Ontario Government—because I lived in the Province of Ontario—set up different kinds of boards in order to regulate this kind of behaviour, it was not always successful because there are so many ways people can avoid through the various loopholes, and of course, through good lawyers and advocates. Nevertheless, it helped considerably.

There is one Trinidadian living in Toronto who has spent almost all his life—I would say he is a bit of a pauper today—pursuing the cause of justice and representing Trinidadians and West Indians almost free in many of these cases involving discrimination. So I have a personal interest in it.

I lived in the United States for a year when I worked with a multi-national corporation in Indiana and I witnessed first-hand, because I had to visit many of the southern states: Alabama, Mississippi, South Carolina and Tennessee and I saw evidence of this kind of discrimination. *[Interruption]*

Why does not the Leader of the Opposition keep quiet, Mr. Speaker? He would have his say. Why does he not keep quiet? You see, because he does not have that sense of leadership. I thought he would have responded to the Prime Minister, he should have done so, but he does not have that sense of leadership. Look who he gave it to. He gave it to the Member for Arouca South, having created some of the most traumatic experiences for Penelope Beckles—who got 18 of the party groups to vote for her, and Elvin Edwards who only got four or five—decided to settle the matter because Elvin Edwards left his Royal Bank job to become a full-time Mayor of a part-time work, and the poor fellow who has a family is now in a state of serious financial impecuniousness and the Member for San Fernando East has now settled the score and given the Member for Arouca South the Arima seat. So she is running away having not represented her constituency adequately and effectively, and is now given the plum seat—it is believed—of Arima by fiat. It is almost like the Latin phrase where it is said by command of the king.

Mr. Manning: Mr. Speaker, I thank the Member for St. Joseph for giving way. I want to caution him that he should say nothing about matters of which he is entirely unaware. Everything he said just now was wrong. Everything! There was not one right fact in what he had said including who got what nomination and so forth.

It would be much better if he pursued his objectives within the UNC where I understand his position is very dubious.

Hon. M. Assam: Having made his nonsense statement, Mr. Speaker, I shall proceed because even out of the mouth of babes cometh wisdom, and certainly, he is not a babe, so there is no wisdom that cometh from that mouth. Only turpitude, that is all that comes out of that mouth, turpitude! But we would see, we would see. *[Interruption]* You see, being a Member of Parliament did not make me, I was always somebody. I am not like other people who are nobody, and try to become somebody by being a Member of Parliament. I have always been somebody and will remain always somebody, never forget that. And never forget it. *[Desk thumping]*

Mr. Speaker, as I was saying, I lived in Canada, I lived in the United States of America and last but not least, I had a stint of three years in the United Kingdom. *[Interruption]* It does not matter, you have the “I man” there, the Member for Laventille East/Morvant is the “I man” and I will come to him just now. I lived in the United Kingdom for three years and again, I saw first-hand the kind of

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

discriminatory practices that people of colour had to experience in so many facets and areas of their day-to-day living and had very little recourse to the law. Notwithstanding the fact they have what is called a race-relations board in the United Kingdom, many of them were unable to access it for many reasons. Many private organizations were set up. In fact, one was set up under the late Cardinal Basil Hume who tried to assist the West Indians and the black community in a number of the problems they experienced from time to time.

This is why I have a serious interest in this Bill because I lived in countries and faced first-hand the kind of problems that people of colour have faced in these metropolitan societies and when in my own country I see this kind of injustice being perpetrated, whether it is by public officials, political parties, or the private sector, I feel a sense of outrage at this kind of injustice.

The Member for Arouca South must understand that she is a lawyer, but she does not speak like a lawyer, she does not think like a lawyer, she does not articulate herself like a lawyer, she does not even sound like a law student sometimes. She must understand that the law cannot deal with private discrimination, there is no law in this country to deal with private discrimination, and this piece of legislation that we are discussing this afternoon will address the problem of private discrimination. The Member placed so much emphasis because she is so limited—just like all the PNM Members, such tunnel vision; so myopic—on her very inane discussion on employment. That is all she had to talk about, discrimination in employment, as if this Bill only deals with unemployment. In fact, the Prime Minister was saying that he hopes and he thinks that the examples given are not exhaustive or comprehensive, and that they were merely examples to illustrate certain types of discrimination, but he hopes it will be as wide as possible and will encompass all forms and kinds of discrimination if they are not specifically mentioned in some of the clauses of the legislation.

5.20 p.m.

So that for her to place all the emphasis on employment and to try and have the Industrial Relations Act as a proper piece of legislation, to take care and to substitute for what we are doing, is a serious misunderstanding of this piece of legislation, and the philosophy, the principles and the policy that are being enshrined in it.

Mr. Speaker, the other part of the Bill which she seemed to have not touched upon at all, is the question of victimization. There are two fundamental aspects of this Bill: discrimination and victimization, and the Member for Arouca South said

absolutely nothing in her almost 75 minutes on the whole question of victimization. But she placed a lot of emphasis on attempting to suggest that this Bill requires a three-fifth's majority, and if it is so, let the courts decide.

If the Member for San Fernando East, the Leader of the Opposition, wants to spend another million dollars in paying Mr. Anthony Jacelon and Company to plead his case for him and then to lose and then to come and beg the Parliament to reprieve him of his cost, let it be so. Go to the court and ask them to declare this null and void, *ultra vires*, the Constitution. Go and do it! It is your democratic right, but we will pass it by a simple majority because we do not see any infringement of fundamental rights.

In fact, we see this as a re-inforcement and an improvement of fundamental rights and a complement to the Industrial Relations Act and to the fundamental rights enshrined in the Constitution of this country. That is what we see it as: certainly not an erosion or an abrogation of those rights. I am amazed that the Member for Arouca South interpreted it that way—because clause 7 is not intended to constitute a criminal offence. There is no criminalization in this Bill. None whatsoever! Every provision in this Bill is a civil procedure. And I am sure the Member for San Fernando West understands that, because he has made some very sterling and sensible contributions in this honourable House. It seems as if he is the only sensible lawyer on that side. It is a civil procedure that we are using—nothing is criminalized.

Moreover, if you wanted to get redress and she says that there is no injunctive relief—a lot of big words you know—to get injunctive relief you have to go and spend \$5,000 or \$10,000 and sometimes more to get injunctive relief. How could a poor citizen afford that kind of injunctive relief? The point is, you do not have to pay any legal fees to enter into the conciliation process. *[Interruption]* I am saying that you do not have. Because even with injunctive relief the other side could get the injunction discharged, and therefore the case would proceed as usual, and then you would have spent your \$5,000, \$10,000 or \$15,000. In this case you go to conciliation and you do not have to pay any legal fees whatsoever! And it is expected that there will be a certain rapidity of determination of these matters, and if you are dissatisfied you can now go to the tribunal—and again you incur no legal costs. That is the fundamental importance of this piece of legislation, where the ordinary man will get redress in a speedy way without cost; but the injunctive relief will incur serious costs. That is the important thing.

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

She talked about the hijab issue. If this law were in force at the time, the parents of that child—who was going to Holy Name Convent, and who were protesting that she should be able to use her hijab because it is part of her religious garb—would not have had to go to that Queen’s Counsel that they went to and spent all that money, all that time, and all that trauma; they could have gone to that particular Equal Opportunity’s Commission and had the case heard, and if they were not satisfied they could have appealed to the tribunal, which is a superior court, without one cent from the parents’ pocket. Not a single cent! So what she talked there was a lot of nonsense. Her example was foolishly revealing! Foolishly revealing! Mr. Speaker, that is the problem that injunctive relief poses and that is the beauty of this kind of legislation.

She also misquoted the Prime Minister when she was using all those emotive phrases: sewer rat; state of war; do them before they do you; pseudoracist; dangerous bigots; she said the Prime Minister said that he should have sent them to jail. He did not say that. He said if this law were in force at the time they would send me to jail. That is what he said. But, of course, it is always easy to distort what people say and have it recorded in the *Hansard* and have the press gallery record that the Prime Minister said that with regard to these dangerous bigots, he should have sent them to jail. He said if the law—that we are trying to pilot today—was passed in this Parliament, that you all or the press would have been able to send him to jail. That is what he said. We must not misquote.

She went on to talk about the disbanding of the Civilian Conservation Corps and other forms of vocational training and so on. I am amazed that a Member of Parliament does not know what is going on in the society. Maybe she knows, but it is the style of the PNM to distort; even when they were in government they were distorting—could you imagine now in Opposition—it is their style to distort. Do they know what is happening to education and training in this country? If they do not, they should try and find out and read.

With the establishment of the National Training Agency; the National Skills Centres all over the place; community colleges; the Institute of Technology in Trinidad and Tobago; with NIHERST playing its role in this area, all training is being pooled together so that you can have focus and direction, and that training could be increased, expanded, the quality improved and more effective and optimized tax dollar. [*Desk thumping*] That is what is happening! That is precisely what is happening which the PNM could not do, because there was training in every area—it did not mean that money was not spent on training you know—they go about saying that they spent money on agriculture—they spent a

lot of money purporting to have spent it on agriculture; they spent a lot of money purporting to have spent it on education and training, but they did not get the value for it because they did not know how to pull the agencies together, and to put the things in place to optimize the benefits of the tax dollar. They did not have to do it! Therefore, in agriculture, no access roads; no refrigeration; no irrigation programme; no flood abatement programme, no nothing, after all these years. But they say that they spent hundreds of millions or even billions on agriculture!

Same thing in education—they did the same thing. They spent a lot of money—the Ministry of Education always had a big vote, but they did not know how to do it. We know how to do it, and we are putting it together and we are going to get it right within the shortest possible time and, certainly before 10 years, we would transform this country into one of the most literate countries of the world. [*Desk thumping*] We would transform this country into a science and technology country; we would transform this country into a computer literate country; we would transform this country into a technologically advanced country, particularly with the establishment of a science and technology and innovation park in Wallerfield, among other things, Mr. Speaker.

We are going to revolutionize telecommunications; revolutionize distance learning; revolutionize what it takes to create a quality country and a modern society, so that we can operate competitively in the 21st Century. That is what the Member did not understand. She did not know anything about that.

5.30 p.m.

Mr. Speaker, the Member spoke about “horse and cart” legislation but every piece of legislation has exemptions. There is no piece of legislation or no law one could read—and she is a lawyer—which does not have some measure of exemption. Once there are laws in place there must be certain areas, certain individuals, certain situations or certain circumstances that must be exempt from the law. That is a fact. Every law is so written. All drafters of law know that, and she went to law school. She must have learnt drafting in law school, yet she talks about “horse and cart” legislation with all these exemptions, trying to fool people and to play to the gallery because she had prime time.

She spoke about it being a piece of propaganda. A piece of legislation that is attempting to enshrine the principle of equality in a society that has been racked with inequality is a piece of propaganda! Could you imagine this thing? You know, Mr. Speaker, I went to St. Mary’s College and I did HC-languages—now called A-Levels—and I entered the public service as a little fellow. The PNM had

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

just come into office when I left high school. At that time the structure of the public service was a bit different. I was an acting second class clerk at the time it was called, and my senior officer was called the accountant, accounts. I would not call his name. He is dead now but I respect him very much. He was a brilliant man.

He said to me—they used to call you by your surname—“Assam, why do you not apply for a scholarship?” I said, “But, Mr. So and So, you know how the scholarships...” He said, “You are right. They only giving scholarships to their own people”. This is what he told me, you know. Do you know what he also said to me, Mr. Speaker? I will repeat it but I will repeat it differently because his language was not as elegant in the sense that it was not parliamentary. He said, “The PNM believe that if you take a donkey and put it in an air-conditioned stable and give it the best hay and grass and the best veterinary services, you can transform that donkey into a racehorse”, but he did not say donkey. That is the whole attitude. That was the inequality and the injustice and they want to talk about things are done on merit and things are done on qualifications in this country. That is a perfect example, Mr. Speaker.

Do you know what is even more startling and revealing, Mr. Speaker, when they talk about quality and merit? Eric Williams, their great leader—and you usurped his title as father of the nation. What a usurpation! You should go into sackcloth and ashes and ask for forgiveness and absolution for having committed such a mortal sin by calling yourself father of the nation in an act of the most reckless usurpation. Do you know what that father said? He said, “If I put up a crapaud”—that is the quality they are talking about, you know, that is the merit they are talking about—“and put a balisier tie on him, you must vote for him”. That is the quality they are talking about. The Member has the temerity to stand in this distinguished Parliament this afternoon and talk about quality and merit, that “If you put a balisier tie on a crapaud you must vote for it”.

He went on to say subsequently how many millstones he had in his party in the Cabinet. Poor fellow, he had to admit it eventually. When he could not carry it any more he called them millstones, and I am not too sure that the Member for San Fernando East was not numbered among them. [*Interruption*] No, it was San Fernando. [*Interruption*] Diego Martin? He was not around at the time. He was probably in high school at the time, you know, but San Fernando East I am sure was numbered among the millstones. He called them millstones because he recognized he made an error and, having made the error and not being able to carry the weight of all these people on his shoulders and back, he said, “These

millstones around me; who will rid me of these millstones?" They almost reminded me of "Murder in the Cathedral". "Who would rid me of this meddlesome priest?" "Who would rid me of these millstones?" That was Eric Williams, your boss, your leader, whose title of "father of the nation" you usurped. His ashes must be rolling in the Gulf of Paria.

Hon. Member: Ashes do not roll.

Hon. M. Assam: With the waves. Then, I am so sad to have to respond to the thing but one has to respond because it is on record in the *Hansard* and the press is always being misled. [*Interruption*] Well, even if they have gone it is all right; it is on the record.

This lady went on to say that the PNM was refused the Convention Centre and asked if this is equality. The PNM was refused the Convention Centre to hold their last convention, which even the leader did not know where it was held. He said it was held at the Red Cross and we all know it was the St. John Ambulance Brigade Headquarters. He did not even know, but hear the truth, Mr. Speaker, for the record. Since the upgrade and opening of the Chaguaramas Convention Centre in May of 1999 the People's National Movement has held two conventions. We are now in May 2000 and since May 1999—well it was after that because Miss Universe was the 26th and it had to be after that—the People's National Movement has held two conventions at the upgraded hotel facility, the latest being January 23, 2000. Is that falsehood? The Member for Arouca South should apologize to the Parliament for misleading the Parliament and misleading the national community.

The last time you held a convention was on January 23, 2000. Twice you held it since it was refurbished. The reason for that party not hosting its last convention at the centre was that the convention hall was unavailable on the date they required, due to contractual obligations that the hotel had entered into with other parties. Like any other functioning hotel and convention facility the dates required by parties to hold a function are subject to their availability. Timely planning and payments would address most concerns in this regard. You cannot even plan your convention. You could run a country? You cannot even plan a convention in order to get a convention centre. You could run a country? An abysmal failure! You cannot even plan a convention date in order to secure the Chaguaramas Convention Centre and you want to run a country? That is why you ran away after three years and 11 months. The heat was on. You could not handle the situation so you ran, as usual. [*Desk thumping*]

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

I come now, Mr. Speaker, to the fact that the Member said this is an *ad hoc* Bill. [Interruption] Why does the Member for Tunapuna not keep quiet? I do not want to enter into any words with the Member for Tunapuna because he is my friend. I like him. He is generally a decent fellow. Do not tempt me “nah man”. I want to be nice to you. Let me deal with Arouca South who tried to do mischief and damage. You “ain't do nutten” yet so I have no quarrel with you, Tunapuna. I am dealing with Arouca South who tried to do damage and mischief. She went on to say this is *ad hoc* legislation and that of the Members who were part of the joint select committee, at least 50 per cent of them attended 50 per cent of the meetings. That is in the *Hansard*.

Mr. Speaker, nothing could be further from the truth. This is the most irresponsible and misleading statement a Member of Parliament could make because this is the record of the report of attendance of meetings verbatim. Not a single member of the People's National Movement from either the Upper House or the Lower House attended one single meeting at any time. [Interruption]

Mr. Imbert: Mr. Speaker, I would just caution the Member, that is not correct. Read the report properly.

Hon. M. Assam: All right, one meeting. [Interruption] All right, I retract it. I am prepared to retract it.

Mr. Manning: So you were wrong then. So are you right now or are you wrong now? Which one is it?

Hon. M. Assam: No, no, I said only one Member of the Lower House attended any meeting at all. No other Member attended any meeting contrary to what she said, 50 per cent of the Members attended 50 per cent of the meetings. Only Mr. Roger Boynes attended one meeting of the entire sitting of that joint select committee. [Interruption]

Anyhow, Mr. Speaker, she also went on to say that people were not consulted. Do you know how many people were consulted? I will tell you. It said in this report that the equal opportunities—[Interruption]

Mr. Narine: Will you give way please? Thank you very much, Mr. Speaker and Member for St. Joseph but I would just like to ask the Member to check the meeting of May 16.

Hon. M. Assam: Mr. Speaker, the Equal Opportunities Commission received support from many quarters including the African Association of Trinidad and Tobago; the Confederation of African Associations; the United National Congress

and the President of the Bar Association. *[Interruption]* In addition, the working paper and letter requesting comments were forwarded to 170 individuals and organizations, both public and private. In addition, advertisements were placed in three daily newspapers requesting written comments and advising that the copies of the working paper were available at no cost at all district revenue offices and post offices.

Written comments were received from Merle Hodge, Lecturer, Department of Liberal Arts, University of the West Indies; Prof. Bridget Brereton, Lecturer, Department of History. *[Interruption]* You could say what you want. I did not christen her, you know. Prof. Selwyn Ryan, Director of the Institute of Social and Economic Research; Mr. Yaseen Ahmed, Chairman, Muslim Committee for Equal Opportunity, the Gay Enhancement Advocates of Trinidad and Tobago; the Law Commission of Trinidad and Tobago; Ms. Hazel Brown, Assistant Co-ordinator of the Network of NGOs in Trinidad and Tobago for the Advancement of Women, and other women's organizations. So, Mr. Speaker, for the Member for Arouca South to come here and say that this is *ad hoc* legislation, and that people did not participate or were not given an opportunity to comment on, this is patently false and misleading and very sad, really.

There is a long chronology to this Bill, which started way back in 1973 when Trinidad and Tobago ratified the International Convention on the Elimination of all Forms of Racial Discrimination in October 1973. In 1974, following upon the instance of black power which your government caused to occur in this country because of perceived or real inequality by the black masses of this country, which the PNM in 1956 said they were going to address, through your people's charter which was a failure—after 14 years in office, 1956 to 1970, you failed the black people and you have continued to fail the black people of this country because the people of this country would not have revolted against Williams if it was not felt that they had been experiencing this crushing poverty and this crushing inequality in the society. *[Interruption]*

You got 36 seats because there was a no-vote campaign. *[Interruption]* This is something about which you want to boast? That is how you got into Parliament. You got into Parliament—*[Interruption]*

Mr. Speaker: I appeal to the Member for San Fernando East and the Member for Diego Martin East, please, both of you have not spoken. Hold your fire and either of you who catches my eye first I will give—but please, let him make his point.

Hon. M. Assam: The Member for San Fernando East, Mr. Speaker, that is how he got into Parliament, no-vote in 1971. You should be ashamed. You came in, in the most undemocratic way, to this Parliament, no-vote. That is how you got 36 seats because there was a no-vote campaign. Through the connivance of Dr. Eric Williams you created an Opposition—the poor fellow from Point Fortin—what was his name?

5.45 p.m.

Hon. Member: Richardson.

Hon. M. Assam: Richardson was made the scapegoat, the guinea pig. In order to legitimize your government you had to create a Leader of the Opposition. I do not know what was the inducement. At the time, you accused other Members here of taking inducement, what was your inducement to Richardson in order to legitimize constitutionally your Government? You ought to know you were there. You were there through the back door. The people did not vote for you but you got a seat and ever since that has haunted and blighted the PNM, because the Member came into Parliament without the democratic vote of the people—blighted ever since!

Mr. Speaker, so to return to the chronology—after I was interrupted by some of the Members opposite—I was telling them that the 1970 Black Power Revolution in this country could be attributed squarely to the deficiencies of the policies such as economic, social and educational—all the policies of the PNM that radically discriminated against black people. Black people were carrying the cross of Calvary on their backs because of an inhumane PNM government, who totally neglected the black population on whose backs they rode to power. That is why I do not like you all—not you as a person—I do not like the PNM! That is why I do not like the PNM! I do not dislike any human being. The PNM policies have destroyed the country and more particularly black people. That is what the PNM has done!

Mr. Speaker, the PNM went up to Laventille and told the people, the next time around they would treat them nice. The PNM now realize after 44 years that when they go to Laventille—before the people throw a bull pistle on them—they will treat them nice. *[Laughter]* The next time around is your time boy after 44 years. Fooling people every five years! I do not know how in the name of the Lord—I am sorry to call your name—that the PNM could fool people like that!

Mr. Manning: When last you were in your constituency.

Hon. M. Assam: I was there up to yesterday walking the streets. Yesterday was Realspring; last week was North Valsayn; the week before that was South Valsayn; the week before that was Farm Road; the week before that was Bamboo Settlement No. 1; the week before that was Bamboo Settlement No. 2; the week before that was Bamboo Settlement No. 3; and next week is going to be Ramgoolie Trace and the National Housing Authority. Every week I am on the road and Mondays in my constituency office. You tell me when last you walked the streets of your constituency? You are like a vagrant in Laventille trying to fool people. This is not because is election year I am doing that, I have done that every year since 1995. I have walked the streets of every village and community of my constituency. Every one! So it is not because it is an election year. “You tell me you do it nah?” But the Member went up to Laventille and telling people “this time is your time,” fooling people. The PNM have discriminated against Laventille for all these years. I do not know how the people of Laventille—but anyhow.

Mr. Speaker, our people in this country are really nice, decent, lovely tolerant and great people. We have a great population. Terrible leaders. So to continue—

Mr. Speaker: Hon. Members, the speaking time of the Member for St. Joseph has expired.

Motion made, That the hon. Member’s speaking time be extended by 30 minutes [*Hon. R. L. Maharaj*]

Question put and agreed to.

Hon. M. Assam: Mr. Speaker, I thank the House notwithstanding the lack of graciousness of the Member for San Fernando East. In December 1978 it was the International Covenant on Civil Rights and Political Rights; in 1987 a national case study was done by UNESCO, where Lynette Seebaran was involved; in 1990 the Hyatali Commission and also the United Nations Convention on the Elimination of all forms of Discrimination against Women was ratified by Trinidad and Tobago; in November 1995 Government requested the Law Commission to prepare a Working Paper on Equal Opportunities and so forth. This is the genesis of the chronology of this Bill, and we hear today from the goodly attorney representing Arouca South that this is an *ad hoc* Bill. There is so much intellectual formation; so much philosophical formation in this Bill and the Member wants to say that this is an *ad hoc* Bill? [*Desk thumping*] Not to mention that the Government went through the whole process of a joint select committee after the Bill was presented to Parliament. The Member wants to come today and make a case that this was not fully aired and ventilated throughout the length and breadth of this country.

Hon. Member: Obstructionists.

Hon. M. Assam: Mr. Speaker, there is also another dimension of this Bill that I want to discuss. In my capacity as Minister of Trade & Industry and Minister of Consumer Affairs, this Bill impacts, very seriously on the work of my ministries. The Member for Arouca South placed a lot of emphasis on employment. That is only one aspect of discrimination in this country and, perhaps, it is a very small aspect of discrimination and victimization.

Mr. Speaker, I want to put to you and this honourable House the kind of discrimination and victimization that small businessmen get in this country to access finance; discriminatory interest rates; the kind of guarantees they have to put up because financial institutions do not want to take the risk; and the kind of hounding and monitoring they have on a daily basis to ensure that they pay back the loan.

There is a poor woman in my constituency who came to me recently. She had a little mill and used to buy soya beans from National Flour Mills which had since stopped importing soya beans. The woman used to crush the beans and make soya meal. The National Flour Mills were importing the meal directly and some of the raw oil to further convert it. The lady could not get the beans so she could not pay the financial institution for the mill. She used to grind the beans and make soya flour, soya flakes, soya milk, soya burgers and so forth. After the woman had paid more than the principal—because you know the interest rates—they confiscated it. This woman came crying to me. I am in the process of getting back the mill for her because I have been assured by the National Flour Mills that they have again started to import soya beans, so I am going to get the mill for the woman and she is going to start back her small business.

Mr. Speaker, another woman called me—another bank—she was in the business of making juices for the export business. She ran into some difficulty the bank came and seized the machine—the woman's livelihood—although she pointed out to them and said you could hypothecate my receivables from my export sales—take it that is all right. No, the bank took the machine instead. That is the kind of injustice, inequality, and discrimination I am talking about but if it was a big company they would pour more and more into the overdraft, hundreds of millions. Like when Kirpalani died—Lord rest his soul, I am not knocking him—he owed the bank, I think, half a billion dollars because he was Kirpalani; he was the financial wizard. “If you cyar run the country give it to Kirpalani”. Do you know what I mean? But the poor man has no access. That is discrimination, that is victimization.

Mr. Speaker, do you know it happens in terms of educational opportunities in this country? A child may just miss Common Entrance by perhaps, a very small margin and because the parents do not have the means to send that child to private school or perhaps, certain people have certain avenues for pulling strings—a system which was made celebrated by the PNM—string pulling and cable pulling—

Hon. Member: Like the Senator who said he went to St. Mary's College.

Hon. M. Assam: Yes, of course, he said so in public. Sen. Shabazz said he pulled string to get into St. Mary's College, although he failed the Common Entrance Examination. I do not know how he did it but he is a smart guy I must say. All these instances cry for legislation dealing with equal opportunity.

Mr. Speaker, you know, my friend, the Member for Laventille East/ Morvant is not here. I respect his religion and the way he carries his hair, that is the Member's democratic right. Do you know how many rastas are discriminated against in this country? From the moment someone sees a rasta, they do not want to sit next to them; people do not want to talk to them; people feel that they are big thieves; and people feel this and that about them because they are rastas.

5.55 p.m.

Mr. Speaker, do you know what sort of discrimination the women in this country have to go through? They have to sometimes exchange their bodies for favours because of unscrupulous men in positions of authority. Do you know how much child abuse there is in this country—defenseless children who cannot help themselves? Do you know how many people are discriminated against on the basis of their religion in this country still? The Orishas just said so. Even though there is a Marriage Act, they are subject to serious discrimination. They never did anything about the Orisha Marriage Act. They begged them for years and they never did anything about it, because they institutionalized and enshrined discrimination.

Do you know how long the Baptists were crying out for recognition after struggling for years? The same man they killed psychologically, spiritually, and eventually his body died, was Albert Gomes. He was the advisor to Eric Williams. Many people do not know that. The man who started Aid to Pioneer Industry, the genesis of industrialization in this country. He should be honoured in this country. They killed him! Do you know why? Because Eric was envious of Albert Gomes. They killed the man.

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

It was Albert Gomes who gave respectability to Baptists at the start and to TASPO, the steelband movement that went to England in 1950. I am sure the Member for Tunapuna would say that is true. We know that the PNM never gave respectability to the steelband movement. It is we who started a National Steel Orchestra. [*Desk thumping*]

Do you know that the PNM never recognized the physically and mentally challenged in this country? No bathroom facilities! The pavements in this country were not shaved down so that they could move with wheelchairs. Buildings were not adapted. They never put Braille on telephones to accommodate the blind. They never used any method to help those who are hearing impaired. And they are talking about discrimination and they do not want equality of opportunity? Mr. Speaker, do you know how many people cannot or do not vote? Or if they vote, they do not know whom they are voting for because they are blind or have some incapacity.

I was in the Foreign Service, although it was only for three years, and one of the things I asked was, "Why can a Foreign Service officer not vote abroad?" I am on Trinidad soil in London, Mr. Arneaud is on Washington soil, but why can we not vote abroad? The PNM did not want that. They do not want equality? It is my right to vote! They send me abroad to work for them. I am on Trinidad soil abroad, but I cannot vote. They never thought about that because they do not care about me. There is no equality. I have no vote, and that is it. I am disenfranchised because one sends me abroad to work and one says that is Trinidad soil abroad.

All these things are burning issues with respect to equality: discrimination, victimization. A fellow comes out of jail. Is there any provision for rehabilitation? Do you know what they do, Mr. Speaker? They put him on the Unemployment Relief Programme and create another serious problem for the individual and the organization they put him into. That is what they do. Discriminate against the man for life. That is what they do.

When the Member for Arouca South gets up and speaks only about discrimination with respect to employment, discrimination is across the entire spectrum of human activity and social interaction in this country. Whether it is economic, political, social, educational, health, housing, accommodation, the physically challenged, or whatever it is; it is a whole spectrum. Do not come and just place emphasis on the IRA which could, perhaps, redress some problems of inequality or unjust dismissal.

This Bill is intended to deal with the entire spectrum of inequality: discrimination, victimization, in whatever form or fashion when it comes to human beings in respect of whatever activity they are involved in and one discriminates against them on the basis of age, gender, being physically challenged, race, ethnicity, religion, class, status, whatever it is. That is the whole purpose, the import and intent of the Bill. Do not try to reduce the debate to merely employment and that the IRA could take care of it. That is a nonsense approach.

When the Member for Laventille East/Morvant told me that the contribution of the Member for Arouca South was so scintillating, it is a lot of foolishness! I told him that it was like a dull razor blade with which one was shaving for a whole month. It is giving one razor bumps now! One is shaving with this blade and it is dull and beaten up. It is no good. It was a very poor contribution for somebody who is a lawyer and somebody who is pretending to be involved in society and social action.

Mr. Speaker, I am not knocking in any way, but I am bringing to his attention, the Minister of Social and Community Development. Do you know how many communities are disadvantaged because they do not have a community centre? Therefore, they cannot participate in all the facilities? Do you know how many communities do not have recreational facilities, so they cannot become world-class spinners, batsmen or footballers? Or how many communities do not have electricity, so the children cannot study for their common entrance examination so they are at a disadvantage immediately? Until recently, did Members know how many communities did not have transportation? It is this Government that has provided a rural transport system. [*Desk thumping*] That is inequality! That is discrimination! That is victimization!

Look at water, Mr. Speaker. The Member for San Fernando East should choke when he says that the Prime Minister and the Minister of Public Utilities are misleading when they say that they cannot get water for 100 per cent by 2000. He should choke! They were in power for 34 years, and what kind of water did his party provide? He is in Parliament for 29 years—although he got through the back door without being voted in, in the first instance—and he has the temerity to go on the platform, roaming all over the place like some vagrant, that we have whittled down the 100 per cent to 80 per cent.

If 70 per cent of the households get water at the end of this year, it would have been the most outstanding achievement that this country has ever seen in 50 years! [*Desk thumping*] Far less 80 per cent.

Mr. Manning: You said 80.

Hon. M. Assam: No. I said the Minister said 80. If they get 70, it will be outstanding, far less 80 per cent, which is an even superior achievement to 70 per cent. I do not know what is wrong with the Member.

Look at transportation. I have seen, Mr. Speaker, because I used to live in the east at one time, children getting up at 4 a.m. That is discrimination and inequality. At 4 o'clock in the morning, parents had to get up to put the little lunch kits together and they had to bathe at that hour. They could not get water, so they were bathing from a bucket! Which makes it even worse. They could not wash the clothes! They would not open up the country and build roads and overpasses. They would not have a mass transit system. They had broken-down buses all over the place. Look at what has happened today. A complete revolution in transportation is taking place, and more to come! [*Desk thumping*]

Look at what has happened in four years. Look at the bridges, the widened places. Where there used to be one lane before, now there are two bridges and four lanes. They are only going to Laventille. They are only going the other parts.

Mr. Manning: I was in Princes Town last night.

Hon. M. Assam: You were in Princes Town last night? You were in Buen Intento! You always have good intentions, but the road to hell is paved with good intentions. Remember that.

Mr. Speaker, there are so many areas that need to be addressed and need to be corrected. There are so many areas crying out for justice and equality. There are so many areas where we have to eradicate and eliminate discrimination, victimization and inequality, and the Member for Arouca South stands and only talks about employment and the IRA. I am amazed that she could just stand and talk about that when there are so many areas of human existence in this country covering all areas that need to be addressed.

I am hoping that having made this contribution, and I have seen so much of it in the Ministries that I operate where people, particularly the consumers, are at their mercy—that is why I had to bring in a modification to the Consumer Protection and Safety Act to declare traders as recalcitrant traders. I had to bring an Order recently, the Trade Practices Order, which we approved unanimously. These are some of the things we are trying to do. With all this legislation, we are trying to complement each other to improve the quality of life, to produce equality and remove discrimination and victimization in both the private and public life of this country, because the law does not, at this point in time, address private discrimination. This Bill will address private discrimination.

The Member spoke about freedom of information and some transfer of money that was seen in the last *Sunday Express* about some bank and some company. I believe the Member was here when it was passed. Freedom of information deals with public information, not private information. How can one use that as an example to condemn the Freedom of Information Act? I do not understand it. Where did she go to school? We have to have lessons of logic in this Parliament.

How could she talk about a transaction between two private individuals and talk about the effect of the Freedom of Information Act which is for public information, that public agencies and Ministries must give information to the public, provided they meet certain criteria? Even that Act has exemptions in it, which all Acts do. Every piece of law must have exemptions because one cannot have a law wide open. Every Bill, every piece of legislation.

She talks about this being a horse and cart piece of legislation because it has exemptions. I do not know where she went to law school. Where did she go? I always thought she went to a good high school, and I thought the University of the West Indies was a good school, but maybe she only passed through the door. She went in the summer. She must come and debate seriously and meaningfully. She should not mislead the Parliament. When you come, come good! Do not place emphasis on one area. Discuss the whole gamut of issues impacting on equality, discrimination and victimization.

She did not even talk about women and she is a woman. I am surprised that she did not even discuss the kinds of disadvantages that women experience in this society.

Mrs. Robinson-Regis: I am leaving it for you to talk about.

Hon. M. Assam: I am talking on your behalf, because I want to see you as the next Prime Minister of this country in 2020, and I want you to supplant him in 2005 because you cannot do it in 2000. He is already in the driver's seat. He is in the saddle. In 2005, I want to see you as the leader so that you can prepare for 2020 because you are still young.

In all seriousness, Mr. Speaker, these are the issues which should agitate our minds. These are the issues which should be discussed in this Parliament with respect to this piece of legislation, and these are the issues which will determine what kind of society we forge now and in the future. If we continue to bury our heads in the sand like ostriches, and put things under the carpet and feel—because during the Prime Minister's presentation I was hearing guffaws on this side that this is 2000 and that is 50 years ago.

Equal Opportunity (No. 2) Bill
[HON. M. ASSAM]

Friday, May 19, 2000

They will be surprised to know how much inequality, discrimination and victimization is still taking place in this country in the year 2000. They will be shocked to know! Guffawing on that side, feeling that what the Prime Minister was saying was an exaggeration or joke is really to indicate to us and the national community that they do not even appreciate and understand the realities of living in this country and what conditions the ordinary man in the street has to face in terms of how he gets along on a day-to-day basis.

6.10 p.m.

Mr. Breaux: Especially under this Government.

Hon. M. Assam: Even the Member for La Brea had to come and move a Motion about Republic Bank closing down a financial facility in La Brea, and he spoke about discrimination against his people. He comes here and say they do not have any road, they discriminating; they have no water, they discriminating, and he talks about—I am ashamed of him. What kind of Catholic principles did he learn in the Catholic Youth Organization when both of us were in it together? What kind of a thing is that?

Mr. Breaux: If the Member would recall, I indicated it was discrimination by this Government, and I indicated it was because they did not see about the security services. Please do not misquote me.

Hon. M. Assam: It was not discrimination by UNC, it is the wicked inheritance that this Government got from you and the kind of cross it has had to bear from you, 34 years of mischief, maladministration, squandermania, lack of planning, no direction, no intellectual and spiritual formation in the country, and he wants to talk about this Government? This Government is going to save him as, perhaps, it has already saved him, in many ways.

Mr. Speaker, my job is not to talk to the Member for La Brea. I want to urge, before I sit, Members on that side to take into account the broad issues that I have opened up, and not only to dwell on the question of employment and some of the peripheral things and the misleading things from the Member for Arouca South.

All of us—notwithstanding our National Anthem: that every creed and race find an equal place—must say: “This land is mine, this land is yours, this land is ours, this land was made for you and me.”

I thank you. [*Desk thumping*]

Mr. Barendra Sinanan (*San Fernando West*): Mr. Speaker, perhaps I would try to be a little calmer in my approach and certainly my tone would be a couple decibels lower.

Mr. Speaker, I am pleased to participate in this debate on a Bill to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different status; to establish an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected therewith.

This Bill attempts to legislate equality, as far as it relates to discrimination, in respect of employment, education, the provision of goods and services and the provision of accommodation, if the discrimination is on the ground of status, by victimization or offensive behaviour, as defined in the Bill.

Mr. Speaker, the question is: “Can this legislation really do that?” My friend, the Member for St. Joseph, referred to a race relations commission in England. Is there still not racism in England? In all countries that attempted to implement similar legislation, what has been the effect? I dare say, the effectiveness has been less than what was hoped for. [*Desk thumping*]

Not everyone is born equal; inequality starts from birth. Those who can afford it have the best care that money can buy. They have their babies in the best nursing homes, while those of lesser means have their babies in the hospitals, health centres, in ambulances and police vehicles. That happens in Trinidad. The rich go to nursing homes, and the poor to public facilities where, as you know, it is not always what you expect. Ministers of Government go to Eric Williams Medical Sciences Complex, whilst the poor have no choice in relation to obtaining the best care. Even—I know my friends and doctors on that side may not agree with me—some doctors discriminate in the treatment of patients of varying backgrounds. In this society it is who you know. Do you think that this legislation will change that?

Mr. Speaker, if one is in Government one is treated differently than if one is not. It always reminds me of an employee telling me that when he goes to the bank, the Government Minister is usually accommodated by being served first, while not always being first in line. But in losing an election or not being a Minister anymore, that same person is treated like everybody else.

I read an article in today’s *Mirror*, I think it is, which states:

“It would be shocking soon for some Government Ministers”

To put it in true Trini style—certainly when they go to the banks and other public places—it is said: “They would be treated like dogs, or they gone to the dogs.” Here, I am obviously referring to pot hounds.

Equal Opportunity (No. 2) Bill
[MR. SINANAN]

Friday, May 19, 2000

Mr. Speaker, who you are in society and Government will give you a definite advantage in gaining employment; likewise, it is who you know. Such is our society and no amount of legislation will have an impact on that; the place is too small.

Can you imagine a Government Minister asking a contractor, favoured with Government contracts, to employ a family member or friend, and the contractor refusing? The contractor knows that his continued enjoyment of Government contracts would be at risk if he were to decline such a request, under this Government. This is an example of victimization. It happens all the time. The playing field is never always level. Most, if not all, business people will favour their family members and friends for employment over another who may be more qualified for the position. So, let us not fool ourselves and the public into believing that this piece of legislation is the answer to discrimination or victimization.

Mr. Speaker, there is also discrimination in education. The so-called “prestige” schools have the best teachers and facilities, with greater government and parental support. Every parent would like his or her child to attend a prestige school for its obvious advantages over other schools. I know of instances where parents who lived outside of San Fernando—in my own constituency of San Fernando West—do all in their power to have their children attend a primary or secondary school in San Fernando.

Often stories are told of who one knows in the Ministry would determine where one’s child will go to school. Likewise, if one is a good Catholic, Presbyterian, Muslim or Hindu, one stands a better chance of gaining entry into one of these denominational schools. Church schools tend to favour employing teachers of their own religion, and have a guaranteed percentage intake of their own; once the student passes. Here the student need not necessarily pass with a grade that is higher than one who is not of that religion. Mr. Speaker, the system itself discriminates. The question I again ask is: “Will this piece of legislation change that?”

I think it was the Minister of Finance who was reported to have said: “In granting contracts, the party member would be favoured over another who is not.” Just look at what is going on at the airport; that is discrimination—discrimination practised under this Government.

Mr. Speaker, the average employer in Trinidad and Tobago will discriminate on the grounds of sex, race, ethnicity, marital status and religion. I again repeat, this legislation will not stop that; it may attempt to do it, but certainly will not stop it.

Mr. Speaker, the latest example of discrimination we are seeing from this Government in the provision of goods and services—Part IV talks about discrimination with respect to the provision of goods and services—is the UNC Discount Card. One must be a financial member before he can get one. If one is not a member of the UNC, one will not benefit from the discount. Is that not discrimination? What is worse is that I am sure that those business people—
[*Interruption*]

Hon. Members: Well, join the UNC.

Mr. B. Sinanan: Those business people will inflate the price, then reduce it, and in most cases it will still be more expensive than the average price from a business that is not participating in the gimmick.

6.20 p.m.

Mr. Speaker, is this not discriminating against the buyer who falls for this trick? It is a means of further enriching friends and family at the expense of the not-too-intelligent UNC party member; that is discrimination.

Take the provision of accommodation; this Bill talks about discrimination with respect to the provision of accommodation. I am sure that notwithstanding this Bill if, for example, there is one room left at the Trinidad Hilton and, perhaps, the Member for Caroni East and the Member for Tobago East were both attempting to check into this one last remaining room, who do you think would be favoured? There is discrimination even in that. Then again you may, perhaps, have a front desk clerk with the wisdom of Solomon who may wish to overcome such a dilemma by offering to house both Members in the same room. [*Laughter*] In all of this, it emphasizes that there will always be discrimination, Equal Opportunity Bill or not.

I noticed that in the Prime Minister's presentation he studiously avoided giving us a historical perspective, and I would attempt to do that. Looking back through the years I would be less than honest if I did not admit that there is a racial bias in employment practices both in the public and private sectors. The riots of 1970 spoke of the situation in the private sector and, today, this is less obvious than it was then.

It is also true that the standards of ethics and loyalty for the business enterprise is noticeably different today than it was in years gone by. I do not think it was a deliberate policy of any government to be biased or racial in its employment practice. The public sector offices were mostly situated in the town

Equal Opportunity (No. 2) Bill
[MR. SINANAN]

Friday, May 19, 2000

and cities, which were predominantly populated by Trinidadians of African or Creole descent; hence it was always more likely to see those citizens in government offices in the cities and main towns. Trinidadians of Indian origin lived historically in the rural areas and tended more to the agricultural sector than the professions and not initially to the public service. This is not to say that there were not instances of the racial bias.

Mr. Speaker, take the protective services as an example. I think it was always felt that Trinidadians of African descent were more suited because of their physical attributes; this is also so because the regulations handed down by our colonial masters tended to favour the “Trini” African. Likewise in Caroni and agriculture in general, it is more of a historical fact that “Trini” Indians or Trinidadian Indians were naturally employed there simply because they lived in those areas.

Since breaking from our colonial past, our main political parties have been predominantly favoured by one or more of our main ethnic groups; so the PNM has more “Trini” Africans and the UNC has more “Trini” Indians. I do not believe that this is so because of any desire on the part of the leaders of these parties to populate the parties with the same race as themselves. I am sure that all leaders of the PNM have close friends and supporters of races different to their own, as I am sure that previous leaders of parties in Opposition to the People's National Movement. Even the leader of the UNC, the hon. Member for Couva North, has many friends and supporters of races different to his own. More often than not, it is the lesser ranks that promote a racial divide, and it would take strong, civilized, mature and educated leadership to make a difference, and that is what we are lacking in this country today. [*Desk thumping*]

Mr. Speaker, one of the things that continue to promote inequality in our Republic is the fact that very few of our citizens are proud to be Trinidadians and Tobagonians. We lack, in a general sense, the desire to be nationalistic. We are more likely to be transients, wishing more to be an American or European. We, as a people, must make a tremendous effort to be proud of our country and our citizens and promote good citizenship.

Within the last month, I have had the opportunity of coming across two Trinidadians who have done this country proud. In this regard, I speak of Heather Headley who is now the main actor in a Broadway production called “Aida”; she has the lead role. I refer also to my very good friend, the brother of the Member for Couva South, Mr. Suresh Maharaj; he is now in the prestigious position of

head of Citibank in Miami, in charge of the Caribbean and Central America. So we must be proud our people. This will go a long way in helping us to respect our differences, but more so in cementing a national bond, a great desire to be a Trinidadian or Tobagonian and not African, Indian, Chinese or whatever else. Mr. Speaker, you would recall that it was the late Dr. Eric Williams who said that there must be no Mother Africa, no Mother India or no Mother China, but only Mother Trinidad and Tobago. If we as a nation can truly achieve one love and national unity there will be no need for this type of legislation. It is fair to say that the nearest we have come to this point was in 1986.

I now wish to turn my attention to some clauses of the Bill. I wish again to emphasize that it is impossible to legislate equality as contemplated by this piece of legislation. On the contrary, I think this Bill is legislating racial division in our country. [*Desk thumping*] By the very definition of “sex”—sex does not include sexual preference or orientation. You know, Mr. Speaker, that in any society you have people who are different from others, so we have homosexuals and we have lesbians and this is a fact that we must recognize in any progressive country.

I recall last week—I think it was some hon. Member opposite—speaking about 21st Century legislation; well, in the 21st Century I would think homosexuals and lesbians are asking not to be discriminated against. Here it is we are saying that we want to be a First World nation, in most First World nations they are trying not to discriminate against people who are, perhaps, not generally speaking different and they are trying to see how not to discriminate against homosexuals and lesbians.

I noticed that the Prime Minister in his presentation studiously avoided going into any great detail into clause 7 and the reason it has generated such wide debate from a wide cross section of the community. Undoubtedly, it is felt that this particular clause 7 is aimed primarily at calypsonians who sing calypsos that are critical of politicians or their wives. This licence has, from the time calypsoes have been sung, been enjoyed by the calypsonians; some do it with more finesse than others. For myself, I cannot defend a calypsonian or his or her calypso if it deliberately seeks to denigrate women, in general, or the wife of any politician who is not herself actively involved in party politics. Oftentimes the calypsonian can convey the same sentiments in such a way as not to offend the dignity of a woman. The answer, however, is not to legislate against it, but rather for the public at large to denounce it and the calypsonian who sings it. We must be able to respect ourselves and our dignity so that others may respect us.

Equal Opportunity (No. 2) Bill
[MR. SINANAN]

Friday, May 19, 2000

It is rather ironic that this Bill is being presented by the hon. Prime Minister, because I think that he is the person who may be most affected by it. Oftentimes he is in breach of clause 7(1)(a) which states:

“A person shall not otherwise than in private, do any act which—

(a) is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of persons;”

So, therefore, when the hon. Member says to his supporters, “Do them before they do you,” is that intimidating a group of persons? When he calls teachers “criminals” and others “the enemies of his Government”, is he not in breach of this section? When one calls another, as we always do here in Trinidad, the expression “neemakaram, chamar, kapar” or in the case of my good friend from Couva South, when we call him “twist mouth, two-tongue, two-face” is that not insulting to him? [*Desk thumping*] [*Laughter*] That is insulting behaviour in accordance with this legislation. Do you think that this legislation will stop people from saying these things?

What clause 7 is seeking to do is legislate against a pattern of behaviour that has become a way of life in Trinidad and Tobago. If you go to any rum shop or bar, you will hear citizens of different races referring to one another in disparaging terms. These terms, with your leave, Mr. Speaker, if you find that I am out of order you can correct. People refer to each other as “nigger, coolie, kapar, or bandar; one I learnt recently was “chataigne head, curry mouth, curry belly, breadfruit head, chamar”, and if you want to insult a brother of the Muslim faith, you will call him a “madinga”. All these expressions are, in fact, derogatory terms, but Trinidadians and Tobagonians are so used to them that I hardly think it bothers them. But when you attempt to legislate against the use of these words, you are encouraging people to react in a manner that would promote animosity. [*Desk thumping*] You will promote racism by doing this.

Mr. Speaker, clause 13(1) of the Bill states:

“Sections 8 to 10 shall not apply to the employment of not more than three...”

The operative word there is “three”.

“...persons in domestic or personal services in or in relation to the home of the employer.”

When I read this in terms of the Bill, I get the impression that what it is saying is that if you employ only three persons, then you do not have a problem, but if you employ more than three persons, then you may have a problem. So, for example, in my home, if I want to employ more than three persons, five people, in my employ as driver, cook, ironer or whatever, and they are “Trini” Indian, then I can run afoul of this Bill.

In other words, the operative part here is only the word “three”, so if I employ more than three people I can run afoul of this Bill. But then is it just to tell me as a private citizen whom I should employ? I think this Bill is going too far, if this is so, and I imagine that somebody on the other side would tell me that I am wrong. If this is so, then I imagine that the next piece of legislation coming to this House, in the same vein, will be that you must only go to this or that businessman, doctor or lawyer; it is wrong.

Mr. Hinds: That is the discount card.

Mr. B. Sinanan: This is the discount card. Mr. Speaker, clause 15 talks about education, and I think that the Prime Minister referred to it. Clause 15 states:

- “(1) An educational establishment shall not discriminate against a person—
- (a) by refusing or failing to accept that person’s application for admission as a student; or
 - (b) in the terms and conditions on which it admits him as a student.
- (2) An educational establishment shall not discriminate against a student—
- (a) by denying or limiting the student’s access to any benefits, facilities or services provided by the educational establishment; or
 - (b) by expelling the student or subjecting the student to any other detriment.”

Recently, we had a situation—I think the Attorney General was looking at it—where graduates holding the Bachelor of Laws degree from universities other than the University of the West Indies could not automatically get admission to UWI; they had to pass an exam. I think it is only about eight students who were admitted into the University of the West Indies.

Equal Opportunity (No. 2) Bill
[MR. SINANAN]

Friday, May 19, 2000

Is clause 15 saying that the University of the West Indies is discriminating against students? From the way I understand it there is a protocol signed by participating Caricom countries that deal with admission to UWI. But in my opinion, this clause 15 creates an offence, because this Bill binds the state. This clause makes it an offence for the University of the West Indies to refuse to take foreign students, certainly on an equal basis as it takes their own.

6.35 p.m.

Again, Mr. Speaker, I can see what the legislation is trying to do and what it wants to achieve but I doubt very much whether it will do that. I think it is confusing in some sections.

Mr. Speaker, clause 17(1) states:

“17(1) Any person concerned with the provision (whether or not for payment) of goods, facilities and services to the public or a section of the public shall not discriminate against a person who seeks to obtain those goods, facilities and services—

- (a) by refusing to supply the goods, provide the facilities or perform the services;
- (b) in the terms on which he supplies the goods, provides the facilities or performs the services; or
- (c) in the manner in which he supplies the goods, provides the facilities or performs the services.”

Clause 17(1) flies in the face of the proposal of the UNC Government to give discount cards, because by this very clause, it is against the provision of discount cards by the Government.

Mr. Speaker, clause 21 states:

“21. It is not a contravention of this Act for the membership of a club to be available to persons of one sex only.”

Here, I am thinking of clubs like the Rotary Club and the Soroptimist Club. I think there are only women in the Soroptimist Club, and the Rotary Club is now being opened up, but in some clubs it is left to them if they want to admit members.

Again, Mr. Speaker, we are living in the 21st Century and I do not think it is wise if we want to be a first-world nation to limit the application of the Bill in this way. In clause 22 I get the impression that this clause preserves the right of these exclusive clubs, in that when one applies and is refused there is nothing one can do under this Bill. So on the one hand, the Government is talking about wanting to promote equality, and by the very legislation, it is making exceptions that will help the status quo to remain the same.

Mr. Speaker, I am saying that this legislation—whilst I understand what it is trying to do—I do not think that the legislation could achieve it when one looks at the provisions dealing with the tribunal. In the committee stage, I will go through it in great detail.

The tribunal has to be staffed, there is the president and two lay members, but there is to be a registrar and other staff, and unless the tribunal is properly supported, then the whole purpose of the legislation will come to naught. We have seen in this country, where at the best of times, notwithstanding the high price of oil and the flow of natural gas, the Government finds it difficult to find money to support these important bodies.

For example it was said last week that there are only two palantypists in the entire High Court which includes the Appeal Court, and when we hear this Government boasting about what it is doing for the Judiciary and judges still have to take notes in long hand and there is money flowing all over the place, I do not understand it. The Attorney General—and rightly so—is championing the cause of justice, but he is not giving the Judiciary the tools to operate, and similarly, one has to ask whether this Equal Opportunity Tribunal will be given the facilities so that the legislation as contemplated can be implemented.

Mr. Speaker, I thought I would make this short intervention. I am saying this piece of legislation, in my opinion, will create and heighten racial tension in the country and in particular, clause 7. I am saying calypsonians have enjoyed this right all through the years, and is it right to censure them in this way? That is not to say that I am agreeing to any calypsonian singing a calypso that is derogatory to any woman or any particular section of the society, but I do not think that legislating against it is the way to go.

The Prime Minister referred to the National Anthem and I think as a nation, in order to promote equality we should pay more attention to the words of the song.

Equal Opportunity (No. 2) Bill
[MR. SINANAN]

Friday, May 19, 2000

When you look at our National Anthem, and I am happy that it is now being sung in the schools. It says:

“Forged from the love of liberty
In the fires of hope and prayer
With boundless faith in our destiny
We solemnly declare:
Side by side we stand
Islands of the blue Caribbean sea
This our native land,
We pledge our lives to thee.
Here every creed and race find an equal place
And may God bless our nation.”

We have to practise these things, we cannot legislate equality. It will not happen, we have to promote equality, and not by legislation. We have to promote equality by our actions. We do not promote equality and prevent discrimination in education, employment, accommodation or offensive behaviour by legislating against it as contemplated by this Bill. We need to be educated, we need to uplift ourselves.

Mr. Speaker, I am saying that this Bill will not achieve its objectives. On the contrary, it has the potential of creating a racial divide in this country, the likes of which we have never seen before, and I am asking Members of the Government to consider it closely. Consider exactly what they are doing here because it has the potential of exploding and backfiring in our faces.

Thank you.

ADJOURNMENT

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, based on certain discussions the Opposition Chief Whip and I have had as to the management of this debate, we would continue this Bill on June 02, 2000, and take the adjournment now.

I beg to move that this House do now stand adjourned to Friday, May 26, 2000 at 1.30 p.m. That day is Private Members' Day, and the Opposition Chief Whip has indicated that the Opposition intends to complete the debate on the Desalination Motion on that day, and we shall continue the debate on the Equal Opportunity (No.2) Bill on the following Friday, which is June 02, 2000. We anticipate we will complete the debate on that day.

Equal Opportunity (No. 2) Bill

Friday, May 19, 2000

Mr. Speaker: Hon. Members, by agreement of both sides of the House, there were four matters which were to be raised on the Motion for the Adjournment. It was agreed that these would be deferred for a week.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.45 p.m.