



PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO

Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago



**REPORT
OF THE
COMMITTEE OF PRIVILEGES OF THE
SENATE
FIRST SESSION (2020/2021)
TWELFTH PARLIAMENT
TOGETHER WITH THE MINUTES OF PROCEEDINGS
AND RECORD OF EVIDENCE**

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INTRODUCTION

APPOINTMENT

1. Pursuant to Standing Order 79 (2) of the Senate, the following persons were appointed to serve on the Committee of Privileges, First Session (2020/2021) of the Twelfth Parliament:

- | | | | |
|---|------------------------|---|-----------------------|
| • | Mr. Nigel De Freitas | - | Chairman ¹ |
| • | Mr. Clarence Rambharat | - | Member ² |
| • | Mr. Randall Mitchell | - | Member ³ |
| • | Mr. Wade Mark | - | Member ⁴ |
| • | Ms. Amrita Deonarine | - | Member ⁵ |

TERMS OF REFERENCE

2. Standing Order 82 (1) provides that “the Committee of Privileges shall have the duty of considering and reporting on any matter referred to it by the President of the Senate, in accordance with Standing Order 30 (Privilege Matters) and Standing Order 53 (Order in the Senate and in Committee). It shall be the duty of the Committee to consider any matter so referred and to report thereon to the Senate”.

¹ Vice-President of the Senate Mr. Nigel De Freitas, by resolution passed in the Senate on Tuesday March 09, 2021, was temporarily appointed to serve as Chairman of the Committee, in lieu of the President of the Senate Ms. Christine Kangaloo, for the purposes of conducting the Committee’s work on the matter referred.

² Mr. Clarence Rambharat, by resolution of the Senate passed on Tuesday March 09, 2021, was temporarily appointed to serve as a Member of the Committee for purposes of Conducting the Committee’s work on the Matter referred, and in lieu of Ms. Christine Kangaloo.

³ Mr. Randall Mitchell, by resolution of the Senate passed on Tuesday November 17, 2021, was appointed to serve as a Member of the Committee.

⁴ Mr. Wade Mark, by resolution of the Senate passed on Tuesday November 17, 2021, was appointed to serve as a Member of the Committee.

⁵ Ms. Amrita Deonarine, by resolution of the Senate passed on Tuesday November 17, 2021, was appointed to serve as a Member of the Committee.

MATTER RAISED AND REFERRED

3. At a sitting of the Senate held on Tuesday March 02, 2021, Senator the Honourable Franklin Khan (then Minister for Energy and Energy Industries and Leader of Government Business in the Senate) moved a motion of privilege (**The Motion is attached at *Appendix I***), which contended that Mr. Anil Roberts committed contempt of the Senate on February 23 and 26, 2021, by:

1. Making statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate was biased towards him; and
2. Reflecting on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium.

4. On March 02, 2021, the Vice-President of the Senate, Senator Nigel De Freitas, ruled that a *prima facie* case had been made out and therefore referred the matter to the Committee of Privileges for consideration and report (**The Ruling is attached at *Appendix II***).

SECRETARIAT SUPPORT

5. The following persons provided secretarial support to the Committee:

- | | | |
|-------------------------|---|----------------------------|
| • Mr. Brian Caesar | - | Secretary to the Committee |
| • Mr. Johnson Greenidge | - | Assistant Secretary |
| • Mr. Brian Lucio | - | Assistant Secretary |
| • Ms. Chantal La Roche | - | Senior Legal Officer |
| • Mr. Kaleem Hosein | - | Legal Officer I |
| • Ms. Katharina Gokool | - | Research Assistant |

MEETINGS OF THE COMMITTEE

6. Your Committee held seven (7) meetings to consider and deliberate on the matter referred. The dates of meetings are as follows:

- | | | | |
|----|------------------------|---|--------------------------------|
| 1. | First Meeting | - | Friday March 12, 2021 |
| 2. | Second Meeting | - | Friday March 19, 2021 |
| 3. | Third Meeting | - | Friday April 09, 2021 |
| 4. | Fourth Meeting | - | Friday April 23, 2021 |
| 5. | Fifth Meeting | - | Tuesday May 04, 2021 |
| 6. | Sixth Meeting | - | Thursday May 06, 2021 |
| 7. | Seventh Meeting | - | Wednesday June 23, 2021 |

The Minutes of the meetings are attached at ***Appendix III.***

SUMMARY OF MEETINGS

FIRST MEETING

7. At its First Meeting held on March 12, 2021, your Committee discussed its mandate, the relevant Standing Orders to be applied and the procedure to be followed. Additionally, your Committee held preliminary discussions on the matter referred, the documentation and material to be used in its deliberations, and a proposed work plan.

8. The documentation and material referred were as follows:

- a) Hansard Report of Privilege Motion raised by the Leader of Government Business in the Senate, on Tuesday March 02, 2021;*
- b) Hansard Report of the Ruling by the Vice-President of the Senate on Tuesday March 02, 2021; and*
- c) Video recordings and Transcripts of Mr. Roberts' show 'dougLAR Politics' broadcast on Tuesday February 23 and Friday February 26, 2021 at 7:30 p.m. via his Facebook and YouTube social media pages and shared on the UNC's official Facebook page.*

Transcripts of the February 23 and February 26, 2021 broadcast are attached at ***Appendix IV-A and IV-B.***

9. Following its discussions, your Committee agreed the primary witness to the matter referred is Mr. Anil Roberts. Your Committee therefore directed that Mr. Anil Roberts be informed via letter that:

- a matter alleging that he had committed contempt had been referred to the Committee for its investigation and report and that he be provided with a copy of the transcripts of the video recordings of the February 23 and 26, 2021 episodes of the show '*douglAR Politics*';
- at the appropriate time, the Committee would invite him to appear;
- he could make a written submission in lieu of or in addition to appearing;
- he would be permitted to appear before the Committee accompanied by an advisor(s) who may be an Attorney-at-Law, and with whom he may consult before responding to questions; and
- the proceedings of and the evidence taken before the Committee of Privileges, and any documents presented to and decisions of the Committee must not be made public by any Member or other person before the Committee has reported to the Senate.

SECOND MEETING

10. At its Second Meeting held on March 19, 2021, your Committee discussed the learnings in relation to matters of privilege. These included extracts from:

- McGee, David, Parliamentary Practice in New Zealand, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017⁶;
- Bosc, Marc and Gagnon, André House of Commons Procedure and Practice Third Edition, 2017⁷;
- Elder, D. R. and Fowler, P. E. House of Representatives Practice (7th Edition) Australia⁸;

⁶ McGee, David, Parliamentary Practice in New Zealand, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017 <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-44-parliamentary-privilege/>

⁷ Bosc, Marc and Gagnon, André House of Commons Procedure and Practice Third Edition, 2017 https://www.ourcommons.ca/About/ProcedureAndPractice3rdEdition/ch_03_8-e.html

⁸ Elder, D. R. and Fowler, P. E. House of Representatives Practice (7th Edition) Australia https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure

- Kaul, M.N. and Shakdher, S.L. Practice and Procedure of Parliament (with particular reference to the Lok Sabha) Fifth Edition⁹;
- Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament Twenty-fifth edition, 2019¹⁰;
- "Maingot, J.P. Joseph Parliamentary Privilege in Canada (Second Edition)"; and
- "Notes on the Practice and Procedure of the Committee of Privileges"¹¹.

11. In addition, your Committee commenced viewing of the video recordings of Mr. Roberts' show '*douGLAR Politics*', and began with the broadcast dated Tuesday February 23, 2021. At the conclusion of the first video, the Chairman invited Members' comments and discussions ensued.

THIRD MEETING

12. At its Third Meeting held on April 09, 2021, your Committee viewed the video recording dated Friday February 26, 2021 and at the conclusion, the Chairman invited Members' comments and discussions ensued.

13. Having regard to the contents of the videos of February 23 and 26, 2021, your Committee agreed to issue an invitation to Mr. Anil Roberts to appear before the Committee at 10:30 a.m. on Friday April 23, 2021. It was also agreed that via said invitation, Mr. Roberts would be informed that he could:

- appear before the Committee, with or without an advisor;
- submit the name of witness(es) for the Committee's approval; and
- forward a written submission to the Committee by Tuesday April 20, 2021.

⁹ Kaul, M.N. and Shakdher, S.L. Practice and Procedure of Parliament (with particular reference to the Lok Sabha) Fifth Edition
https://eparlib.nic.in/bitstream/123456789/762633/1/Practice_and_Procedure_of_Parliament_7th_ed_2016_English.pdf

¹⁰ Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament Twenty-fifth edition, 2019
<https://erskinemay.parliament.uk/>

¹¹ This document outlined the law with respect to the Committee of Privileges, and explained the rules and procedure of the conduct of an enquiry by the Committee.

14. By letter dated April 22, 2021, Mr. Roberts was reminded of the scheduled meeting and advised that the Committee would adhere to all aspects of the COVID-19 Public Health Regulations.

FOURTH MEETING

15. Your Committee's Fourth Meeting was held on April 23, 2021. Your Committee discussed correspondence received on April 20, 2021 from an Attorney-at-Law, purportedly acting on behalf of Mr. Anil Roberts. In said correspondence, the Attorney-at-Law accused the Committee of conspiring "... *to orchestrate such a flagrant breach of the law...*" in relation to the COVID-19 Public Health Regulations and threatened to report the Committee to the Trinidad and Tobago Police Service (*Please see Appendix VI-A, VI-B*).

16. Having regard to the correspondence received from the Attorney-at-Law, (purportedly on behalf of Mr. Anil Roberts), your Committee asserted the well-established practice that an advisor's role before a Committee of Privileges is to counsel and/or confer with a witness and not to serve as a representative or advocate.

17. At its Fourth Meeting, your Committee noted that Mr. Roberts had not appeared at the scheduled time as set out in the invitation to him. Via telephone conversation with the Committee's Secretariat, Mr. Roberts advised that he would not be attending the meeting.

18. Noting Mr. Anil Roberts' response to the Committee's first invitation, your Committee issued a second invitation for him to appear before it on Thursday May 06, 2021 at 4:00 p.m. In said correspondence, Mr. Roberts was reminded that the role of his advisor is that of advisor to him, and not as representative or advocate.

FIFTH MEETING

19. Your Committee held its Fifth Meeting on May 04, 2021. At that meeting, your Committee, *inter alia*, considered an email from Mr. Anil Roberts dated April 30, 2021, in which he adopted the concerns of his Attorney in relation to the Committee's adherence to COVID-19 Public Health Regulations (*Please see Appendix VI-C*)

20. Your Committee directed that correspondence be sent to Mr. Roberts reminding him of the Committee's commitment to adhere to the COVID-19 Public Health Regulations. The Committee also directed that Mr. Roberts be informed of arrangements which had been made to utilize two (2) rooms for the meeting, with each room to accommodate no more than the permissible number of persons, in keeping with the COVID-19 Public Health Regulations. Arrangements were also made for both rooms to be outfitted with secure audio-visual equipment to transmit video images and audio between said rooms. *(Please see Appendix V)*

SIXTH MEETING

21. The Sixth Meeting was held on May 06, 2021. Your Committee noted that yet again, Mr. Roberts had not appeared at the scheduled time, as set out in the invitation to him. Having been contacted by the Secretariat, Mr. Anil Roberts advised that he would not be attending the meeting.

22. Noting Mr. Roberts' refusal to accept your Committee's first and second invitations *(Please see Appendix VI-D)*, for varying reasons, your Committee issued a third invitation to Mr. Roberts to appear before it on Friday May 14, 2021 at 10:00 a.m. Your Committee also directed that Mr. Roberts be informed that should he choose not to appear before the Committee in response to said invitation, the Committee would be constrained to continue its deliberations in his absence. Via email dated May 10, 2021, Mr. Roberts advised that he would not be physically attending and cited the Public Health Regulations as reason for same. *(Please see Appendix VI-E)*

23. Your Committee's scheduled Seventh Meeting for May 14, 2021 at 10:00 a.m. was postponed and Mr. Roberts was so informed via letter dated May 13, 2021.

SEVENTH MEETING

24. Your Committee rescheduled its Seventh Meeting to June 23, 2021 at 2:00 p.m. to commence engagement with Mr. Roberts. However, despite being reassured that all COVID-19 Public Health Regulations would be adhered to in order to address his concerns, via emails dated June 22 and 23, 2021, Mr. Roberts informed the Committee that he would not attend the Committee's hearing until

the rate of COVID-19 infections and deaths in the country was significantly reduced. He referenced that he had sought leave of the House on two previous occasions because of health issues (asthma condition). Mr. Roberts also indicated that he was medically advised that if he were to contract COVID-19 his asthmatic condition may ‘*exacerbate the consequences*’. Additionally, Mr. Roberts indicated that he was looking forward to cross examining the President of the Senate. **(Please see Appendix VI-F)**

25. The Committee considered Mr. Roberts’ assertion of wanting to ‘*cross examine*’ the President of Senate and determined that the President of the Senate was not relevant to the matter referred for the Committee’s investigation and report.

26. In the circumstances, your Committee proceeded with its deliberations on the matter referred. This decision was based on the following factors:

- i. That Mr. Roberts chose not to accept the Committee’s first or second invitation to appear after advancing the COVID-19 Public Health Restrictions as a basis for the Committee to defer its consideration of the matter referred and notwithstanding the Committee’s assurances of its adherence to the COVID-19 Public Health Regulations; and
- ii. That Mr. Roberts chose not to avail himself of the opportunity to appear even after the Committee had outlined the arrangements that two (2) rooms were setup to accommodate no more than the permissible number of persons, in keeping with the COVID-19 Public Health Regulations. Additionally, Mr. Roberts was informed that both rooms were outfitted with secure and reliable audio-visual equipment to transmit video image and audio between said rooms.

27. In view of the foregoing and Mr. Roberts’ refusal to appear before the Committee, the Committee agreed to continue with its deliberations, in his absence, utilising the evidence referred, Mr. Roberts’ submission **(Please see Appendix VII)** and all of the relevant learnings.

28. Although disappointed that Mr. Roberts did not avail himself of the opportunities to appear before the Committee, your Committee noted that Mr. Roberts made a written submission dated Wednesday May 12, 2021.

29. During its proceedings, your Committee sought to ensure that principles of natural justice and procedural fairness were observed and in so doing considered whether or not Mr. Roberts:

- was given sufficient notice of the matter referred;
- was given sufficient opportunity to be heard;
- had the opportunity to call other witnesses; and
- had the opportunity to attend meetings at which evidence was given.

30. Your Committee is satisfied that it followed the principles of natural justice and procedural fairness given that, it ensured that Mr. Roberts was informed of the nature of the complaints referred to the Committee, by way of correspondence (complete with relevant attachments). In addition, your Committee also ensured that all correspondence received from Mr. Roberts were answered as quickly as possible. Your Committee's communication with Mr. Roberts can be found at ***Appendix V***.

31. Furthermore, Mr. Roberts had many opportunities to be heard, given the fact that he was invited by the Committee to appear on three (3) occasions. Your Committee even adjusted its meeting arrangements when Mr. Roberts advised of his safety concerns and he was assured that your Committee had taken all necessary precautions to remove any health risks that may be posed to him.

32. Generally, your Committee has been flexible in its operations. Due consideration was given to Mr. Roberts' request for a virtual meeting due to his health concerns and the Committee went well beyond the established meeting format for procedural and investigative processes.

33. Your Committee has taken note of precedent in circumstances when a Member refused repeated invitations to appear before a Committee of Privileges. A recent occasion can be found in the *1st Report, Committee of Privileges HOR First Session Tenth Parliament and the Report of the Committee of Privileges HOR Fourth Session Eleventh Parliament*.

CONSIDERATION OF THE DETAILS AND THE NATURE OF THE BREACH

34. Your Committee considered the concept of Reflections made by Members of Parliament including the following types of reflections:

- i. Reflections on the House;
- ii. Reflections on the Speaker or other Presiding Officers; and
- iii. Reflections on a Member.

35. Your Committee also examined research into the following:

- i. Criticism of the Speaker in the House;
- ii. Criticism of the Speaker's actions and conduct;
- iii. Reflections on the Speaker made outside of the House;
- iv. Speeches or writings reflecting on the House, its Committees or Members;
- v. The intimidation of the Speaker and other Chair Occupants; and
- vi. Other examples of Obstruction, Interference and Intimidation.

36. Your Committee's research demonstrated that:

- a. Some of the most serious reflections on Members concerned those against the character of the Speaker or any other Presiding Officer¹²;
- b. Speeches or writings that reflect on the character or conduct of the House, or of a Member in his or her capacity as a member of the House, may be treated as a contempt¹³;

¹² McGee, David, *Parliamentary Practice in New Zealand*, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017 <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-44-parliamentary-privilege/>

¹³ McGee, David, *Parliamentary Practice in New Zealand*, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017 <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-44-parliamentary-privilege/>

- c. Speeches and writings reflecting upon the character or conduct of individual Members in their parliamentary roles may be punished as contempts¹⁴;
- d. The House has a duty to protect itself and its Members against attacks that would diminish its standing in public esteem and inhibit it from functioning effectively¹⁵;
- e. As with the intimidation of a Member or witness, the intimidation or attempted intimidation of the Speaker or any other Chair Occupant is viewed very seriously by the House¹⁶;
- f. The Speaker's actions can only be criticised by a substantive motion¹⁷;
- g. It is not acceptable for the Speaker to be criticised incidentally in debate¹⁸;
- h. Reflections on Members, the particular individuals not being named or otherwise indicated, are equivalent to reflections on the House¹⁹;
- i. A reflection on the character or actions of the Speaker inside or outside the House has attracted the use of the penal powers of the House of Commons²⁰; and
- j. It is a breach of privilege and contempt of the House to make speeches, or to print or publish any libels, reflecting on the character or proceedings of the House or its

¹⁴ McGee, David, Parliamentary Practice in New Zealand, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017 <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-44-parliamentary-privilege/>

¹⁵ McGee, David, Parliamentary Practice in New Zealand, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017 <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-44-parliamentary-privilege/>

¹⁶ Bosc, Marc and Gagnon, André House of Commons Procedure and Practice Third Edition, 2017 https://www.ourcommons.ca/About/ProcedureAndPractice3rdEdition/ch_03_8-e.html

¹⁷ Elder, D. R. and Fowler, P. E. House of Representatives Practice (7th Edition) Australia https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure

¹⁸ Elder, D. R. and Fowler, P. E. House of Representatives Practice (7th Edition) Australia https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure

¹⁹ Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament Twenty-fifth edition, 2019 <https://erskinemay.parliament.uk/>

²⁰ Elder, D. R. and Fowler, P. E. House of Representatives Practice (7th Edition) Australia https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure

Committees, or any Member of the House for or relating to his character or conduct as a Member of Parliament²¹.

DELIBERATIONS AND FINDINGS

37. Having considered and discussed the above-mentioned learnings, reviewed the video recordings and transcripts referred to the Committee and considered the written submission by Mr. Roberts, your Committee commenced its deliberations. Further, having seen the video recordings your Committee resolved, that in the instant matter, there was no disputed question of fact. The Committee was satisfied that the Member had reflected on the character and conduct of the Presiding Officer using satirical subtext.

38. Accordingly, your Committee considered the effect of the words uttered by Mr. Roberts. Your Committee considered the question of what the words used would convey about the President of the Senate to persons hearing them. Your Committee determined that it was clear that the satirical subtext used by Mr. Roberts about the President of the Senate would be reasonably understood by persons hearing them as a reflection on the President of the Senate. Your Committee also took into consideration the use of a ‘kangaroo’ graphic being placed above the image of the President of the Senate in the video recording dated February 26, 2021 to make the reference to the President of the Senate as “Mistress Kangaroo” more obvious to persons viewing the recording.

39. Your Committee was satisfied that in this particular breach of privilege, involving contempt of the Senate related to an attack on its Presiding Officer, Mr. Roberts’ state of mind cannot be a factor to be considered by the Committee. In arriving at this conclusion, your Committee relied on the text ‘McGee, David, Parliamentary Practice in New Zealand, 4th ed., edited by Mary Harris and David Wilson. Oratia Books, Auckland, 2017, which at page 782 states as follows: “*The committee refused*

²¹ Kaul, M.N. and Shakhder, S.L. Practice and Procedure of Parliament (with particular reference to the Lok Sabha) Fifth Edition
https://eparlib.nic.in/bitstream/123456789/762633/1/Practice_and_Procedure_of_Parliament_7th_ed_2016_English.pdf

to consider the reasons “why” the attack on the Speaker had been made, but confined itself to a consideration of “whether” such an attack had been made”.

40. Your Committee concluded that the words uttered and statements made by Mr. Roberts would convey to persons hearing them the impression that:

- a. the President of the Senate was not independent in her decision making; and
- b. aspersions were being cast on the character and conduct of the President of the Senate, via the use of satirical subtext.

41. Ultimately, Members by majority felt the satirical words uttered and statements made by Mr. Roberts were, for the reasons stated in paragraph 38 above, an indignity to the Senate, and were a breach of privilege. Furthermore, Members considered the utterances a serious attack on the conduct and character of the President of the Senate with the consequential effect of bringing the Senate into ridicule and odium.

42. Your Committee considered that Mr. Roberts had ample opportunity to apologise to the President of the Senate. However, the consistency of his actions suggested that they were carefully orchestrated, as evidenced by carefully constructed documentary in the video recordings of his show, in which he used the Senate Standing Orders as part of his reflections.

43. Further, your Committee took into account the Australian provision regarding the criticism of the Speaker’s actions and conduct which states *“The Speaker’s actions can only be criticised by a substantive motion”* and that the act of criticising the Presiding Officer outside of the recognised mechanisms established by the Parliament is a grave offence.

44. Having considered the aforesaid learnings, your Committee agreed that a breach of privilege and a contempt of Parliament had occurred and that the statements made by Mr. Roberts had brought the Senate into ridicule and odium.

45. Subsequently, your Committee moved to consider what sanctions, if any, should be applied to Mr. Roberts. In so doing, Members examined a number of authorities on parliamentary practice and procedure, which essentially advised that:

- Closely related to the right of the House to regulate its own internal affairs and its authority to maintain the attendance and service of its Members, is the House's right to discipline its own Members for misconduct and the power to punish anyone for interfering with the conduct of parliamentary business (which it considers to amount to a breach of privilege or contempt); and
- Parliamentary privilege holds Members responsible for acting in character with the function they fulfil as elected representatives. Disobedience to orders of the House, and actions such as making threats, offering or taking bribes, or intimidating persons are offences for which Members can be reprimanded or even expelled.

46. Your Committee also considered that establishing guidelines has been the suggested recommendation in privilege matters involving the use of social media raised in a few jurisdictions, because such matters are unique. Furthermore, consistent with the rules of the Chamber, it was agreed that all Members ought to familiarise themselves with the Standing Orders and therefore should not breach these rules on account of ignorance.

47. Your Committee also took note that guidelines regarding the use of Electronic Devices and Social Media had been issued by the Presiding Officers of both Houses in the 11th and 12th Parliaments via Procedural Bulletins. Your Committee noted that at a sitting of the Senate on December 10, 2020, Mr. Anil Roberts was cautioned by the President of the Senate in relation to the use of social media in a way that may reflect improperly on the Senate, and bring the Senate into disrepute.

48. In making its recommendations, your Committee considered that Members of the Senate are not beyond being criticized nor are they to be shielded from legitimate criticism. However, in protection of the institution of the Parliament, the House has a duty to protect itself and its Members against attacks that would diminish its standing in public esteem. It is for this reason that the issue of the conduct of Members is permissible on a substantive motion, as set out in the Standing Orders.

RECOMMENDATIONS

49. In light of the foregoing, your Committee of Privileges recommends the following to the Senate:

- A. that Mr. Anil Roberts issue an unequivocal and unreserved apology to the President of the Senate and to the Senate as a whole, at his next appearance in the Senate during this Parliament;
- B. that such apology be issued by way of a Personal Explanation subsequent to the adopting of this Report; and
- C. that a reminder of the Procedural Bulletin on the use of Electronic Devices and Social Media, outlining guidelines for the conduct of Members whilst in the Senate Chamber, be circulated to all Members.

Respectfully submitted,

Mr. Nigel De Freitas

Chairman

Mr. Clarence Rambharat

Member

Mr. Randall Mitchell

Member

Mr. Wade Mark

Member

Ms. Amrita Deonarine

Member

July 05, 2021

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Appendix I - Motion

Committee of Privileges

2021.03.02

COMMITTEE OF PRIVILEGES (SEN. ANIL ROBERTS)

Madam President: Hon. Senators, in accordance with Standing Order 30, leave has been granted for a matter of privilege to be raised. Leader of Government Business.

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. Madam President, I hereby seek your leave in accordance with Standing Order 30(2) to raise a matter directly concerning the privileges of the Senate, today being the first opportunity available to me to do so.

The matter concerns certain public statements made by Sen. Anil Roberts, following a ruling by the President of the Senate that he withdraw from further participating in the sitting of the Senate on Tuesday, February 23, 2021. The specific statements attributed to Sen. Anil Roberts were delivered in two episodes of his show “DougLAR Politics” broadcast on Tuesday, February 23rd and Friday, February 26, 2021, at 7.30 p.m. This show is usually carried live on Sen. Roberts’ Facebook and YouTube social media pages and it is also shared on his political party’s official Facebook page. Madam President, I have made a copy of these broadcasts available to the Clerk at the Table for your reference.

Madam President, during the broadcast, Sen. Roberts utilized satirical subtexts to allege that in the discharge of her duties as Presiding Officer of this Senate, the President of the Senate is biased towards him, referring to himself as “Booming Voice” and this Senate as a “Kangaroo Court”. While this may appear to some as harmless comedy, to me, it is not. It is, in fact, a dangerous pattern of conduct on the part of this Member that threatens this institution of democracy. Madam President, this esteemed Senate functions on the basis of well-established rules,

procedure and precedent, and if any one of us wishes, there are respectable and dignified ways to challenge the rule of this Senate and the decisions of the Chair of this House. In his disturbing and outrageous reflection on the Senate, Sen. Roberts has therefore brought the Senate as a whole into public ridicule.

Such utterances by Sen. Roberts are also in direct contravention of the previous ruling of the President of the Senate delivered at a sitting held on Thursday, December 10, 2020. On that occasion, Madam President cautioned all Members and Sen. Roberts, in particular, on a similar matter by stating definitively and I quote:

“Hon. Senators when these matters arise it really—one may think it is about me, but it is not. It is about this Senate and it reflects improperly on the Senate and it brings the Senate into disrepute. So where some people may be thinking that they are attacking the President of the Senate, they may even find that it is funny. But in reality—we are all adults here and you are attacking the integrity of this Chamber, and I call on Sen. Roberts to desist. I am giving a warning at this stage. I call on Sen. Roberts to desist from this type of behaviour. It is unbecoming of any Member of this Chamber...”

The President goes on:

“I give this warning at this stage and I really ask that we all try to do better to uphold the dignity of this Chamber...I once again call on you and call on Members, please, call on Members to desist from this type of behaviour. A reflection on the partiality of the Presiding Officer is a contempt in and of itself. But I am going—at this stage, all I am doing is giving a warning and urging Members to uphold the dignity of this Chamber...”

Madam President, according to *Parliamentary Practice in New Zealand* (3rd Edition) by David Mc Gee on pages 656, 657 and 658, and I quote:

Committee of Privileges
Sen. A. Roberts (cont'd)

2021.03.02

“...speeches or writings which reflect on the character, conduct or proceedings of the House, or of a Member in the Member’s parliamentary role and capacity as a Member of the House, may be treated and punished as contempt.”

Madam President, parliamentary practice teaches and Mc Gee supports, and I quote:

“...one of the more serious reflections that can be made on a Member concerns those made against the character of the Speaker or any other Presiding Officer—in particular, accusations that the Presiding Officers have shown partiality in discharging their duties.”

Madam President, end of quote.

Madam President, having regard to Sen. Roberts’ experience in this Parliament, having served at an earlier time, I am satisfied that the Member knows better and, therefore, his utterances via his social broadcast on Tuesday, February 23rd and, again, on February 26, 2021, cannot and should not be ignored by this Senate. The sanctity of this esteemed House must be protected from attempts by anyone who may wish to denigrate the Presiding Officer in the discharge of her duties, thereby bringing the Senate into odium and disrepute. This House has a duty to shield itself and its Members against attacks which would lower its public esteem and thus compromise its ability to function effectively.

Based on the foregoing, I submit that the Senator has committed a most egregious contempt of this esteemed Senate, and in this regard, Madam President, I move that this matter be referred to the Committee of Privileges for investigation and report. I beg to move. [*Desk thumping*]

Madam President: Hon. Senators, given the nature of the matter of privilege raised, I have referred this matter for the consideration of the Vice-President of the Senate who will deliver a ruling on same in due course.

Committee of Privileges

2021.03.02

**COMMITTEE OF PRIVILEGES
(SEN. ANIL ROBERTS)**

Mr. Vice-President: Hon. Senators, I crave your indulgence to, at this point in time, return to item 9 on the Order Paper in relation to the Motion moved by the Leader of Government Business. Hon. Members, I am now prepared to rule on the question of privilege raised by the Leader of Government Business earlier in this day's proceedings.

The Leader of Government Business alleges that statements made by Sen. Anil Roberts on Tuesday February the 23rd and Friday February the 26th 2021, on a social media show "dougLAR Politics" reflect negatively on the Presiding Officer in the discharge of her duties and bring the Senate as a whole into odium and disrepute.

Hon. Senators, I received a copy of this privilege Motion and the broadcast via the Office of the Clerk of the Senate. All that I am required to do at this stage is to rule if a prima facie case of breach of privilege exists. The decision on whether the matter referred to is indeed a breach of the privileges of this Senate falls to the Committee of Privileges.

Hon. Senators, I have carefully considered this matter and having regard to the fact presented and well-established parliamentary practice and procedure, I am satisfied that a prima facie case of breach of privilege has been made. Accordingly, I now refer this matter to the Committee of Privileges for investigation and report.

Appendix III - Minutes of Proceedings



PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO

Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

**MINUTES OF THE FIRST MEETING FACILITATED VIA ZOOM, OFFICE OF THE
PARLIAMENT, PARLIAMENTARY COMPLEX, CABILDO BUILDING ST. VINCENT
STREET, PORT OF SPAIN ON FRIDAY MARCH 12, 2021**

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Mr. Kaleem Hosein	-	Legal Officer
Ms. Katharina Gokool	-	Graduate Research Assist

COMMENCEMENT

1.1 The meeting was called to order by the Chair at 11:36 a.m.

1.2 The Chairman advised Members that by Resolution passed on Tuesday March 09, 2021 that the Senate agreed to the following:

“that notwithstanding the provisions of Standing Order 82(2), for the purposes of conducting the Committee’s work on the Matter referred on Tuesday March, 02, 2021, the President of the Senate, Ms. Christine Kangaloo, be temporarily removed from the Committee and temporarily replaced as Chairman by Vice-President of the Senate, Mr. Nigel De Freitas and that Mr. Clarence Rambharat be temporarily appointed to serve as a Member of the Committee in lieu of Ms. Christine Kangaloo.”

QUORUM

- 2.1 Your Committee agreed to a quorum of three (3) Members (including the Chairman).
- 2.2 The Chairman encouraged Members to make every effort to attend the meetings of the Committee given the limited number of Members serving on the Committee.

ESTABLISHMENT OF MEETING FORMATS

- 3.1 The Chair advised Members that there was need to agree on how the Committee would meet to conduct business meetings and witness hearings. The Chairman proposed the following options and invited comments/suggestions on same:
- For Procedural Meetings:
 - Virtually; or
 - Hybrid Meetings (virtually and in-person)
 - For Evidence and Deliberation Meetings:
 - In-person
- 3.2 After some discussion, your Committee agreed to the Chairman's suggested meeting format.

CONDUCT DURING COMMITTEE MEETINGS

- 4.1 The Chair reminded Members of the rules relating to the conduct of Committee Members during meetings as follows:
- That the Committee's business is to be conducted in a professional and non-partisan manner;
 - That the Committee must follow procedures that can withstand public scrutiny;
 - That the verbatim records of its meetings will become part of the Committee's report and will be subject to the examination and scrutiny of the public and others, upon presentation;
 - That all disagreements, if any, should be resolved *in camera* and not in the presence of witnesses;
 - That there are well established rules for the conduct of the Committee's business that have withstood extensive challenge and will be consistently applied by the Chair;
 - That deliberations of the Committee are private and must not be discussed outside of the Committee until the report is laid in the Senate as stipulated in Standing Orders 103 (1); and

- That Members should strive to arrive at a consensus on the recommendations. However, if the Members are not in agreement, a minority report may be prepared and submitted.

4.2 The Chair stressed that deliberations must not be discussed outside of the Committee.

THE COMMITTEES MANDATE

5.1 The Chair reminded Members of the Mandate of the Committee as set out in S.O. 82 and SO 104(2) of the Senate.

BRIEF DISCUSSION ON THE MATTER REFERRED TO THE COMMITTEE

6.1 The Chair drew the attention of Members to the specific matter referred to the Committee of Privileges for consideration and report to the Senate.

6.2 The grounds for the Motion were read into the record and the Committee was asked to note the following documents were uploaded to *Rotunda* and via the Zoom meeting chat for Member's perusal:

- a) Hansard Report of Privilege Motion raised by the Leader of Government Business in the Senate, on Tuesday March 02, 2021.
- b) Hansard Report of the Ruling by the President of the Senate on Tuesday March 02, 2021.
- c) Video recordings and Transcripts of Mr. Roberts' show 'dougLAR Politics' broadcast on Tuesday February 23 and Friday February 26, 2021 at 7:30 p.m. via his Facebook and YouTube social media pages and shared on the UNC's official Facebook page.

6.3 The Chairman proposed and Members agreed that the Secretariat be directed to write to Mr. Anil Roberts and inform him of the following:

- (i) that a Matter of Privilege, in which he has been named, has been referred to the Committee of Privileges for investigation and report;
- (ii) that at the appropriate time the Committee will invite him to appear;
- (iii) That when invited to appear, he may make a written submission in lieu of or in addition to appearing.
- (iv) If and when he appears before the Committee he may with or without an advisor who may be an Attorney-at-Law., and with whom he may consult before responding to questions.

6.4 The Chair also advised on the guidelines for a Legal Advisor, that is, the witness may consult with his advisor, but the advisor is not permitted to address the Committee.

6.5 The Chair also advised that Mr. Anil Roberts will be afforded the opportunity to call relevant witnesses, if he so chooses. However, the list of relevant witnesses must first be approved by the Committee.

6.6 The Chair also brought to the attention of Members other material relevant to the matter to be considered, that is, the Newspaper Article - Daily Express Thursday March 4, 2021 “*UNC senator makes comments online after Senate President’s ruling...*”, which it was agreed would be analysed at a subsequent meeting.

6.7 The Chair advised that the Committee may request research material from the Secretariat. For example:

- Powers of the Committee of Privileges, including: What are breaches of privilege? Examples of issues/matters of contempt in various jurisdictions. Examples of molestation, harassing and intimidation.
- Newspaper reports regarding the matter.

6.8 Member Deonarine inquired whether research may be requested outside of meeting dates and was advised that, as is the usual practice in Select Committees, Members may request relevant research at any time from the Secretariat.

DISCUSSION ON THE DRAFT WORK SCHEDULE

7.1 The Chair directed Member’s attention to the Draft Work Schedule and invited comments/suggestions.

7.2 A suggestion was made to include an agenda item for discussion on sound principles, practices and procedures regarding breach of privilege to assist the Committee in its deliberations. The Chair advised that all Committee meetings will comprise an agenda item for discussions on the procedures and learnings as regard breach of privilege.

7.4 The Secretariat was directed to share with Members research on the procedures and learnings as regard breaches of privilege.

7.5 The Chair advised that the Draft Work Schedule is a tentative format and is subject to change. The Committee agreed to the Work Schedule in principle.

7.7 The Chair inquired of the Committee a designated meeting day for the Committee and proposed Friday afternoons.

7.8 After some discussion, the Committee agreed to meet on Fridays at 2:00 p.m.

7.9 Members agreed that the next meeting of the Committee will be held on Friday March 19, 2021 at 2:00 p.m. in-person.

OTHER BUSINESS

8.1 Member Mark requested that no decision be taken by the Chair before discussion by the Committee. The Chairman advised that the Member be guided by the Standing Orders which outline the role of a Chairman.

8.2 Member Mark raised a concern that Member Mitchell is on record as being very vocal about Mr. Roberts as it pertains to the LifeSport issue and suggested that the Member consider recusing himself from the matter before the Committee. The Chairman invited comments.

8.3 After some discussion, it was determined that there is no cause for the Member to recuse himself.

Decisions of the Committee

8.4 The Committee agreed to proceed with the matter referred as follows:

- a) **The Secretariat to write to Mr. Anil Roberts and inform him of the matter referred to the Committee for its investigation and report.**
- b) **The next meeting of the Committee will be held on Friday March 19, 2021 at 2:00 p.m. in-person to commence consideration of the evidence and analysis of the matter referred to the Committee.**
- c) **The Secretariat to share with Members research on the procedures and learnings as regard breaches of privilege.**

ADJOURNMENT

9.1 There being no other business, the Chair thanked Members and adjourned the meeting to Friday March 19, 2021 at 2:00 p.m. in-person at the Parliamentary Complex.

9.2 The adjournment was taken at 12:47 p.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

March 16, 2021



PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO

Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

**MINUTES OF THE SECOND MEETING, ARNOLD THOMASOS (EAST) MEETING
ROOM, LEVEL 2, CABILDO BUILDING, OFFICE OF THE PARLIAMENT,
PARLIAMENTARY COMPLEX, ST. VINCENT STREET, PORT OF SPAIN ON
FRIDAY MARCH 19, 2021**

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Mr. Kaleem Hosein	-	Legal Officer
Ms. Katharina Gokool	-	Graduate Research Assist

COMMENCEMENT

1.1 The meeting was called to order by the Chair at 2:11 p.m.

CONFIRMATION OF THE MINUTES OF THE 1ST MEETING HELD ON FRIDAY MARCH 12, 2021

2.1 The Chairman invited Members to review the Minutes of the First Meeting held on Friday March 12, 2021.

2.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Mr. Wade Mark and seconded by Mr. Randall Mitchell.

MATTERS ARISING FROM THE MINUTES

3.1 The Chair referred Members to the following items in the Minutes:

- i. **Item 7.5, page 4:** per the Work Schedule, the Committee agreed to review the video recordings and transcripts of February 23 and 26, 2021, regarding the matter referred, later in the proceedings of the Second Meeting.
- ii. **Item 8.1(a), page 5:** by letter dated March 18, 2021, the Secretariat wrote to Mr. Anil Roberts to inform him that a question of privilege was raised against him and that the matter has been referred to the Committee for investigation and report.
 - The Committee inquired and was informed that as at the time of its Second Meeting no acknowledgement was received from Mr. Anil Roberts.
- iii. **Item 8.1(c), page 5:** by email at 9:30 a.m. on March 19, 2021, the Secretariat circulated to Members research on the procedures and learnings with regards to breaches of privilege.

3.2 The Chair reminded Members of the Committee of the following guidelines for Members' conduct during meetings:

- That the Committee's business is to be conducted in a professional and non-partisan manner;
- That the Committee must follow procedures in accordance with the principles of natural justice that could withstand public scrutiny;
- That all disagreements, if any, should be resolved *in camera* and not in the presence of witnesses;
- That there are well established rules for the conduct of the Committee's business that have withstood extensive challenge and will be consistently applied by the Chair;
- That deliberations of the Committee are private and must not be discussed outside of the Committee until the report is laid in the Senate as stipulated in Standing Orders 103 (1); and
- That Members should strive to arrive at a consensus on the recommendations. However if the Members are not in agreement, a minority report may be prepared and submitted.

DISCUSSION ON PROCEDURE AND LEARNINGS

4.1 The Chair read aloud the research document prepared and circulated by the Secretariat entitled "Notes on the Practice and Procedure of the Committee of Privileges".

4.2 Thereafter, the Chair read aloud excerpts of the case study research prepared and circulated by the Secretariat entitled “Committee of Privileges Procedures and Practices in Various Jurisdictions”.

4.3 The Secretariat was requested to provide research on case studies within the region, in particular a recent case from the Bahamas.

4.4 The Chair advised that the research is ongoing and that Members may forward research requests to the Secretariat.

4.5 Member Rambharat raised a concern that Private Members’ Motion No. 8 “...lost confidence in the President of the Senate...”, if debated during the Committee of Privileges investigation and consideration of the matter referred, would invite debate on rulings made by the President on matters involving Mr. Anil Roberts. Discussion ensued.

4.6 The Committee directed the Secretariat to provide information on any precedent where a matter of privilege was being considered at the same time that a substantive Motion on the conduct of a Member/Presiding Officer, whose conduct forms part of the Committee’s deliberations, was filed.

4.7 Member Mark gave an undertaking that the Motion in question would not be raised while the Committee of Privileges is investigating and considering the matter referred.

4.8 Member Mitchell raised a concern that based on Private Members’ Motion No. 8 filed by Member Mark, the Member should recuse himself from Committee proceedings.

4.9 Both Members Mark and Mitchell advised that they would consider making a submission to the Chair in accordance with Appendix III of the Standing Orders re: Natural Justice.

DISCUSSION AND ANALYSIS OF THE MATTER REFERRED TO THE COMMITTEE

5.1 Member Mark enquired whether the Committee will be referring to other material for example newspaper articles or only the transcripts of February 23 and 26, 2021.

5.2 The Chair advised that the Committee will consider said transcripts with corresponding video recordings (at item 5.4).

5.3 The Chair reminded Members of the following grounds for the matter to be considered by the Committee:

“On Tuesday March 02, 2021, the following matter was referred to this Committee:
An allegation that Senator Anil Roberts committed contempt of the Senate on the following grounds:

- That he made statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate is biased towards him; and
- That in so doing, he reflected on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium.”

5.4 The Chair directed the Committee’s attention to the following evidence which were previously uploaded to Rotunda for Members’ consideration:

- (i) Hansard Report of Privileges Motion raised by the Leader of Government Business in the Senate, on Tuesday March 02, 2021.
- (ii) Hansard Report of the Ruling by the Vice-President of the Senate on Tuesday March 02, 2021.
- (iii) Video recordings and Transcripts of Mr. Roberts’ show ‘douglAR Politics’ broadcast on Tuesday February 23 and Friday February 26, 2021 at 7:30 p.m. via his Facebook and YouTube social media pages and shared on the UNC’s official Facebook page.

5.5 Members viewed the video recording of Mr. Robert’s show ‘douglAR Politics’ broadcast dated Tuesday February 23, 2021. The Chair invited comments on the first video. Discussion ensued on same.

5.7 Member Mark indicated the need for the Committee to pay attention to the question of Social Media and the rules governing same.

5.8 The Chair directed Members attention to the learnings in New Zealand which states:

“The use of social media has tested the boundaries of this form of contempt. In 2015 the Privileges Committee considered the implications of people using social media to report on parliamentary proceedings, and to reflect on members of Parliament and presiding officers.[199] The committee believed that members should not be discouraged from using social media as it offers a unique opportunity for them to share with the public news and information about aspects of their work. However, the committee reminded members and the Parliamentary Press Gallery of the parliamentary rules and practices that apply when using it. It confirmed that the contempt of reflections on a member or the Speaker remains an important restraint on conduct in relation to parliamentary proceedings.”

5.9 Member Mark was asked to provide information relating to the Victorian Legislature, and any other which he referenced, to the Secretariat for circulation to Members.

5.10 Members indicated the need for the Committee to consider the flow of conduct that led to Mr. Roberts’s actions.

5.11 The Chair advised that the context as indicated in the learnings, is that the ‘why’ is not examined but instead ‘whether’ what was said had the effect of bringing the Senate into contempt and disrepute. The Chair also indicated that this was the position adopted by the 2016 Committee of Privileges.

5.12 A discussion ensued on the examination of the witness. The Chair drew Members attention to S.O. Appendix 3, 34. which states:

“The Chairman will take care to ensure that all questions put to a witness are relevant to the Committee’s proceedings and that the information sought by those questions is necessary for the purpose of those proceedings.”

5.13 The Chair advised Members that an invitation including the guidelines for appearing as a witness will be sent to the witness at the appropriate stage of the Committee’s deliberations.

DISCUSSION ON THE WORK SCHEDULE

6.1 The Committee agreed that the first item on the agenda for the next meeting will be to review the entire recording of the video of Mr. Robert’s show ‘douglAR Politics’ broadcast on Friday February 26, 2021.

6.2 Members agreed that the next meeting of the Committee will be held on Friday March 26, 2021 at 2:00 p.m. in-person.

Decisions of the Committee

7.1 The Committee agreed to proceed with the matter referred as follows:

d) The Secretariat to provide information:

- i. on case studies in the Bahamas and the region;**
- ii. on any precedent where a matter of privilege was being considered at the same time that a substantive Motion on the conduct of a Member/Presiding Officer, whose conduct forms part of the Committee’s deliberations, was filed.**

e) Member Mark to provide information relating to the Victorian Legislature, and any other which he referenced to the Secretariat for circulation to Members.

f) The next meeting of the Committee will be held on Friday March 26, 2021 at 2:00 p.m. in-person.

ADJOURNMENT

8.1 There being no other business, the Chair thanked Members and adjourned the meeting to Friday March 26, 2021 at 2:00 p.m. in-person at the Parliamentary Complex.

8.2 The adjournment was taken at 5:03 p.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

March 25, 2021



Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

**MINUTES OF THE THIRD MEETING, ARNOLD THOMASOS (EAST) MEETING
ROOM, LEVEL 2, CABILDO BUILDING, OFFICE OF THE PARLIAMENT,
PARLIAMENTARY COMPLEX, ST. VINCENT STREET, PORT OF SPAIN ON
FRIDAY APRIL 9, 2021**

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Mr. Kaleem Hosein	-	Legal Officer
Ms. Katharina Gokool	-	Graduate Research Assist

COMMENCEMENT

1.1 The Chairman called the meeting to order at 10:34 a.m. and welcomed Members present.

CONFIRMATION OF THE MINUTES OF THE 2ND MEETING HELD ON FRIDAY MARCH 19, 2021

2.1 The Chairman invited Members to review the Minutes of the Second Meeting held on Friday March 19, 2021 and enquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Mr. Clarence Rambharat and seconded by Ms. Amrita Deonarine.

MATTERS ARISING FROM THE MINUTES

3.1 The Chair referred Members to the following items in the Minutes:

- i. **Item 3.1(ii), page 2:** by email dated March 20, 2021, Mr. Anil Roberts acknowledged receipt of the Committee's letter dated March 18, 2021. Members viewed a copy of the acknowledgement email as circulated.
- ii. **Item 4.3, page 2:** the Secretariat shared with Members research on case studies within the region, in particular a 2021 case from the Bahamas by email dated April 8, 2021.
- iii. **Item 4.6, page 3:** the Secretariat indicated that no information on any precedent regarding a motion being filed the same time a matter is before a Committee of Privileges was found.
- iv. **Items 4.7, page 3:** Consistent with the undertaking given by Senator Mark at the Committee's Second Meeting on March 19, 2021, Private Members Motion No. 8 was not raised in the Senate on March 23, 2021, Private Members' Day.
- v. **Items 5.9, page 4:** Member Mark advised that he would forward the document relating to the information on the Victorian Legislature so that same could be circulated before the next meeting of the Committee.
- vi. **Item 6.1, page 5:** the Committee's agenda entails the viewing of the entire video recording of Mr. Robert's show 'dougLAR Politics' broadcast on Friday February 26, 2021.

DISCUSSION ON PROCEDURE AND LEARNINGS

4.1 The Chair reminded Members of the research and learnings circulated to the Committee:

- i. Committee of Privileges Procedure and Practice in Various Jurisdictions; and
- ii. Case Studies of Privileges Matters in Various Jurisdictions in particular a recent case from the Bahamas.

DISCUSSION AND ANALYSIS OF THE MATTER REFERRED TO THE COMMITTEE

5.1 The Chair referred Members to the matter before the Committee and reminded Members of the following grounds:

“On Tuesday March 02, 2021, the following matter was referred to this Committee:
An allegation that Senator Anil Roberts committed contempt of the Senate on the following:

- That he made statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate is biased towards him; and
- That in so doing, he reflected on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium.”

5.2 The Chairman reminded Members that the following evidence was previously uploaded to Rotunda for Members’ consideration:

- a. Hansard Report of Privileges Motion raised by the Leader of Government Business in the Senate, on Tuesday March 02, 2021.
- b. Hansard Report of the Ruling by the Vice-President of the Senate on Tuesday March 02, 2021.
- c. Video recordings and Transcripts of Mr. Roberts’ show ‘douglAR Politics’ broadcast on Tuesday February 23 and Friday February 26, 2021 at 7:30 p.m. via his Facebook and YouTube social media pages and shared on the UNC’s official Facebook page.

5.3 The Chairman reminded Members that at the Committee’s meeting on March 19, 2021, the Committee had commenced and completed its viewing of the video ‘douglAR Politics’ dated February 23, 2021.

5.4 The Chairman enquired as to whether Members had viewed the Friday February 26, 2021 video recording and invited preliminary comments. A discussion ensued on same.

5.5 Members agreed to view the Friday February 26, 2021 video recording and to pause every thirty (30) minutes for brief a discussion. Members were also reminded that they may utilise the transcripts of both the February 26, 2021 and February 23, 2021 video recordings.

5.6 The viewing of the Friday February 26, 2021 video recording commenced.

First Thirty (30) Minute Interval Discussion

5.7 A discussion ensued among Committee Members. The Chair reminded Members that the Committee is to consider what is before it, that it, the two (2) videos which are based on what occurred outside of the Parliament. The discussion continued.

Second Interval Discussion

5.8 Members agreed to continue viewing the video.

Third Interval Discussion

5.9 The Chairman invited comments from Members in relation to the video. All Members reserved their comments.

DISCUSSION ON THE WAY FORWARD/ WORK SCHEDULE

- 6.1 The Committee agreed to write to Mr. Anil Roberts requesting that he:
- appear before the Committee, with or without an advisor, at the next meeting of the Committee on Friday April 23rd, 2021;
 - submit any witnesses for the Committee's approval; and
 - forward any written submission to the Secretariat by Tuesday April 20, 2021.
- 6.2 Members were also reminded that any witnesses proffered by Mr. Anil Roberts to appear before the Committee will require the Committee's approval.
- 6.3 The Chairman informed Members that before engaging the witness there will be a discussion among Members regarding the line of questioning.
- 6.4 Members agreed that the next meeting of the Committee will be held in-person on Friday April 23, 2021 at 9:30 a.m. and thereafter at 10:30 a.m. to commence engaging Mr. Anil Roberts.

OTHER BUSINESS

- 7.1 Member Deonarine expressed her difficulty with attending meetings on Friday afternoons. A discussion ensued on same.
- 7.2 The Committee agreed to meet on Friday mornings at 10:30 a.m. with the exception of the next meeting of the Committee on Friday April 23, 2021 to commence engaging Mr. Anil Roberts.

Decisions of the Committee

- 8.1 The Committee agreed to proceed with the matter referred as follows:
- g) **To write to Mr. Anil Roberts requesting that he:**
 - **appear before the Committee with or without an advisor at the next meeting of the Committee on Friday April 23rd, 2021;**
 - **submit any witnesses for the Committee's approval; and**
 - **forward any written submission to the Secretariat by Tuesday April 20, 2021.**
 - h) **The next meeting of the Committee will be held in-person on Friday April 23, 2021 at 9:30 a.m. and thereafter at 10:30 a.m. to commence engaging Mr. Anil Roberts.**
 - i) **To hold meetings of the Committee on Fridays at 10:30 a.m.**

ADJOURNMENT

9.1 There being no other business, the Chair thanked Members and adjourned the meeting to **Friday April 23, 2021 at 9:30 a.m. and thereafter at 10:30 a.m.** to commence engaging Mr. Anil Roberts in-person.

9.2 The adjournment was taken at 1:07 p.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

April 22, 2021



Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

**MINUTES OF THE FOURTH MEETING, LINDA BABOOLAL MEETING ROOM,
GROUND FLOOR, CABILDO BUILDING, OFFICE OF THE PARLIAMENT,
PARLIAMENTARY COMPLEX, ST. VINCENT STREET, PORT OF SPAIN ON
FRIDAY APRIL 23, 2021**

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Brian Lucio	-	Assistant Secretary
Ms. Katharina Gokool	-	Graduate Research Assist

COMMENCEMENT

1.1 The Chairman called the meeting to order at 9:34 a.m. and welcomed Members present.

CONFIRMATION OF THE MINUTES OF THE 3RD MEETING HELD ON FRIDAY APRIL 09, 2021

2.1 The Chairman invited Members to the review the Minutes of the Third Meeting held on Friday April 09, 2021 and enquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Mr. Randall Mitchell and seconded by Ms. Amrita Deonarine.

MATTERS ARISING FROM THE MINUTES

3.1 The Chair referred Members to the following items in the Minutes:

iv. Item 3.1(v), page 2:

- By email dated April 22, 2021, the Secretariat circulated a Report from the Legislative Assembly of Victoria as shared by Member Mark entitled, *“Report into use of social media in the Legislative Assembly and reflections on the Office of Speaker”*. The Chair enquired if all Members were in receipt of same which was also uploaded to the *Rotunda*.

v. Item 6.1, page 3:

- By letter dated April 13, 2021, the Secretariat wrote to Mr. Anil Roberts inviting him to appear before the Committee.
- On April 20, 2021, the Secretariat received a response by letter dated April 19, 2021 from Mr. Kiel Takalsingh, purportedly acting on behalf of Mr. Anil Roberts. Same was circulated to Members by email dated April 20, 2021.
- By letter dated April 22, 2021, the Secretariat wrote to Mr. Roberts reminding him of the scheduled meeting and affirming that the Committee will adhere to all aspects of the COVID- 19 Public Health Regulations.
- The Secretariat received a letter by email dated April 22, 2021 from Mr. Kiel Takalsingh. Same was circulated by email dated April 22, 2021.

DISCUSSIONS ON THE WAY FORWARD

4.1 The Chairman invited comments on the letters/email received from Mr. Anil Roberts and Mr. Kiel Takalsingh. A discussion ensued.

4.2 Member Mark sought clarification on the Public Health Regulations. He indicated that the Committee may wish to consider if it should conduct its meetings virtually.

4.3 The Chairman invited Members to share their views on point raised by Member Mark. Members expressed their views on the matter. The Chair indicated that one of the things the Committee has to ensure is the integrity of the proceedings of the Committee. However, he advised that Members will ultimately decide.

4.4 The Chair advised Members that for the April 23, 2021 engagement with the witness and in keeping with the COVID-19 Public Health Regulations, the intension is not to have no more than five (5) persons in any one (1) room and therefore this would be achieved by utilising two (2) rooms, each with video image of the others. One room will be occupied by the Chairman, one

Member, the witness and his advisor and the Secretary; while the other room will be occupied by the other three Members of the Committee and possibly two support staff.

4.5 As regard correspondence received from Mr. Kiel Takalsingh, the Chairman reminded that is a well-established practise that the Committees of Privileges do not pose a question to or respond to the advisor. The Secretary:

- (i) An excerpt from the letter dated April 13th, 2021 to Mr. Anil Roberts as it relates to the procedure on non-engagement with an advisor/s was reads aloud:

“Kindly note you may be accompanied by a maximum of two advisors, legal or otherwise, of your choosing. The role of such persons will be that of advisor and not as representative or advocate. You will be able to converse freely with your advisors but they will not be permitted to address the Committee.”

The Chairman continued:

- (ii) advised that the principle follows on in terms of engaging. Communication can be had between the witness and his advisor, but the advisor is not entitled to address the Committee;
- (iii) indicated that it is not the practice that Committee respond to correspondence sent by the advisor;
- (iv) Members were referred to an example of a case of privilege in 2011 where a member who was before a Committee of Privileges at that time went to the extent of filing a Motion in the House in order to have the House to approve that his advisor be permitted to address the Committee. In response, the House reaffirmed the established practice that the advisor must not address the Committee;

4.6 At 10.45 a.m. the Chairman enquired from the Secretariat whether Mr. Anil Roberts was present in the building and/or ready to appear before the Committee. The Chairman was advised that Mr. Roberts was not present in the building.

4.7 At 10.47 a.m. the Committee directed the Secretariat to place a call to Mr. Roberts to ascertain whether he is to be expected to appear at its April 23, 2021 meeting.

4.8 The Chairman subsequently informed Members that he has been advised that Mr. Anil Roberts indicated via telephone that he will not be appearing before the Committee because his legal representative sent an email and his position stands.

4.9 The Chairman asked Members to note that Mr. Anil Roberts has not appeared at the Committee’s Friday April 23, 2021 meeting as invited and he therefore proposed the following:

- (i) That a letter be sent to Mr. Roberts reminding him of the procedure with regards to engagement between himself, his Advisor and the Committee not only in proceedings but also in written correspondence as indicated in the Committee’s letter of April 13, 2021; and

- (ii) An invitation letter be sent to Mr. Roberts reiterating that the Parliament will adhere to the COVID-19 Public Health Regulations.

4.10 Members agreed to the Chairman's proposal.

4.11 The Committee agreed that its next meeting will be held on Thursday May 06, 2021 at 3:00p.m. (in camera) and thereafter at 4:00 p.m. to commence the engagement with Mr. Anil Roberts.

Decisions of the Committee

5.1 The Committee agreed to proceed with the matter referred as follows:

j) **The Secretariat will write to Mr. Anil Roberts:**

- reminding him of the procedure with regards to engagement between himself, his Advisor and the Committee not only in proceedings but also in written correspondence as indicated in the Committee's letter of April 13, 2021 to Mr. Roberts; and
- inviting him to appear before the Committee and reiterating that the Parliament will adhere to the COVID-19 Public Health Regulations.

k) **The next meeting of the Committee will be held in-person on Thursday May 06, 2021 at 3:00 p.m. (in camera) and thereafter at 4:00 p.m. to commence the engagement with Mr. Anil Roberts.**

ADJOURNMENT

6.1 There being no other business, the Chair thanked Members and adjourned the meeting to **Thursday May 06, 2021 at 3:00 p.m.**

6.2 The adjournment was taken at 11:03a.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

May 04, 2021



Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

MINUTES OF THE FIFTH MEETING, FACILITATED VIA ZOOM VIDEO CONFERENCE ON TUESDAY MAY 4, 2021

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr. Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Ms. Katharina Gokool	-	Graduate Research Assistant

COMMENCEMENT

- 1.1 The Chairman called the meeting to order at 3:19 p.m. and welcomed Members present.
- 1.2 The Chairman advised that the notice of the Fifth Meeting was circulated earlier this afternoon, in accordance with Appendix III, No. 2 of the Senate Standing Orders and thanked Members for their attendance.

MINUTES OF THE 4th MEETING HELD ON FRIDAY APRIL 23, 2021

- 2.1 The Chairman proposed that the Minutes of the 4th Meeting held on Friday April 23, 2021 be deferred for consideration at the Committee's next meeting.

2.2 The Committee agreed to defer consideration of the Minutes of the 4th Meeting held on Friday April 23, 2021 to its next meeting.

DISCUSSION ON THE INVITATION TO THE WITNESS FOR MAY 06, 2021

3.1 The Chairman indicated that by email dated May 02, 2021, the Secretary had forwarded for Members' consideration, an email dated April 30, 2021 sent by Mr. Anil Roberts.

3.2 The Chairman also indicated that the email received from Mr. Anil Roberts mirrors previous concerns raised regarding his appearance before the Committee owing to the COVID-19 Public Health Regulations.

3.3 The Chairman proposed that the Committee consider whether it would be willing to meet with Mr. Anil Roberts via Zoom video conference, for its meeting on Thursday May 06, 2021 at 4:00 p.m.

3.4 Following a full discussion on the matter raised by the Chairman, the Committee agreed to the following:

- that Mr. Anil Roberts should be reminded of the Committee's invitation for him to appear on Thursday May 06, 2021;
- that he be informed of the arrangements regarding the use of two (2) rooms with no more than the permissible number of occupants as set out in the COVID-19 Public Health Regulations, and as had been planned for his April 23, 2021 appearance; and
- that the Secretary write to Mr. Anil Roberts to communicate its decision.

Decisions of the Committee

4.1 The Committee agreed to proceed with the matter referred as follows:

- l) **To write to Mr. Anil Roberts informing him that two (2) rooms will be setup to accommodate no more than the permissible number of persons, in keeping with the COVID-19 Public Health Regulations..**
- m) **The next meeting of the Committee will be held in-person Thursday 6th May, 2021 at 3 p.m. and thereafter at 4 p.m. to commence engaging Mr. Anil Roberts.**

ADJOURNMENT

5.1 There being no other business, the Chair thanked Members and adjourned the meeting to **Thursday 6th May, 2021 at 3 p.m. and thereafter at 4 p.m.** to commence engaging Mr. Anil Roberts in-person.

5.2 The adjournment was taken at 3:51p.m.

Committee of Privileges of the Senate

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

May 04, 2021



Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

**MINUTES OF THE SIXTH MEETING, LINDA BABOOLAL MEETING ROOM,
GROUND FLOOR AND ARNOLD THOMASOS (WEST) MEETING ROOM, LEVEL 2,
CABILDO BUILDING, OFFICE OF THE PARLIAMENT, PARLIAMENTARY
COMPLEX, ST. VINCENT STREET, PORT OF SPAIN
FACILITATED VIA ZOOM VIDEO CONFERENCING ON THURSDAY MAY 06, 2021**

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Mr. Brian Lucio	-	Assistant Secretary
Ms. Katharina Gokool	-	Graduate Research Assistant

COMMENCEMENT

1.3 The Chairman called the meeting to order at 3:14 p.m. and welcomed Members present.

CONFIRMATION OF THE MINUTES OF THE 4th MEETING HELD ON FRIDAY APRIL 23, 2021

2.1 Per the Committee's agreement at its last meeting held on May 04, 2021, the Chairman invited Members to review the Minutes of the Fourth Meeting held on Friday April 23, 2021 and enquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Ms. Amrita Deonarine and seconded by Mr. Clarence Rambharat.

MATTERS ARISING FROM THE MINUTES OF THE 4TH MEETING HELD ON FRIDAY APRIL 23, 2021

3.1 The Chair referred Members to the following items in the Minutes:

vi. Item 4.12 (i), page 3:

- a) By letter dated April 27, 2021, the Secretariat wrote to Mr. Roberts, reminding him of the role of an Advisor when engaging with a Committee of Privileges.

vii. Item 4.12 (ii), page 3:

- a) By letter dated April 27, 2021, the Secretariat wrote to Mr. Roberts, inviting him a second time to appear before the Committee.
- b) The Secretariat received an email dated April 30 and May 02, 2021 from Mr. Roberts which were circulated to Members by email dated May 02, 2021. The Chairman reminded Members that the content of the emails dated April 30, 2021 were discussed at its last meeting.

CONFIRMATION OF THE MINUTES OF THE 5TH MEETING HELD ON TUESDAY MAY 04, 2021

4.1 The Chairman invited Members to review the Minutes of the Fifth Meeting held on Tuesday May 04, 2021 and enquired whether there were any omissions or corrections.

4.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Mr. Clarence Rambharat and seconded by Ms. Amrita Deonarine.

MATTERS ARISING FROM THE MINUTES OF THE 5TH MEETING HELD ON TUESDAY MAY 04, 2021

5.1 The Chairman referred to the following item of the Minutes of the 5th Meeting held on Tuesday May 04, 2021:

i. Item 3.4, page 2:

- a) By letter dated May 05, 2021, the Secretariat wrote to Mr. Roberts:
 - reminding him of the Committee's invitation for him to appear on Thursday May 06, 2021; and
 - informing him of the arrangements regarding the use of two (2) rooms with no more than the permissible number of occupants as set out in the

COVID-19 Public Health Regulations, and as had been planned for his April 23, 2021 appearance.

- b) The Secretariat received a response by email dated May 06, 2021, from Mr. Kiel Takalsingh, legal counsel acting on behalf of Mr. Roberts. Same was circulated to Members via email dated May 06, 2021. The Chair confirmed that Members had sight of the email.

PRE-HEARING DISCUSSIONS

6.1 The Chairman advised, given that the response to the Committee's letter of invitation dated May 05, 2021 was not directly from Mr. Roberts, the Committee will proceed under the presumption that Mr. Roberts will appear.

6.2 The Chairman also informed Members that prior to the invitation, Mr. Roberts adopted that whatever the legal counsel says is his own. However, as parliamentary practice and procedure dictates, the Committee does not acknowledge correspondence from legal representation.

6.3 At 3:24 p.m. the Committee agreed to suspend the meeting until the scheduled time for Mr. Roberts' appearance at 4:00 p.m. and to allow an extension of time up to fifteen (15) minutes, after which the Committee will direct the Secretariat to phone Mr. Roberts and determine whether he will be appearing before the Committee.

The meeting was suspended at 3:24p.m.

The meeting resumed at 4:03p.m.

PRE-HEARING DISCUSSION (CONTINUED)

7.1 At 4:03 p.m., the Chairman noted Mr. Roberts' absence and reiterated the Committee's agreement to allow an extension of time of up to fifteen (15) minutes, after which it will proceed to phone Mr. Roberts to determine whether or not he will be appearing before the Committee.

The meeting was suspended at 4:03p.m.

The meeting resumed at 4:20p.m.

PRE-HEARING DISCUSSION (CONTINUED)

8.1 At 4:20 p.m., the Committee directed the Secretariat to call Mr. Anil Roberts.

8.2 At 4:23 p.m., the Chairman informed the Committee that the Secretary made three (3) attempts to call Mr. Roberts, which all rang and were forwarded to voicemail.

8.3 The Committee then directed the Secretariat to text message (via WhatsApp) Mr. Roberts after which the Committee would resolve that Mr. Roberts would not be appearing before the Committee.

8.4 At 4:31 p.m., the Chairman read aloud the text message sent by the Secretariat and the response received by Mr. Anil Roberts as follows:

“Secretariat: Good afternoon Sen. Roberts. The Committee of Privileges has directed me to inquire whether you will be attending today's meeting. Can you please advise?

Mr. Anil Roberts: I responded to the email from the Committee, received late last evening, EARLY THIS MORNING. MY EMAIL IS SELF EXPLANATORY. THE COMMITTEE MUST IMPROVE ITS MEANS OF COMMUNICATING. ”

8.5 The Committee resolved that Mr. Roberts would not be appearing before the Committee.

DISCUSSION ON THE WAY FORWARD

9.1 The Chairman noted that Mr. Roberts has not appeared at the scheduled April 23, 2021 and May 06, 2021 meetings of the Committee of Privileges.

9.2 The Chairman invited Member's comments on the way forward and proposed the following two options:

- i. Extend a final invitation to Mr. Roberts to appear before the Committee; OR
- ii. Conduct its deliberations and report to the Senate on the matter referred; and
- iii. Write to Mr. Roberts indicating that the Committee has noted his absence at the previously scheduled meetings and as such, commenced its deliberations on the matter referred.

9.3 After a lengthy discussion on how to proceed with the matter, the Committee agreed to:

- i. direct the Secretariat to circulate the following documents:
 - Report of the Committee of Privileges re: Dr. Keith Rowley and the “Email Gate” matter;
 - The matter involving former Senator Dana Seethal's Press Statement and Report of the Committee of Privileges; and
 - The ruling of former Deputy Speaker on the matter involving former Senator Dana Seethal.
- ii. direct the Secretariat to write to Mr. Roberts inviting him to appear before the Committee on **Friday May 14, 2021** and indicate the following:
 - this is the Committee's 3rd invitation to meet with him virtually in the Parliament's precincts;

- if he chooses not to appear the Committee will resolve to continue with its deliberations;
 - he is reminded that he may make a written submission in response to the matter referred on or before **Wednesday May 12, 2021**; and
 - all protocols in relation to the Public Health Regulations will be adhered to, as had been the case at the April 23 and May 06, 2021 meetings.
 -
- iii. meet next on **Friday May 14, 2021 in-person at 9:00 a.m. and thereafter at 10:00 a.m.** to commence engagement with Mr. Anil Roberts.

Decisions of the Committee

10.1 The Committee agreed to proceed with the matter referred as follows:

(a) direct the Secretariat to circulate the following documents:

- i. **Report of the Committee of Privileges re: Dr. Keith Rowley and the “Email Gate” matter ;**
- ii. **The matter involving former Senator Dana Seethal’s Press Statement and Report of the Committee of Privileges; and**
- iii. **The ruling of former Deputy Speaker on the matter involving former Senator Dana Seethal.**

(b) write to Mr. Roberts inviting him to appear before the Committee on Friday May 14, 2021 and indicate the following:

- i. **this is the Committee’s 3rd invitation to meet with him virtually in the Parliament’s precincts;**
- ii. **if he chooses not to appear the Committee will resolve to continue with its deliberations;**
- iii. **he is reminded that he may make a written submission in response to the matter referred on or before Wednesday May 12, 2021; and**
- iv. **all protocols in relation to the Public Health Regulations will be adhered to, as had been the case at the April 23 and May 06, 2021 meetings.**

(c) meet next on Friday May 14, 2021 in-person at 9:00 a.m. and thereafter at 10:00 a.m. to commence engagement with Mr. Anil Roberts.

ADJOURNMENT

11.1 There being no other business, the Chair thanked Members and adjourned the meeting to **Friday May 14, 2021 at 9:00 a.m. and thereafter at 10:00 a.m.** to commence engagement with Mr. Anil Roberts in-person.

11.2 The adjournment was taken at 6:18p.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

May 05, 2021

COMMITTEE OF PRIVILEGES OF THE SENATE FIRST SESSION, TWELFTH PARLIAMENT

UNCONFIRMED MINUTES OF THE RESCHEDULED SEVENTH MEETING, LINDA BABOOLAL MEETING ROOM, GROUND FLOOR, CABILDO BUILDING, OFFICE OF THE PARLIAMENT, PARLIAMENTARY COMPLEX, ST. VINCENT STREET, PORT OF SPAIN

ON WEDNESDAY JUNE 23, 2021

PRESENT

Committee Members

Mr. Nigel De Freitas	-	Chairman
Mr Clarence Rambharat	-	Member
Mr. Wade Mark	-	Member
Mr. Randall Mitchell	-	Member
Ms. Amrita Deonarine	-	Member

Secretariat

Mr. Brian Caesar	-	Secretary
Mr. Johnson Greenidge	-	Assistant Secretary
Mr. Brian Lucio	-	Assistant Secretary
Mr. Kaleem Hosein	-	Legal Officer I
Ms. Katharina Gokool	-	Graduate Research Assistant

COMMENCEMENT

1.1 The Chairman called the meeting to order at 2:23 p.m. and welcomed Members present.

**CONFIRMATION OF THE MINUTES OF THE 6th MEETING HELD ON THURSDAY
MAY 6, 2021**

2.1 The Chairman invited Members to review the Minutes of the Sixth Meeting held on Thursday May 6, 2021 and enquired whether there were any omissions or corrections.

2.2 There being no omissions or corrections the Minutes were duly confirmed by a motion moved by Mr. Clarence Rambharat and seconded by Mr. Wade Mark.

MATTERS ARISING FROM THE MINUTES OF THE 6TH MEETING HELD ON THURSDAY MAY 06, 2021

3.1 The Chairman referred to the following item of the Minutes of the 6th Meeting held on Thursday May 06, 2021:

i. Item 9.1 (a), page 4:

- a) By email dated June 06, 2021, the Secretariat circulated and uploaded to Rotunda the requested documents for Member's consideration. The documents were shared a second time on June 19, 2021.

ii. Item 9.1 (b), page 4:

- a) By letter dated June 18, 2021, the Secretariat wrote to Mr. Roberts, inviting him to appear before the Committee.
- b) The Secretariat received and subsequently circulated email dated June 22, 2021 from Mr. Roberts who indicated therein, his intention to not attend the meeting.
- c) On June 23, 2021, the Secretariat received a second email from Mr. Roberts in relation to the Committee's correspondence dated June 18, 2021.

DISCUSSION ON THE WAY FORWARD

4.1 In relation to correspondence received from Mr. Roberts, wherein he indicated that he will not be appearing before the Committee, the Committee agreed that it had been flexible in its arrangements and in giving Mr. Roberts ample opportunity to appear before it as a witness in relation to the allegation before the Committee.

4.2 The Chairman invited Members' comments on the way forward. A discussion ensued.

4.3 Following a fulsome discussion, the Committee agreed to commence its deliberations on the matter referred.

4.4 The Chairman restated the matter referred to the Committee on Tuesday March 02, 2021:

“On Tuesday March 02, 2021, the following matter was referred to this Committee:

An allegation that Senator Anil Roberts committed contempt of the Senate on the following grounds:

- That he made statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate is biased towards him; and
-

- That in so doing, he reflected on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium.”

DELIBERATION OF THE MATTER REFERRED

5.1 The Chairman reminded Members of the following:

- Hansard Report of Privileges Motion raised by the Leader of Government Business in the Senate, on Tuesday March 02, 2021.
- Hansard Report of the Ruling by the Vice-President of the Senate on Tuesday March 02, 2021.
- Video recordings and Transcripts of Sen. Roberts’ show ‘doug1AR Politics’ broadcast on Tuesday February 23 and Friday February 26, 2021 at 7:30 p.m. via his Facebook and YouTube social media pages and shared on the UNC’s official Facebook page.
- The learnings including case studies provided to Members on matters of breach of privilege/contempt of Parliament.

5.2 Members revisited the learnings as follows:

- Parliamentary breaches involving criticism of a Presiding Officer in the Senate or House is a grave offence whether or not it occurs inside or outside the house and regardless of the medium used communicate the offence, television, radio or social media; and
- The act of criticising the Presiding Officer outside of the proper pathway established by the Houses is a grave offence.

5.3 The Chairman reminded Members of the following information provided in the learnings from Australia:

- Criticism of Speaker’s actions and conduct- *“The Speaker’s actions can only be criticised by a substantive motion.”*
 - Criticism of Speaker in the House - *“It is not acceptable for the Speaker to be criticised incidentally in debate. During an adjournment debate in 1950 a Member questioned the way in which Speaker Cameron had called Members during Question Time. The Speaker in reply said that the Member ‘will come to my office in due course, examine the figures, and next week he will state the correct position’... The incident was finally closed when the Member stated that he had not wished to cast any reflection on the Chair relating to the call or the Speaker’s impartiality.”*
 - Reflections on Speaker made outside the House – *“A reflection on the character or actions of the Speaker inside or outside the House has attracted the use of the penal powers of the House of Commons. However, since the enactment of the Parliamentary Privileges Act, proposed actions in such circumstances have had to be considered in light of the provisions of the Act. On 11 November 1913 the Prime Minister drew attention to a statement, reported to have been made by the Member for Ballarat (Mr McGrath) outside the House, which reflected on Speaker Johnson. Mr McGrath was alleged to have said: The Speaker has lost the confidence of Members. We have absolute proof that the Speaker has altered a Hansard proof. The proof showed that the third reading of the Loan Bill was not carried, according to its own words, and he altered the proof to make it appear in Hansard that it*
-

was carried. The Speaker was acting in a biased manner, and was proving himself a bitter partisan... That the honourable Member for Ballarat be suspended from the service of this House for the remainder of the Session unless he sooner unreservedly retracts the words uttered by him at Ballarat on Sunday, the 9th October [later amended to November], and reflecting on Mr Speaker, and apologises to the House.”

5.4 Having considered and discussed the learnings, reviewed the video recordings and transcripts referred to the Committee and considered the written submission by Mr. Roberts, the Committee resolved, that in the instant matter, there was no disputed question of fact. The Committee was satisfied that the Member had reflected on the character and conduct of the Presiding Officer using satirical subtext. Furthermore,

5.5 The Committee agreed that a breach of privilege and a contempt of Parliament had occurred and that the statements made by Mr. Roberts had brought the Senate into ridicule and odium.

5.6 The Committee took the following into account in formulating its recommendation:

- i. Guidance has been recommended in privilege matters involving the use of social media raised in other jurisdictions because such matters are unique.
- ii. Guidelines and policies regarding the use of Social Media were issued by the Presiding Officers of both houses in the 11th and 12th Parliaments;
- iii. Consistent with the rules of the Chamber, all Members are supposed to familiarise themselves with the Standing Orders and therefore should not breach Standing Order rules on the count of ignorance;
- iv. Based on precedent in other jurisdictions, a sanction imposed should commence on the lowest level of the scale so it can be intensified if required;
- v. The attack on the Presiding Officer was a grave offence;
- vi. Mr. Roberts’ videos are carefully constructed documentary in which he uses parliamentary material in his reflections; and
- vii. Mr. Roberts had ample time to apologise; the consistency of his actions suggested that his actions were carefully orchestrated.

5.7 With the exception of Member Mark, all Members agreed that the Committee’s report should recommend that:

- i. that Mr. Anil Roberts issue an unequivocal and unreserved apology to the President of the Senate and to the Senate as a whole, at his next appearance in the Senate during this Parliament;
- ii. that such apology be issued by way of a Personal Explanation subsequent to the adopting of this Report; and
- iii. that a reminder of the Procedural Bulletin on the use of Electronic Devices and Social Media, outlining guidelines for the conduct of Members whilst in the Senate Chamber, be circulated to all Members.

5.8 Member Mark agreed that the Committee’s report should solely recommend:

- i. that all Members be provided with a reminder of the procedural bulletin outlining guidelines for rules of the use of Electronic Devices and Social Media.
-

5.9 The Secretary was directed to draft the Committee's report reflecting the decisions and recommendations of the Committee and to circulate same to all Members of the Committee for approval via round robin.

5.10 The Chairman thanked Members for the work the Committee has done.

ADJOURNMENT

6.1 There being no other business, the Chair thanked Members and adjourned the meeting.

6.2 The adjournment was taken at 4:21p.m.

We certify that these Minutes are true and correct.

Nigel De Freitas
Chairman

Brian Caesar
Secretary

June 25, 2021

Appendix IV-A - Transcript of 'douglAR Politics dated February 23, 2021

Tuesday 23 February, 2021

douglAR politics – Anil Roberts

Anil Roberts: Very good. Yuh ready now?

Audience: Yeah.

Anil Roberts: Let's go again. We're on time, so it doh matter. I want to say a special good evening, welcome to *douglAR politics*, and a special good evening going out to the President of the Senate, Madam President Kangaloo. How are you, Ma'am? I want to thank you for relieving me early from the Senate, so I could be down here in south early, relaxing to do meh *douglAR politics*. So I want to thank the President of the Senate for allowing me to drive slowly down to south.

douglAR politics.

Now, as I reach early and this show goes on late, normally I read a little fairy tale for my daughter. So I called her on the way down using Bluetooth, with my seat belt on, driving slowly down to south, and I told her to pay attention because daddy is going to read a fairy tale for her so that she can hug up her mummy and go to bed. So, Anaya, listen to this fairy tale that your daddy is going to read for you live on *douglAR politics*.

¹On planet Senatah, a leader was displaced, then replaced, and at the last minute returned to be the leader of the Senatah. The leader's name was Headmistress Kangaroo. ²Senatah had rules called Sitting Orders. Headmistress Kangaroo, oversaw weekly meetings of the Kangaroo Court. The court consisted of red snakes and yellow jackets.

One yellow jacket called "Booming Voice" got under the skin of Headmistress Kangaroo. ³She would pick on him, interrupt him, shout at him like a deranged school teacher, a principal, a headmistress who did not have her coffee. ⁴She would without reason, without quoting a single Sitting Order, prevent him from completing his contribution in aid of the people, fighting for the rights, the food, the fuel, the freedom of the yellow jackets and all the citizens of Senatah.

Booming Voice was never perturbed as Kangaroo, ⁵Headmistress Kangaroo became venomous, angry, bitter and dictatorial. ⁶All of planet Senatah and the people realized that Headmistress Kangaroo was clearly lacking loving and tenderness and affection in her life. So the people said a prayer for Headmistress Kangaroo that she would be able to do her job properly,

fairly, with love, tenderness for all, the red snakes and the yellow jackets. Booming Voice did not worry. He kept doing his job for the people of Senatah.

Go to sleep my daughter. I hope you love that fairy tale that—

Appendix IV-B - Transcript of 'douglAR Politics dated February 26, 2021

Transcript of Tuesday 26 February, 2021

douglAR politics – Mr. Anil Roberts

[Prelude song and ads for programme]

Madam Referee: Mr. DouglAR, Mr. DouglAR Politics, tone it down please. Tone it down. I'm telling you to tone it down. Look, rules, I doh care about rules. Just tone it down. I am the Headmistress. Tone it down please.

Mr. DouglAR: Sorry Madam Referee, sorry. Tone it down? Okay, I will tone down the promo— anything to make you happy, Madam Referee. *douglAR politics* tomorrow night, Friday night 7.30 p.m. before you lime, before you social distance, *douglAR politics*.

Madam Referee: DouglAR, once again, relevance.

Mr. DouglAR: But Madam Referee—

Madam Referee: Relevance, relevance can you please deal with the promotion please? We are trying to get the show on the road, please stay relevant.

Mr. DouglAR: That is very relevant to what we are doing. It is a promo for tomorrow night, Friday night, 7.30, we want people live on Facebook and on YouTube logged on because we start on time. So it is very relevant to what we are trying to promote.

Madam Referee: Listen, DouglAR, no show. Cancel the show.

Mr. DouglAR: Sorry Madam Referee, sorry. Anything to make you happy.

Madam Referee: I am expelling the show. Please, DouglAR, leave the studio. Leave the studio now.

Mr. DouglAR: *douglAR politics* we eh studying nutten. We must give de people de information. *douglAR politics*, Friday night, Friday night, 7.30 p.m. Be there.

Mr. Anil Roberts: Good evening and welcome to *douglAR politics*. Share the live, hold on ah change de ting, ah change, ah confusing Archie and Vishnu. Part two, chapter two of planet Senatah Anaya, listen carefully, daddy is not there to read for you tonight so I will give you a fairytale. It is part two of planet Senatah with Headmistress Kangaroo and Booming Voice.

Now, Headmistress Kangaroo previously was a very loving caring human being. She would take care of all the children on planet Senatah the red snakes, the yellow jackets, all the little kids running around. Headmistress Kangaroo would take care of them, read stories for them, treat them with love and respect. But something happened in the life of Headmistress Kangaroo and it turned her into a wicked witch who attacked the yellow jackets at any time, and especially Booming Voice.

Everyone on planet Senatah knew that Headmistress Kangaroo was happily married to Mr. Gracias. Mr. Gracias was a good husband but unfortunately as many times it happens, Mr. Gracias, his eyes strayed and he had his heart an affinity, love and care for another lady on planet Senatah. He was falling in love with this lady, but on planet Senatah there were lawyers across the board who used to represent red snakes and yellow jackets. And there was this one lawyer called “Red Man”, “Sweet Red Man” they called him. And he swept Mr. Gracias girl off her feet and she fell in love with Mr. Red Man. This sent Mr. Gracias off his rocker. In the middle of the town of the capital city he would go and search for the girl but she was in the warm embrace of Sweet Red Man.

When we found them in the office, the legal office reading briefs and checking briefs together, Mr. Gracias, the husband of Headmistress Kangaroo, he lost his mind and a fight ensued. They were fighting down the steps into the street, it spilled off into the streets of the city. And the whole planet found out about the infidelity. Mrs. Kangaroo found out on the 7.00 p.m. news, on TV6 on planet Senatah, that her husband Mr. Gracias had been beaten by Sweet Man in the streets for a girl who he had loved.

After that the sweet loving Kangaroo, Headmistress Kangaroo, would not treat people well anymore. She would not read for the children and buy ice cream. She became bitter. She became angry. She became a dictator. She became aggressive and then the whole planet was shaking in fear. And when Booming Voice would talk in the meetings, Mrs. Kangaroo the Headmistress, would shut him down and shout him down and stop him. She just could not find her way. But Booming Voice had empathy in his heart because he understood why Headmistress Kangaroo was behaving in such a vile manner. So he forgave her and he tried to empathize with her, because Mr. Gracias not only was not a good boyfriend, he could not fight either, because he got a cut tail in the middle of the capital for his girlfriend.

Chapter three, next week on planet Senatah. Good evening, share the live. Because let me

tell yuh something. Dis ting is not no joke, all right. Things getting serious. Let me show y'all if y'all don't know what took place in the Senate on Tuesday. Archie, show the people on *douglAR politics* what took place on Tuesday. Run it.

[Video clip of 20210223 Senate Sitting repeated three times]

“Sen. Roberts: ...while the PNM Government shreds it, curtails the Opposition's speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business.

Sen. Roberts: ...while the PNM Government shreds it, curtails the Opposition's speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

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[Video clip of 20210223 Senate sitting repeated three times]

“Sen. A. Roberts: Ma'am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister, Leader of Government Business.

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Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister...”

[Back to douglAR politics]

Mr. Anil Roberts: Now let us be clear, in politics on the hustings for elections, on social media,

banter, meetings, virtual reports, there is place for picong, for jokes, for serious things, to keep you entertained and to get the message out. But when you enter the hallowed halls of Parliament, when I dress up, bathe, put on deodorant, put on suit and tie, prepare for hours on end, research, get facts, read Bills and come to the Senate, I come there with a very serious purpose.

Kamla Persad-Bissessar chose six, only six, because our Constitution is heavily weighted for whoever pass the post first. So even though you have 322,000 in Trinidad and Tobago, 307,000 in Trinidad and the United National Congress under Kamla Persad-Bissessar has 309,000 votes in Trinidad, you, the PNM gets 15 Senators, plus they get to choose the President of the Senate, while the Opposition gets six.

Kamla Persad-Bissessar has at her disposal qualified people in every sphere across the board, lawyers, doctor, professors, teachers, businessmen, and she could only choose six to represent 309,000 people, normally to debate for 40 minutes.

But this time under COVID-19 with no science, with no discussion, with a Red House that cost \$500 million with roof that is 15 metres high, with mask on, with glass, with sanitization, separation, our speaking time of our six Senators was cut to 20 minutes. So much so, that Sen. Wade Mark brought a Motion, because you can debate a Motion, a substantive Motion and you have a wide area to deal with that Motion. He brought that because of the seriousness of being a Senator and contributing in the Parliament.

This is not no game. This is not no kicks. This is not no power play between who feel dem in charge and who feel dey not. We are there, the Opposition is there to have its say. We can't change anything, we can't bring law, we can't out vote the PNM, the Government. But what we can do live on TV, on radio, and then for you on social media is give you the facts, dissect Bills to the best of our ability to help you the population understand what laws are being passed that will affect you. So it is not no game. It is a very serious thing. We swear and we take an Oath to serve the citizens and after the country of Trinidad and Tobago inside of there. So me eh know who playing game inside ah there. But certainly not me.

When I was down in the Parliament as a Member for D'Abadie/O'Meara I talk an hour and 15 minutes and my preparation was so good I coulda talk another hour. So when you come and you cut my time to 20 minutes, to talk to the people in the people house about their money, about their laws, and y'all playing games, well today, you the people going to decide. So share the live. You going to decide on what was right and what was wrong. Not me, because I am in the Senate,

I cannot and will not bring anybody in the Senate into disrepute or in any discussion. But what I can tell you is, and I want you all to read this because you all are going to be the judges. You all are going to determine whether that was right, wrong, a mockery, or it was correct. You will determine.

But let me read for you. This book here and y'all could put it up. Dey could hear my voice but yall could put it up. This book is, "The Republic of Trinidad and Tobago Standing Orders of the Senate". On page 34, re: "Order in the Senate and in Committee". Listen to this very carefully, right:

"(1) The President or the Chairman after having called the attention of the Senate or of the Committee to the conduct of a Senator who—

(a) has used objectionable, abusive, insulting or offensive words or language or unparliamentary expressions and on being called to order has refused to withdraw such words or language or expressions and has not offered an apology for the use thereof;"

So first and foremost, all of this, you have to use "objectionable, abusive, insulting, or offensive...language...", but that was not it you know, because if you do that, if you use "abusive, offensive, unparliamentary...language...", you are then called upon to withdraw and apologize. It is only if you refuse to apologize and withdraw that the possibility of sanction can exist. So it is not even a one-off. It continues on page 34:

"Gross disorder"

And understand that for a Senator to be removed from a sitting of the Senate he must have been guilty, he or she must have been guilty of "gross disorder". Why? Because it is very important to democracy to have the Opposition debate Bills to discuss, to banter, to put up options or otherwise to help laws become good law. It is critical to democracy so that the Government cannot utilize its power to become dictators and oppress citizens. This is not no game. This is a very serious thing.

So the Standing Orders and this is not only in Trinidad and Tobago across the Commonwealth in Parliament, for a Senator to be thrown out of the Senate, he or she must commit "gross disorder". So let me read and I am reading for you all because you all going to look just now or later on in *douglAR politics*, and you going to determine if I committed "gross disorder", unparliamentary, whatever, y'all decide. I ain't saying nutten.

"(4) Conduct shall be deemed to be grossly disorderly, if during

proceedings, the Senator concerned—

- (a) creates actual disorder;
- (b) uses or threatens violence against a Senator or other person;”—violence—
“...uses or threatens violence...
- (c) acts in a manner that displays flagrant disobedience to rulings of the Chair;”—flagrant disobedience—
“(d) acts in any other way to the serious detriment of the dignity or orderly procedure of the Senate.
- (5) The President may order any Senator whose conduct is grossly disorderly to withdraw immediately from the Senate for the remainder of that day’s sitting.”

We will just show you the second clip. Show the second clip that you just played of when I was sent out after I apologized. Listen to what I said and tell me you people decide out there, Trinidad and Tobago, if that was “gross misconduct”. “Y’all decide, I doh know. Okay. So play that second one dey.

[Video clip of 20210223 Senate Sitting repeated two times]

“Sen. A. Roberts: Ma’am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister, Leader of Government Business.

Sen. A. Roberts: Ma’am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister, Leader of Government Business.”

[Back to douglAR politics]

Mr. Anil Roberts: Now we going to showing Vishnu and Archie have put together some compilations of certain things that have occurred in Parliaments in the Commonwealth who follow the same Westminster system. They may have their own Standing Orders but they all based on the same principles. One, that for democracy to thrive people must be able to speak freely, there must be no suppression or oppression of the Opposition. The majority must not stifle the minority. That the country of which the Parliament represents, people must be free to debate the laws freely and under rules.

So let us see some actions that have occurred in Parliaments across the Commonwealth

and across the world. Run it dey, Archie.

[Video clip of 20210223 Senate Sitting]

“Sen. A. Roberts: Madam President, I would love to know what Standing Order, please, is tone it down because I have read and I have not seen it. Please advise?

Madam President: Well no, that is very good for you. If you are reading and you are not seeing it. I am saying to you and I have said it repeatedly. Unless someone wants to question the authority of the Presiding Officer, I am saying to you, tone it down.

Sen. A. Roberts: ...while the PNM Government shreds it, curtails the Opposition’s speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business.

Sen. A. Roberts: Ma’am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister...”

[Video clips of Foreign Parliaments]

[Video No. 1]

“Speaker 1: I am sorry but under the power given to me by Standing Order 43 and I think the hon. gentleman will know the implications of his action. I must order the hon. gentleman to withdraw immediately from the House for the remainder of this day’s sitting.”

[Video No. 2]

“Speaker 1: Why does this Government treat Alberta like a fart in the room? That nobody wants to talk about or acknowledge?

Mr. Speaker: Point of order, the hon Member for *[Inaudible]* Gulf Islands.

Speaker 2: I hate to interrupt my friend in her speech but I heard her say a word that I know is distinctly unparliamentary. And I think she may want to withdraw it, this word was F-A-R- T.

Mr. Speaker: The hon. Member for **Callegrie** Signal Hill.

Speaker 1: Are you serious Mr. Speaker? Is my colleague actually serious? I just gave an impassioned speech about supporting Alberta jobs and that is what the leader of a political party stands up and has to say? No, I do not withdraw it.”

[Video No. 4 of contentious debate in foreign Parliament]

[See video clipping]

[Video No. 5]

“Mr. Speaker: I doh have de the time to read the whole thing for you.

Speaker 1: You have to have de time. The people pay you to listen to us. When you have the Prime Minister insulting this gentlemen by name and you are giving them opportunities to do that, and I am talking about good governance. What is your problem, Mr. Speaker?

Mr. Speaker: The problem is they pay me to ensure that you do your job.

Speaker 1: They pay you to block me.

Mr. Speaker: And that is impossible.

Speaker 1: And that is what they pay you for.

Mr. Speaker: You know what that statement—can I get a Minister to name this person please? You going to tell me. You going to tell me—

Speaker 1: You are a mercenary of that government.

Mr. Speaker: Can I get a Minister to name this person?

Speaker 1: It is ridiculous that a Member of the House cannot speak about good governance in this country.

Mr. Speaker: Can I get a Minister of Government to name this man.

Speaker 1: Thieves. There is nothing that I have done that is illegal or against the orders of this House.

[Video Clip of 20210223 Senate Sitting]

“Sen. A. Roberts: ...while the PNM Government shreds it, curtails the Opposition's speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business”

[Video No. 7]

“Speaker 1: I note that hon. Members opposite were given as much time as they wanted to make their points, and I intend to take as much time as is my right to make my point.”

[Video No. 8]

[Video clip of 20210223 Senate Sitting]

“Madam President: ...Sen. Roberts. Sen. Roberts, I will ask you to apologize right now for the comments I just heard you make.

Sen. Roberts: What comments did you hear, Ma’am?

Madam President: I am not going to repeat what I heard. I am asking you to apologize for what I just heard.

Sen. A. Roberts: Ma’am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister, Leader of Government Business.”

[Video No. 9]

“Mr. Speaker: I would simply ask the right hon. gentleman to withdraw that word. He cannot accuse another Member in this House of dishonesty. Withdraw.

Speaker 2: [*Inaudible*—yourself, I withdraw.

Mr. Speaker: There are plenty of precedents for that I remember doing it once myself, and I remember the shadow Cabinet from West Primich once doing it out of difference to the Chair or rather the person who may be attacking. That is enough.”

[Video No. 10]

“Mr. Speaker: On page 619 of the O’Brien and Bosc I shall read what is in here:

‘In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking, the person to whom the words at issue were directed...’

And it goes on what I am going to say is that sometimes in this Chamber passion takes over and it gets kind of heated and sometimes we say things out of order or things that may not be parliamentary. The hon. Member said a couple of things that were bordering but it is up to her to decide whether they were unparliamentary. Someone took offence. I will take it under advisement, bring it back to the table and we will go from there.”

[Video No. 11]

“Speaker 2: ...what is your problem, Madam Speaker?

Mr. Speaker: The problem is they pay me to ensure that you do your job.

Speaker 2: They pay you to block me.

Mr. Speaker: And that is impossible—

Speaker 2: And that is what they pay you for.

Mr. Speaker: You know what? That statement—can I get a Minister to name this person please. You going to tell me. You going to tell me—

Speaker 2: You are a mercenary of that government.

Mr. Speaker: Can I get a Minister to name this person?

Speaker 2: It is ridiculous that a Member of the House cannot speak about good governance in this country.

Mr. Speaker: Can I get a Minister of Government to name this person?

Speaker 2: Thieves. There is nothing that I have done that is illegal or against the orders of this House.”

[Back to douglAR politics]

Mr. Anil Roberts: Welcome back and just take note that none of those parliamentarians were thrown out. None of them were thrown out because the importance, the overriding importance is that democracy must prevail. Even in the case of gross disorder. You heard the Speaker who was being abused calling for the Standing Orders, calling for a Minister to call the MP’s name so that the rules, the rules could be adhered to.

So even though he was angry and he was being attacked by the Member of Parliament, he could do nothing unless a Minister of the Government open the Standing Orders and said 46(1), 46(6), whatever. And then he would rule. That parliamentarian did not get thrown out. Ah man take the Mace in the British Parliament walk it out, walk it back, he did not get thrown out. People refuse to apologize for unparliamentary language and were not thrown out. But I was thrown out. The UNC was thrown out, 309,000 citizens were thrown out.

And when we come back you all are going to see—please share the live—we going to go through the contribution and you decide what is going on. Because we are in a state of chaos in Trinidad and Tobago. The economy has collapsed. The Minister of Energy and Energy Affairs is the most incompetent human being on the face of the planet. He is so incompetent he does not even have control of his portfolio. It is being run by a small pin and ah Oreo.

We have no jobs, people have to water, no electricity, oil gone up, transport gone up, food gone up, gas going up. Just now dey say because of the cold weather in the north oil may go to \$100 ah barrel. That means at least 400,000 cars of people who have cars now will not be able to drive your car because they are liberalizing gas. They took away your gas subsidy. They say it’s too expensive, but they spending money on renting, “al recusal” building. They borrowing money

at high interest rates from “al recusal” brother and that is what we in. And the only thing that the Opposition has is to speak in the Senate and the Parliament.

Because when the mass media and I must say that the *Express* since October has been fair and balanced, and that is what we want. The *Newsday* is coming around in the last two or three weeks. I eh sure if Judy Raymond still dey or if she geh fired. But the *Guardian* of Rowley K-Pax is still there. You still have now TTT put the Jamaican PNM on. You have a mass media who does not share information, does not adhere to journalistic integrity and principles. And therefore, the population is only fed certain pieces of information. So the one time the Opposition has to speak to the people directly is in the Parliament and the Senate.

You saw what parliamentarians do and they behaviour. Are y’all saying that Sen. Anil Roberts did anything approaching that? And number one, my time of speaking was curtailed. That is a serious punishment. And then, for apologizing I was thrown out. That is a major punishment. Not only on me. I doh represent me inside ah dey, I am a Senator of the United National Congress of the Opposition representing 309,000 citizens and the entire country. Those who do not care about politics, those who don’t vote and those who independent. This is not no game.

So you people, when we come back, we going to decide—you sit down there and you decide if these Standing Orders—if any conduct shall be deemed grossly disorderly, if it created—if Anil Sen. Roberts created actual disorder. If Anil Roberts used threatening violence or against any Senator or other person. If Sen. Roberts acted in a manner that displayed flagrant disobedience. You all determine when we come back. “Leh we take ah short break. We coming back.”

[Video clip of foreign Parliament]

Hon. Member: And I want to excuse the prime minister, you know, but I will touch on her later. But hon. Minister, Madam Chair, through you, hon. Minister of Finance, do not ever pretend as if you so love my country more than me. It could never, ever happen, never. This is all I have. This is all I have. I do not have nothing else nowhere. Nothing else nowhere. So when you get up in a press briefing and you talk about how Members of Parliament doing this and doing that, and putting the country in jeopardy and doing this, absolutely—look, listen, stop it. Do not—no, no, no, no, do not do it. It is unbecoming. This is my country, all my children and “dem” born here. Wife, girlfriend, side chick, this chick, “all ah dem”; everyone “ah dem from here”—all.

[Back to douglAR politics]

Mr. Anil Roberts: You all see it? I agree with him. So when I go in the Senate, “I not on no games with nobody. I eh come dey to play no tit for tat, no little child games, no puerile ting”. I have researched, I have done my work, I have read the Bill and I am coming to present a case to you, the people, through the Senate, that the Opposition has chosen me to sit for this moment representing many people there.

There are many brilliant people who could sit in that Chair. I treat that Chair with respect. I work hard to make sure that my contributions are insightful, get down to the nitty-gritty, unmask the dictatorship and dictatorial tendencies of the PNM to do what they want; “dey legalize tiefin”, and whatever they want to do to oppress and suppress people of all classes, races and religions in this country. So “run de track” Archie from the beginning and then we will cut it and you all will determine. Let us go— this is a very serious debate on the speaking time of Senators in the House.

Since August 29th, our speaking time had being cut in half but “we drawing full pay, we talking only 20 minutes”. But in between, “Faris Al-recusal, Al-ah loss 31 case, Al-ah rental, Al-ah collect he money on time”, bring three Bills and we sat down there for 12 and a half hours, so COVID went on holiday that day. For the budget, they moved from 20 minutes to 40 minutes, so COVID went on holiday for the budget debate. What is the science? Why the suppression of the Opposition to speak? Run it.

[Video Clip of 20210223 Senate Sitting]

“Madam President: Sen. Roberts.

Sen. Anil Roberts: Thank you, Madam President. Let me just start the debate by responding to some of my hon. colleagues on the other side. Sen. de Freitas, for example, he spent a lot of time talking about Sen. Mark. I believe that the Motion was about Sen. Mark and his longevity and the amount of time he contributes and so on. Let me just make it quite clear that Sen. Mark is the Leader of the Opposition Bench. He represents the United National Congress, all five Senators here and himself, and 309,000 people. So when he asks questions, he asked on behalf of the population as he is so entitled to do. The United National Congress, we caucus, come up with questions, and it is not just Sen. Mark.

So I am not sure where Sen. de Freitas was going there to calculate the urgent questions, plus the questions on notice, plus how much time Sen. Mark debates. He is entitled so to

do. He is a Senator here, an hon. Senator, and he represents 309,000 people who voted for the United National Congress.

Sen. de Freitas also spoke about the risk to exposure, and this Motion speaks about the new normal. The new normal must be based on science. I think my hon. colleagues on the other side have lost the debate, they have lost the plot. We want to understand the science that is making your decision. Why did the Leader of Government Business in the Senate come today and make a quick change at the beginning to say that we could go to 45 minutes for the mover and the first two responders, and then to 30 minutes, instead of 20? What was the science that brought about that decision? That is all we want to know. Because a pandemic, health issues deal with science, and the science is confusing me.

So when I hear Sen. de Freitas talk about the risk of exposure and that is why we cut the time, was there no risk of exposure when the PNM brought three Bills and we sat down here for 12 and a half hours debating until two o'clock in the morning, or on that day was COVID-19 at rest or at sleep? Was there no risk to exposure when we were here and we went to normal contributions for the budget debate, or where was the risk to exposure?

Furthermore, the PNM on that side has criticized Kamla Persad-Bissessar and the UNC for talking about the risk of exposure outdoors, as opposed to indoors. Because anyone who knows and studies and reads the science would know that any virus, including the COVID-19 virus, has a shorter half-life when it is outdoors in the sunlight. It lives for 12 hours. Therefore, if you are in the sunlight, the risk to exposure is shorter than if it is indoors or in a cold climate of 72 hours, and that is the science.

So I am not sure how my colleagues on the other side changed the science to make fun and jokes, and then when we are coming here to debate serious issues in this Senate—this is not a joke. I like politics. There is time for jokes and there is time for picong that is on the pulpit and the hustings and so on. But when we come here to debate, it is a serious time. So I am not sure what my colleague was talking about.

He said he talked about quality versus quantity, that anybody could get up here in 10 minutes and be brilliant, but sometimes—and I must say I congratulate him for being honest, as he went to basically confess his incompetence at debating. Because he said he tried to sit down for 40 minutes, and when he did that he did not perform well. Then when he shortened it, he did not need to talk so long. So I look forward to Sen. de Freitas in the

future curtailing his contributions, and so that we could get high quality, as he is unable to debate for a sustained period. I think that honesty is very important.

So we move on to Dr. Amery Browne, and this was shocking to me, because a doctor—a doctor is a scientist. A doctor is great at science, pandemic is science. Speaking time, exposure, science; risk of infection, science. But yet I listened to Dr. Amery Browne and I was shocked. I had to actually google to double check that he was not a Doctor of Arts or a doctor of drumming or music, and it said “medical doctor”. I am absolutely astounded, because in his contribution today he took a left turn and went totally away from science that he may have studied long ago.

He spoke about also the Greek Parliament and the Greek Parliament curtailing their time. They did not. There was a pandemic, there was exposure around of the area of the Parliament. They did not curtail speaking timing. The Greek Parliament meets quite often, it meets five days per week. But what they did was instead of meeting five days, they started to meet three days to discuss Bills and draft legislation and so on.

Dr. Amery Browne talked about bipartisan, that we need to come here for the people’s good to discuss Bills and to get together and promote good law which is great but there is a problem here. The hon. Leader of Government Business came here, for example, I was prepared for 20 minutes. I had no idea that this morning we would change it to 30 minutes, so I am not understanding the bipartisan approach when we just reach here and just so the time changes without any scientific explanation.

Dr. Amery Browne was talking about quality versus quantity. But I recall I love listened to debate, and I listened to the Minister of Foreign and Caricom Affairs in the budget debate in his first contribution, and for 14 minutes he went through—I also met Johnny and I also met with Susan and I also met—and for 14 long minutes he went on repeating about who he met with as Minister of Foreign and Caricom Affairs after five weeks of being sworn in. And I wonder if that was quality debate because he is criticizing the UNC and saying that we do not have quality contributions to make. I think we have a lot to contribute.

Furthermore to discuss and to criticize and to state whether we should speak or not, the people are watching, the people are viewing this Senate and this House. This Parliament is for discussion, for debate for the population’s benefit, not for the Government’s benefit, not to please Dr. Amery Browne or any Minister. This is here—Minister of Foreign and

Caricom Affairs—sorry, Ma’am. Yes. Not to please the Minister of Foreign and Caricom Affairs. I was trying to break a record, Madam President, but I reached a little four minutes but we are here for the people. This is live on TV, live on radio, social media so that the population can get, ascertain what we are doing here.

We are debating some critical Bills, some Bills affecting constitutional rights, and to curtail that for 20 minutes. I know that some lawyers even on that side are saying, “Yes boy, I agree with you because we cannot debate critical issues in 20 minutes” as has been stated by a number senatorial colleagues in this Chamber. Dr.—the hon. Minister of Foreign and Caricom Affairs also said and some of Independent colleagues—

Madam President: Sen. Roberts, because you said you were going for the record, it is the hon. Minister of Foreign and Caricom Affairs.

Sen. A. Roberts: Thank you.

Madam President: I keep reminding, Senators, it is your obligation, your duty to understand how you should address one another.

Sen. A. Roberts: Thank you very much, Madam President, I humbly apologize, the hon. Minister of Foreign and Caricom Affairs. He stated that no one has contracted COVID-19. Really? How do we know? How many of us have been tested when we take our temperature outside and we check and sanitize? How many of us have been swabbed? How many rapid tests have been taken since August 29th when we came into the Senate? How many of us know if we contracted it? Eighty per cent of people who contract COVID-19 do not get a fever, do not show a symptom, they move around very normally, so we are stating categorically positions without scientific basis of fact and we need to stop that. This is the Senate, the Upper House, we should be making comments based on information, on record. None of us in here know whether we did or did not contract because we have not been tested. Let me move on now.

As the Motion says, and I would just like to say to the Government Members. If you believe that the speaking timing is too long, it is okay, you all have the numbers, you have 16. So instead of suppressing and oppressing the rights of the United National Congress and the Opposition’s speaking time, curtail yours. You all are in the majority, so if you need to cut a certain amount of time out of the debates, then you limit it, you have 16, so limit your 16 to 20 minutes and leave us with our full time so that we can do our job that the taxpayers

are paying us so to do.

The Motion speaks about the new normal. I have heard Sen. de Freitas and Sen. Amery Browne state that our Constitution and our rights we have not been opposed here by the Government, by the majority, that we agreed to the speaking time. Sen. de Freitas even went on to say that he had a meeting with the Leader of the Opposition Bench and in a meeting he said that, I do not even know that, that is a private meeting but here on the floor when the Motion was brought, we disagreed and we will always because we are here to do our job, and in most cases on Bills. Even the total speaking time is insufficient to really dissect intricate details of clauses that impact our citizens when we pass it here but the new normal has to be based on science. The framers of our Constitution intended to create something resembling a democracy. Then came 30 years of uninterrupted PNM and now we are here, democracy thwarted.

What is the science? We must understand that science informed the PNM to come today to increase and change the speaking time to 45 minutes and 30. Why not 40 minutes as normal? Why the extra 10 minutes increases COVID-19 contagion? This has been the problem not only here in the Senate but across Trinidad and Tobago. People are asking the question, why can a restaurant open until 10? Is COVID-19 less infectious in a restaurant than in a bar? We are—I am trying to understand the rules that we would like to follow based on science, not on opinion, not on feeling, not on who likes who. Oxford—and the PNM loves Oxford since two students told them that they were number one and they believe that and we have heard that a 100 times. But we moved from number one to 192 now and we are borrowing vaccine and then claiming that we did not get it. Science is the intellectual and practical and—

Madam President: Sen. Roberts, two things. I will ask you to be relevant to the Motion, and I will ask you please, you started off with one tone and you are steadily rising. I will ask you, please, to lower your voice.

Sen. A. Roberts: Thank you, Madam President. In the UNC we will rise...”

[Back to douglAR politics]

Mr. Anil Roberts: This is the Standing Orders. Nowhere in this book is there anything about tone, volume, talking loud, booming voice—nowhere, nowhere. Okay? So now we begin, you all decide and you all determine. Everything was going smooth. So do you understand the debate?

So the Motion is about the speaking time being cut in half since August 29th. Taken—despite opposition from the UNC, we did not agree. One or two or three Independent Senators voted to cut their own time to talk, that is their business, we did not. We wanted our full time, we getting full pay, we come to “wuk”. “Boss Lady, we come for this wuk”. So we did not agree.

So the Motion is about the new norm. The science—what is making the decision to cut time in half? The building is huge. What is the science that says if we speak 20 minutes instead of 40 minutes behind a big screen that you will be exposed to COVID-19 more, when the others have mask, where we sitting down eight feet apart, the roof is 15 meters high, ventilation all around, sanitization stations all through the place? What is the science? That is the debate. So you all determine: going good, relevant or nonsense, pelt out? Go again.

[Video clip of 20210223 Senate Sitting]

“Sen. A. Roberts:...and we shall rise. The science, the intellectual and the Motion—let me stick, I am trying to talk to the population and understand the new normal is science-based normal. Everything we do must be science-based. If we are curtailing time here, you must state categorically that a 15-metre high building with X amount of cubic feet of air with the air condition pushing and changing the air every two hours is only sufficient for 20 people therefore, we will remain here for X amount of time, 20 people at a time and debate. You must say that. You cannot come here today this morning—this Motion, for example, and Sen. The Hon. Minister of Energy and Energy Industries knows that we have been complaining about the speaking time since August 29. But just this, this Motion was filed sometime back weeks ago. It was put on the Order Paper and agreed to by Independent Sen. Anthony Vieira five days ago. Why is it now that you come here when the debate is ready begin to come and say, you have increased time from 30 minutes to 45, and from 20 to 30? That is playing games. I would not use the words that Sen. de Freitas used because I do not think they were parliamentary but I think that is not, that is playing fun and games with serious issues. And to come here now and for the hon. Minister of Foreign and Caricom Affairs to state that Sen. Wade Mark was out of order and ridiculous to come here and debate for 45 minutes asking for more time but he used his full time that was just given, I think the population will say that that is not becoming of an hon. Minister and a Cabinet member.

Science which is the new normal. The definition of science by the Oxford

Dictionary says that:

“...the intellectual and practical activity encompassing the systematic study of the structure and behaviour of the physical and natural world through observation and experiment.”

It is a very specific definition but coming here today we see PNM science is exhibit total incompetence yet portray illusions of grandeur, aided and abated by a complicit mass media, suppression of democratic debate and a hijacking of independent institutions.

We have seen over the years, manipulation of science, not just here in Trinidad and Tobago but internationally. Who could remember, the history buffs will know that the Tuskegee Airmen, for example, African-American pilots of great skill who wanted to serve their nation, scientists told them and put studies laid in the Congress of the United States that stated that African Americans’ oxygen capacity to their brain was less than their Anglo-Saxon counterparts and therefore, they could not fly those jets because they would be more susceptible to passing out. That was science being abused to create a situation that they wanted which was, at the time, they did not want African American pilots in the Air Force in the US at that time back in the ’40s and ’50s. How many of us use to think that people black people could not swim?—because scientists went in the Congress—

Madam President: Sen. Roberts, please. Please, it might be affording some people humour. It does not. It is not in accordance with the standards here. Please come to the matter at hand, please.

Sen. A. Roberts: This is not humour, Ma’am.

Madam President: Please, Sen Roberts—

Sen. A. Roberts: Let me—okay.

Madam President: I am not saying that you are humorous. I am not saying that. I am asking you though—

Sen. A. Roberts: Yes?

Madam President:—to please be relevant to the Motion.

Sen. A. Roberts: Okay. Can I please advise you or try to advise of the relevance...”

[Back to douglAR politics]

Mr. Anil Roberts: Do you all realize—now you tell me—I am discussing the overall Motion is that the PNM is using fake science saying and claiming that it’s science, to suppress and oppress

the Opposition and the voice of the Opposition and suppress democracy. That they have concocted, under this COVID-19, some sort of science that says: “Cut the Opposition time, doh leh dem talk. Cut in half.” That is the position. That is the case that we are making. I am giving examples, globally, when science or fake science was used to oppress and suppress the rights of certain types of citizens.

In the case of USA, with the Tuskegee Airmen. Scientists said that oxygen in our brains, black people brain, the passage for the oxygen going to the brain is smaller than a white person. Therefore, when you are flying those fast jets and doing manoeuvres, that a black man like me, a pilot, ah dougla, will pass out and crash the plane and be useless in the war. Therefore, no black people must be in the Air Force. Do you find that humorous?

I was then going on to tell you, and all of you may have heard and some of you may still believe that black and brown people cannot swim, because our muscles heavy and our bones dense and we does sink. Share de Live because ah feeling plenty ah allyuh going—“Yes, but that is not true Anil”. Absolute, abject total nonsense perpetrated by racist scientists who fake information, took it to the powers that be who wanted to suppress black and brown people from utilizing country clubs and pools in the USA, Europe and so on. So there was no access for people who look like me to go and swim. That was fake science used to suppress and oppress people.

And then they tried to tell me that’s humorous. What part ah that was humorous? What part was kicks? Did you all think I was joking? What, what was that? You could rewind ah lil bit? Is it possible to rewind like 30 seconds or 45 seconds? I want you all to tell me if I was on kicks, because I want to know. I want to know if I have to go St. Ann’s and get ah blue tablet for mehself. Run it and leh we see if is kicks I kicksin’ or if is serious thing I talking.

[Video clip of 20210223 Senate Sitting]

“...scientists went in the Congress—

Madam President: Sen. Roberts, please. Please, it might be affording some people humour. It does not. It is not in accordance with the standards here. Please come to the matter at hand, please.

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Madam President: Please, Sen Roberts...”

[Clip moves to earlier portion of 20210223 Senate Sitting]

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Sen. A. Roberts: This is not humour, Ma’am.

Madam President: Please, Sen Roberts—”

[Back to douglAR politics]

Mr. Anil Roberts: You all please determine, where is the humour? What is the joke? What’s the kicks? And the matter—come back to the matter at hand. I am saying to you the people out there, the matter at hand was that the PNM is using COVID-19 data and science to curtail rights to make us wear masks in car even though you are with your wife and child—to make bars close but restaurant open. KFC open but Royal Castle close. Doubles vendor close but others could sell indoor air-condition. Beaches open but rivers close. You could play outdoor sports now but not indoor. But you have to wear a mask. There is no science, and just like that in the Parliament, in the Senate, they are cutting and suppressing the Opposition speaking time, because that’s the only

time the UNC gets to talk the truth, freely, without media bias, without media analysis, without columnist, without headlines, without editorial content, we get to talk. And we paid by you to talk. So I would like to know, if I have to get back to the matter at hand, you tell me people or was I on the matter at hand? Run it, continue there. Let the people see.

[Video clip of 20210223 Senate Sitting]

“Madam President: I am not saying that you are humorous. I am not saying that. I am asking you though—

Sen. A. Roberts: Yes?

Madam President:—to please be relevant to the Motion.

Sen. A. Roberts: Okay. Can I please advise you or try to advise of the relevance, the new normal as I have stated is science-based. In times science has been utilized by people with nefarious motives to create and suppress the democratic rights of citizens internationally and locally.

My position here on this Motion is, that the Government has used their majority to suppress the rights of the Opposition to speak, to debate and to make the population aware of the laws that are being brought to thwart their constitutional rights and their ability to enjoy the freedoms of being born in Trinidad and Tobago. *[Desk thumping]* This is the debate that we are here for. The science and I am giving examples of when science was warped right here in Trinidad and Tobago.

Remember in the 2004 to 2008 where scientists came down and told us that a smelter plant would not give people cancer. They put people on planes and took them to Brazil, and people came back and said, we went to the island where there is a smelter plant and we saw no cancer. We were told that. A doctor from Nigeria from Harvard who was paid by the smelter company Alcoa came here and told citizens that the smelter plant the Chinese technology which other scientists had said was the worse without scrubbers it would lead to testicular cancer, lung cancer, throat cancer. A scientist came here paid for by the smelter company to change the science and tell people that it was safe. Thank God the people stood up and did not fall for that. We must use science really and truly to promote truth and to have an idea, even here in the Senate that is science-based and allows the Opposition to do our work.

We have been thwarted from August 29th to present. We are still thwarted by our

10 minutes and we want to do our work on behalf of the people of Trinidad and Tobago based on the science. And I am yet to understand why the curtailment because the science, for example, would state, that here as stated by Dr. Amery Browne, we have great protocols. We have temperature testing, sanitization all over, high walls, great airflow, Plexiglass, sanitization in between speaking, we are separated, we wear masks. Then why the need to curtail the Opposition from speaking? There is none. Because if you follow science, the risks of exposure is minimal to none, so your argument is moot, if you follow the science. Moving along.

We also see science, for example, the Government in one aspect is saying one thing, and then here in the Senate we are ruled by another thing. We have just learned that, for example, in sport as of Monday we are allowed to play, 22 people playing football, rugby, basketball outdoors. The science that the Government said they are monitoring and adhering to says that 22 people can be in close proximity for any amount of time wearing masks, playing physical activity, exerting themselves, tackling each other, falling down on each other, sweating on each other, poking each other's eyes, that is okay. But yet we are here in a pristine building with full protocols, full scientific ability, social separation, sanitization, ventilation but yet you want to curtail our speaking time. There can be only one conclusion, that you are thwarting the democracy and thwarting the democratic rights of the Opposition. [*Desk thumping*]

We can go in MovieTowne, sit down in an enclosed space smaller than this and sit down for two hours eating popcorn, pulling down our masks to eat popcorn, to eat shrimp wantons and drink a Coca Cola but we cannot debate here because the PNM says, we in the Opposition must talk short. That is not right, and we call for a full reinstatement of Opposition time, all speaking time, and if the PNM and the Government wishes to curtail their time, so be it but we are here to represent our constituents, to research and read and to pass good law and we cannot continue to be curtailed.

We see the science also unfortunately our nation now has been deprived of a home qualifier football match and I am having a problem seeing the science at work, because last August in the height of the pandemic with people dying left, right and centre, after we had been at eight deaths for three months and two weeks, we moved up quickly to 100 deaths but we had the CPL here, and those players came in from all over the world. They stayed

in what we called a bubble, they quarantined for seven days and then another seven days of practice but our national football team who is preparing to try to make us proud by qualifying for the World Cup cannot—

Madam President: Sen. Roberts, please, you are not being relevant to the Motion here. The Motion in this Chamber is about the speaking time of parliamentarians. That is the Motion.

Sen. A. Roberts: Thank you, Madam President. The speaking time of parliamentarians has been curtailed by the Government based on their science, their data, their COVID-19 protocols. And I am saying that their science in here does not match their science out there.

Madam President: And I am saying to you, Sen. Roberts, that you need to tone it down, tone it down.

Sen. A. Roberts: Madam President, I would love to know what Standing Order, please, is tone it down because I have read and I have not seen it. Please advise?

Madam President: Well no, that is very good for you. If you are reading and you are not seeing it. I am saying to you and I have said it repeatedly. Unless someone wants to question the authority of the Presiding Officer, I am saying to you, tone it down.

Sen. A. Roberts: Madam President, I am not questioning you. I am asking you, what Standing Order?

Madam President: Actually, you actually questioning me.

Sen. A. Roberts: What is the Standing Order?

Madam President: You actually are questioning me. And I am going to say to you, continue along this line and your speaking time will be curtailed today.

Sen. A. Roberts: Thank you, Madam President, I would not be shocked but let me continue. I quote—

Madam President: Sen. Roberts, please, those off-hand remarks, cut it out.

Sen. A. Roberts: Let me say, this is a good time to quote one of the greatest...”

[Back to douglAR politics]

Mr. Anil Roberts: Many questions. You all are the judges. Tone it down. What is that? Standing Order? This is Standing Order. This's de book. *[Book in hand]* The referee supposed to use this book. In here, nothing on tone, on volume, on anything of such. Was I rude? Was I grossly disorderly? Was it a gross disorder to ask, what Standing Order? You determine, because I can't.

I have nothing to say. I am showing you de people, because that is your Parliament, that is your Red House. Allyuh pay my salary, allyuh. We representing half ah allyuh out dey, and we inside de Red House that build and refurbished with allyuh money. So I asking allyuh:

“Gross disorder

Conduct shall be deemed to be grossly disorderly, if during proceedings, the Senator concerned—

(a) creates actual disorder”

Did I?

“(b) uses or threatens violence against a Senator or other person”

You tell me.

“(c) acts in a manner that displays flagrant disobedience to rulings of the Chair”

One, was there a ruling of the Chair? Is asking a question about Standing Orders and the rules that we have to read and study here—now many of those PNM people don’t even know. They there five years, six years, 10 years, they don’t even have—when we talking, they does be running through looking to see. Sen. Mark make sure all his Senators know this inside out. We had to do we homework and we had to learn it. So you all don’t care that I learn this? You all don’t care that I know the rules? You all don’t care that they supposed to be rules? Is that the democracy? Is that? You decide out dey. Allyuh in charge. Go ahead Archie.

[Video clip of 20210223 Senate Sitting]

“...soca songs of the year by Blaxx. I am going to quote from it because it is a hit song. We did not have a Carnival probably because the COVID-19 protocols and the science was not followed from last year February. Had it been followed properly, pertinently and to the best of everybody’s experience we may have been able to have a domestic Carnival.

Madam President: Sen. Roberts, you are speaking on everything but the Motion. This is your last opportunity.

Sen. A. Roberts: And in the song Blaxx said:”

[Back to douglAR politics]

Mr. Anil Roberts: Everything but the Motion. Let me just remind you all, because you all are adjudicating. The Motion is about the suppression and curtailment of Opposition Senators speaking time since August 29th for this session and previously since March. The position of the Opposition has always been that the PNM is utilizing COVID-19 to oppress the people; whether

it be citizens, whether it be businesses, whether it be people who are opening, they are using and dipping in the Heritage and Stabilisation. They are claiming statistics. They are manufacturing data. They talking 'bout curve that flattened when we did not even had testing for a curve. They increased data testing in a one-day period by 31,000 tests, without any increase in positives. They are putting our lives at risk. They could shut down Parliament and talk 20 minutes, but when they have THA election, everybody together for three hours drinking, eating and wining on each other. But that is science.

So the argument is that we are saying in the UNC, and I am saying, the PNM is manufacturing science to suit them. So some people have to stay outside with no exemption to come, and some could go out and come back. A dog could come back. Foreigners could come back to work in a plant to make blue water that ah still not buying, but citizens still outside suffering, cannot get an exemption. Delcy Rodriguez and PDVSA officials could land in ah lockdown, get approval and exemption from the Minister of National Security, the only person who could do that. On a sanction jet, they could land and go to meet the Prime Minister face-to-face, but 90-something Venezuelans who want to go back Venezuela, because Trinidad is sufferation, and they prefer to suffer at home rather than here, their plane can't come because the airline Conviasa is sanctioned. The disparity in the application of science is the debate, is the Motion. You determine whether I am irrelevant or making sense. Run it.

[Video clip of 20210223 Senate Sitting]

“If yuh cut meh, yuh go see blood

And if yuh squeeze me, yuh go feel de love

We are one people under the sun

One nation under the law

And all of us here are one nation under the law to make laws.

Who feel they too bright, 99, one per cent, love to wine, represent

All ah we want to see happiness, prosperity

I for you and you for me

He had to write this classic song before September 2015 because Blaxx believes in his constitution while the PNM Government shreds it, curtails the Opposition's speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business. [*Desk thumping*]

[*Back to douglAR politics*]

Mr. Anil Roberts: Rewind da lil piece dey. I and all still in shock. I must be watch that bout 20 times, but leh me doh say nutten”. Rewind that dey Archie?

[*Video clip of 20210223 Senate Sitting*]

“...PNM Government shreds it, curtails the Opposition’s speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government...”

[*Back to douglAR politics*]

Mr. Anil Roberts: [*Laughter*] You know if it wasn’t so serious—Archie, play it again. Curtailing a Senator’s speaking time is a very serious punishment, yuh know. It is only reserved for areas of gross misconduct:

“(b) uses or threatens violence against a Senator or other person

(c) acts in a manner that displays flagrant disobedience...”

[*Video clip of 20210223 Senate Sitting*]

“...believes in his constitution while the PNM Government shreds it, curtails the Opposition’s speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business. [*Desk thumping*]

[*Back to douglAR politics*]

Mr. Anil Roberts: So, I have dissected it and you all, I not saying much you know. So, I say that you all, the PNM—the PNM the Government is oppressing and suppressing the voice of the people, the voice of the Opposition so that they could come in here, pass any laws and oppress people out there. They doing this without science, with fake science willy-nilly. They applying the law differently. So those who have, them don’t have the law. They have “wessors and zessers”. They have lie down on de floor and they have go home and party. It have lock down, it ha lock up and it ha release. It ha all kinda different rule for everybody, and inside here allyuh even controlling our talking time and how loud or soft we talk. I geh pelt out for saying the truth. I geh pelt out of ah Senate that I take an oath to serve the people, take it serious.

I am honoured to be selected to represent the United National Congress, the Opposition Party, by the Leader of the Opposition. I understand that there are many other people who could be in my seat, and I treat that with respect so when I go there, I go there prepared and all, me eh not on no kicks with nobody. Me eh on no game with no lil. I not on that. So you all determine. My speaking time just got curtailed for four minutes cut off, and that is the third time in 10 or 12 debates. The only human being that speaking time has been curtailed is “moi”, three times. On top of that, how much time, interruptions.

So I ask you all out dey, was I being relevant? Do you understand the Motion? Do you understand the point? Or was I being irrelevant, disrespectful, grossly out of order, disobeying, flagrantly disobeying the rulings of the Chair and so on? Is that what you all saw? Continue dey, finish it off.

Archie: It finish.

Mr. Anil Roberts: Nah man, it eh finish. I eh get pelt out yet. Ah know dai one thing, ah get curtail. Now it ha pelt out. You eh know it ha pelt out boy? Yeah man.

[Video clip of 20210223 Senate Sitting]

“...Thank you very much, Madam President. Madam President, I join this debate—

Madam President: Minister, just one second. Sen. Roberts. Sen. Roberts, I will ask you to apologize right now for the comments I just heard you make.

Sen. Roberts: What comments did you hear, Ma’am?

Madam President: I am not going to repeat what I heard. I am asking you to apologize for what I just heard.

Sen. Roberts: Ma’am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber.”

[Back to douglAR politics]

Mr. Anil Roberts: Leave the Chamber. Now understand, when my speaking time was curtailed, I picked up my papers and I said this is a joke, walking back to my seat. That was the exchange. What did I say, Archie? Did I say I refuse to apologize, I am not apologizing? So I take instruction even though I disagree. I say I humbly apologize for saying this is a joke and get pelt out. PNM people, leh meh hear wha allyuh saying. Allyuh in charge, allyuh is de Government. Leh meh hear if that is what allyuh want in the Parliament. PNM people ah talking to now. Run da lil piece again

when ah geh pelt out of ah Senate, the Red House, the seat of democracy. When you saw clips, a man pelting down thing cussing brown paper bag, shouting nearly fighting, dey didn't geh pelt out. You all decide.

[Video clip of 20210223 Senate Sitting]

“Sen. Roberts: What comments did you hear, Ma'am?

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Sen. Roberts: Ma'am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister, Leader of...”

[Back to douglAR politics]

Mr. Anil Roberts: We going to take ah break and we coming back. *douglAR politics*. Yuh all decide. Put yuh comments, put yuh thing. Allyuh determine what is really going on. We coming back.

[Song plays during break]

Mr. Anil Roberts: Now, not only that you know. I am just going to leave something that Vishnu and them put together and it's not exclusive, it's not full. It's not everyone eh. On August 29th was the first debate, I believe, first debate, had on mask and it started. I am just going to leave this there for you all. You are the judges, because that is your House. That is your Parliament. I not in dey to play no game. This is my show, *douglAR politics* here, this is me. I could do what I want here. When I inside dey, I am representing the United National Congress and people, citizens—309,000 people who voted for her and even the 500,000 didn't vote. They want to hear the information because every law that is passed in there affects each and every one of you out there, including PNM people. And I happen to know that many PNM supporters are very, pay very close attention to when I am debating, so that they could even learn about what their Government is doing, and that's okay. That's what it is there for. That's what we are there for. So that when the PNM people go in dey General Council, they could take notes from what Wade Mark say, Jearlean John say, Jayanti Lutchmedial say, what Sen. Nakhid say, what Sen. Lyder say, what I say and they could go and say: “But, hear nah, we doh agree with that. Allyuh change that nah.” And they could impact governance. They could impact democracy.

The Senate is not no joke, so I doh know who playing game. But look at games that have

been played and you tell me, you tell me if this is what allyuh want, if this is right, if this is democracy. You tell me, and then they want to go and talk in Commonwealth Parliamentary Association discussion and Zoom meeting as if dem is bastion of everything. I ha nutten to say again. Allyuh decide. You are the people. Archie, run it nah man, run ah lil bit.

[Video clip of Senate Sitting]

“Sen. Anil Roberts: Thank you, Madam President. We began today with a lovely prayer that spoke about impartiality, prosperity and peace, dealt with the dharma, and the karma but then, just like that, without any debate or discussion, I cannot have my colleagues here with me, we are down to three Members. The Government is down from 16 to eight, and I want to know on what science was this distance—this decision made?

Madam President: Sen. Roberts, please take your seat. The arrangements for the Parliament, for the Chamber lie with the Presiding Officer. It is there in the Standing Orders and I do not think it is proper, in fact I am telling you it is improper for you to be questioning the decision of the Presiding Officer in respect to arrangements of this Chamber. So stop on that point and move on please.

Sen. A. Roberts: Thank you, Presiding Officer...”

[Back to douglAR politics]

Mr. Anil Roberts: And my point on conflicts of interest.

[Video clip of Senate Sitting]

“...based on conflicts of interest. So I am glad that he understands the principle because he was at great pains to let the population know—

Madam President: Sen. Roberts please, you have 20 minutes. I would ask you to treat with the matters before us, okay?—the Bill that is before the Chamber.

Sen. A. Roberts: Madam, please guide me, because as far as I know and aware in debate, when the Attorney General opens up the debate and discusses, that that is also open for debate. Has it changed, Madam President?

Madam President: Sen. Roberts, continue.

Sen. A. Roberts: Thank you, Madam President.”

[Video clip of Senate Sitting]

“Sen. A. Roberts: ...I saw that we were not all in this together. The Motions were denied, discussions were not had, plans were not made—

Madam President: Sen. Roberts.

Sen. A. Roberts: And I am interrupted. Yes, Ma'am.

Madam President: Sen. Roberts, you are so far from the Bill that is before us, I would ask you please to please come to the Bill, and I would also ask you please to just lower your voice a little bit. The acoustics in here are quite good and there is no need to be shouting.

Sen. A. Roberts: Well, thank you for your guidance. I am definitely not shouting, Madam President. I was born with a loud mouth. I can blame my mother and father for that.

Madam President: Well, Sen. Roberts, Sen. Roberts, if that is the case, then try to whisper.

Sen. A. Roberts: I would certainly try to make you happy. I notice that I have been interrupted quite a bit. It is okay—

Madam President: Sen. Roberts, listen, you are in the Senate, you are in the Upper House. I would ask you to get your behaviour in line and to also heed the advice. You are getting advice from the Presiding Officer and there is no conversation going on between you and me. Okay? I make the rulings, you abide by it.

Sen. A. Roberts: Thank you very much, Madam President.”

[Video clip of Senate Sitting]

“**Sen. A. Roberts:** ...I just want to check, check, check, check, check one, check two, make sure that the mike is good and not too high.”

[Back to douglAR politics]

A few moments later.

[Video clip of Senate Sitting]

“**Madam President:** Sen. Roberts, please. Can we—if you look at the Standing Orders, you will see that we are supposed to be speaking in English. And on top of that, as I walked in your voice is reverberating throughout the entire Chamber. So could I ask you to take it down a little bit please?

Sen. A. Roberts: Good afternoon, Madam President. I will guard your endurance quickly. Thank you. I will try my best.”

[Video clip of Senate Sitting]

“**Sen. A. Roberts:** ...I just want to check, check, check, check, check one, check two,

make sure that the mike is good and not too high.”

[Back to douglAR politics]

Twenty minutes later.

[Video clip of Senate Sitting]

“Sen. A. Roberts: ...If you were—*[Desk thumping]*

Madam President: Sen. Roberts. You have five more minutes. Use those five minutes wisely and lower your voice, please. You are getting increasingly—it is either you are agitated but your voice is just rising.

Sen. A. Roberts: Well, I am definitely not agitated, Ma’am.

Madam President: No—thank you.

Sen. A. Roberts: Thank you, guided, guided. Thank you.”

[Video clip of Senate Sitting]

“Sen. A. Roberts: ...I want to thank all...”

[Video clip of Senate Sitting]

“Sen. Roberts: Let me put a small pin there. But...”

[Video clip of Senate Sitting]

“Madam President: Sen. Roberts.

Sen. Roberts: Thank you, Minister of National Security. Countless videos have been shown by Trinidad and Tobago fishermen and by citizens down in Chaguaramas of Venezuelan fishermen coming off board and going into Massy Stores and buying goods and so on. Is the Minister aware of this?

Madam President: Sen. Roberts, please. You just made a whole speech. I am asking you to tighten it, tighten your question. Just ask the question.

Sen. Roberts: Thank you, Madam President. I am just trying to give the Minister some information, because it was a question for the Minister of Health.

Madam President: Then if you are to give the Minister information—please take your seat. If you are to give the Minister information, you have to give it in as concise a manner as possible.

Sen. Roberts: Minister, there has been evidence as shown over—

Madam President: Sen. Roberts? Minister, you can now answer, the question has been posed.”

[Video clip of Senate Sitting]

“Sen. Roberts: Let me put a small pin there. But I am a fisherman and I have seen Venezuelans disembarking down in Chaguaramas without COVID testing. So will you undertake to protect us from this invasion of COVID-19 please?

Madam President: Sen. Roberts, number one, you just made another speech. Number two, that question, if it was a question, it is not allowed.”

[Video clip of Senate Sitting]

“Madam President: Minister of Agriculture, Land and Fisheries.

Sen. The Hon. C. Rambharat: Madam President, I am pleased to say that there are no other drugs used for COVID-19 which fall within the price range 100 to 200,000. Thank you very much.

Madam President: Sen. Roberts.

Sen. Roberts: How many patients have been treated with this extremely costly drug or drugs?

Madam President: No. Sen. Roberts, I will not allow that question.

Sen. Roberts: What is the success rate of this prohibitively costly drug?

Madam President: I will not allow that question either. It does not relate to the question that has been posed and the answer received.

Sen. Roberts: Has any other country utilized this extremely costly drug?

Madam President: I will not allow that question either.

Sen. Roberts: What are the criteria, symptoms or risk factors which make this costly drug feasible?

Madam President: Sen. Roberts, that question is not allowed. Next question. Sen. Roberts. *[Crosstalk]*”

[Video clip of Senate Sitting]

“Hon. S. Young: ...and there are other air assets that have been used by the Trinidad and Tobago Air Guard throughout this whole period of time.”

Madam President: Sen. Roberts.

Sen. Roberts: Hon. Minister, in a report 2017, it was indicated to the public that air surveillance on the two C-26 Metroliner aircraft was deemed obsolete. Have these critical surveillance systems been updated and/or replaced?

Madam President: No, Minister. Sen. Roberts, I will not allow that question. Yes?

Sen. Roberts: The mission of the air guard is to defend the sovereign good of the Republic of Trinidad and Tobago. Is it the hon. Minister's statement here that during this pandemic we have not had the services of the air guard to protect our borders?

Madam President: I will not allow that question either. Next question. Sen. Richards.

Sen. Richards: Thank you, Madam President. Good morning everyone.

Madam President: On what, Sen. Roberts?

Sen. Roberts: On the same question. I only asked three.

Madam President: You have one more? You wish to ask something that is relevant? Go ahead.

Sen. Roberts: I will try my best, Madam President, yes. How many pilots were on active duty at the air guard during the period March to August 2020?

Madam President: That question is not allowed. Sen. Richards.

[Video clip of Senate Sitting]

“Hon. S. Young: ...Trinidad and Tobago remain closed. And it is illegal for persons to enter without the requisite permission and authority.

Sen. Mark: Madam President, through you. Can the hon. Minister indicate whether talks are being held between the two authorities—that is Venezuela and Trinidad and Tobago—considering what the Minister has described as this “human smuggling” exercise that is taking place? Can the Minister advise this honourable House whether talks are taking place between the two countries, with a view to stamping out this human smuggling as the Minister has identified?

Madam President: Sen. Mark, that question does not arise. Any—

Sen. Mark: Madam President, can I ask the hon. Minister whether the Government has continued to deport Venezuelans via pirogue vessels back to their homeland?

Madam President: That question is not allowed.”

[Video clip of Senate Sitting]

“Mr. A. Roberts: ...If this Bill was the law back then, we may not have the Minister of Energy here today—

Madam President: Sen. Roberts, Sen. Roberts, you have three more minutes. Can I ask you please to lower your voice? Okay?

Sen. A. Roberts: I thought I was trying to match Sen. Renuka Sagramsingh but I am sorry, I will talk softer.

Madam President: Sen. Roberts.

Sen. A. Roberts: Yes, Ma'am, what Standing Order, please?

Madam President: Sen. Roberts, Sen. Roberts, you have three more minutes—

Sen. A. Roberts: Thank you.

Madam President: No, Sen. Roberts, I am sorry, your time is up. Attorney General. [*Desk thumping*]"

[*Video clip of Senate Sitting*]

“Sen. A. Roberts: ...Oxford—and the PNM loves Oxford since two students told them that they were number one and they believe that and we have heard that 100 times. But we moved from number one to 192 now, and we are borrowing vaccines and then claiming that we did not get it. Science is the intellectual and practical and—

Madam President: Sen. Roberts, two things. I will ask you to be relevant to the Motion, and I will ask you please, you started off with one tone and you are steadily rising. I will ask you, please, to lower your voice.

Sen. A. Roberts: Thank you, Madam President. In the UNC we will rise and we shall rise. The science, the intellectual...”

[*Video clip of 20210223 Senate Sitting*]

“Sen. A. Roberts: ...How many of us use to think that black people could not swim?—because scientists went in the Congress—

Madam President: Sen. Roberts, please. Please, it might be affording some people humour. It does not—it is not in accordance with the standards here. Please come to the matter at hand, please.

Sen. A. Roberts: This is not humour, Ma'am.

Madam President: Please, Sen Roberts—

Sen. A. Roberts: Let me—okay.

Madam President: I am not saying that you are humorous. I am not saying that. I am asking you though—

Sen. A. Roberts: Yes?

Madam President:—to please be relevant to the Motion.

Sen. A. Roberts: Okay. Can I please advise you or try to advise you of the relevance, the new normal as I have stated is science-based. In times science has been utilized by people with nefarious motives to create and suppress the democratic rights of citizens internationally and locally.

My position here on this Motion is that the Government has used their majority to suppress the rights of the Opposition to speak, to debate and to make the population aware of the laws that are being brought to thwart their constitutional rights and their ability to enjoy the freedoms of being born in Trinidad and Tobago. [*Desk thumping*] This is the debate that we are here. The science and I am giving examples of when science was warped right here in Trinidad and Tobago.”

[*Video clip of 20210223 Senate Sitting*]

“**Sen. A. Robert:** ...last August in the height of the pandemic with people dying left, right and centre, after we had been at eight deaths for three months and two weeks, we moved up quickly to 100 deaths but we had the CPL here, and those players came in from all over the world. They stayed in what we called a bubble, they quarantined for seven days and then another seven days of practice but our national football team who is preparing to try to make us proud by qualifying for the World Cup cannot—

Madam President: Sen. Roberts, please, you are not being relevant to the Motion here. The Motion in this Chamber is about the speaking time of parliamentarians. That is the Motion.

Sen. A. Roberts: Thank you, Madam President. The speaking time of parliamentarians has been curtailed by the Government based on their science, their data, their COVID-19 protocols. And I am saying that their science in here does not match their science out there.

Madam President: And I am saying to you, Sen. Roberts, that you need to tone it down, tone it down.

Sen. A. Roberts: Madam President, I would love to know what Standing Order, please, is “tone it down” because I have read and I have not seen it. Please advise?

Madam President: Well, no, that is very good for you. If you are reading and you are not seeing it, I am saying to you and I have said it repeatedly, unless someone wants to question the authority of the Presiding Officer, I am saying to you, tone it down.

Sen. A. Roberts: Madam President, I am not questioning you. I am asking you, what

Standing Order?

Madam President: Actually, you actually are questioning me.

Sen. A. Roberts: What is the Standing Order?

Madam President: You actually are questioning me and I am going to say to you, continue along this line and your speaking time will be curtailed today.

Sen. A. Roberts: Thank you, Madam President, I will not be shocked but let me continue. I quote—

Madam President: Sen. Roberts, please, those off-hand remarks, cut it out.

Sen. A. Roberts: Let me say, this is a good time to quote one of the greatest soca songs of the year by Blaxx. I am going to quote from it because it is a hit song. We did not have a Carnival probably because the COVID-19 protocols and the science was not followed from last year February. Had it been followed properly, pertinently and to the best of everybody's experience, we may have been able to have a domestic Carnival.

Madam President: Sen. Roberts, you are speaking on everything but the Motion. This is your last opportunity.

Sen. A. Roberts: And in the song Blaxx said:

If yuh cut meh, yuh go see blood
And if yuh squeeze me, yuh go feel de love
We are one people under the sun
One nation under the law
And all of us here are one nation under the law to make laws.
Who feel they too bright, 99, one per cent, love to wine, represent
All ah we want to see happiness, prosperity
I for you and you for me

He had to write this classic song before September 2015, because Blaxx believes in his constitution while the PNM Government shreds it, curtails the Opposition's speaking time, cuts it, makes us talk softer and does what they want to the Opposition but we will stand firm and—

Madam President: Sen. Roberts, your contribution is finished. Leader of Government Business. [*Desk thumping*]

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank

you very much, Madam President. Madam President, I join this debate—

Madam President: Minister, just one second. Sen. Roberts. Sen. Roberts, I will ask you to apologize right now for the comments I just heard you make.

Sen. Roberts: What comments did you hear, Ma'am?

Madam President: I am not going to repeat what I heard. I am asking you to apologize for what I just heard.

Sen. Roberts: Ma'am, I humbly apologize for saying this is a joke.

Madam President: Sen. Roberts, please leave the Chamber for the rest of this sitting. Please leave the Chamber. Minister..."

End of video recording.

Appendix V – Correspondence sent to Mr. Anil Roberts



PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO

Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

PARL: 14/2/1

March 18, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
Diego Martin

Dear Mr. Roberts,

MATTER REFERRED TO COMMITTEE OF PRIVILEGES OF THE SENATE

I have been directed by the Committee of Privileges of the Senate to inform you that at a Sitting of the Senate held on **Tuesday March 02, 2021** a question of privilege was raised against you and the matter was referred to the Committee at caption for investigation and report.

The allegations state that in two episodes of your show '**douglAR Politics**', broadcast on Tuesday February 23, 2021 and Friday February 26, 2021 respectively, you made statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate, was biased towards you. In so doing, you reflected on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium. Transcripts of statements made on February 23 and 26, 2021 are attached.

In this regard, please be informed of the following:

- (i) the Committee has commenced its investigation into the matter referred;
- (ii) that during the course of its investigation and at the appropriate time, the Committee will invite you to appear;
- (iii) that when invited to appear, consistent with practice and Standing Order 102(16) and Appendix III (19), you may:
 - a. make a written submission in addition to appearing; and
 - b. be accompanied by an advisor who may be an Attorney-at-law, and may consult with that Advisor in the course of the meeting.

I am also required to inform you that, pursuant to Standing Order 103, the proceedings of and the evidence taken before the Committee of Privileges, and any documents presented to and decisions of the Committee must not be made public by any Member or other person before the Committee has reported to the Senate.

The invitation for you to appear complete with date, time and other relevant information will be provided to you in subsequent correspondence.

Should you require any additional information, you may contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@tpparliament.org.

Thank you.

Respectfully,

Brian Caesar

Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

Chairman: Sen. Nigel de Freitas
Committee of Privileges (Senate)

Telephone: (868) 624-7275 Ext. 2258/2232/2289 Fax: (868) 625-4672

Email: cots@tpparliament.org Website: <http://www.tpparliament.org>

PARL: 14/2/1

April 13, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Request to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

I write on behalf of the Committee of Privileges of the Senate, and further to my previous letter dated March 18, 2021.

As you would recall, a matter was referred to the Committee of Privileges of the Senate for consideration and report alleging that you committed contempt via statements which reflected on the character and conduct of the President of the Senate in the discharge of her duties, thereby bringing the Senate into ridicule and odium.

I have been directed by the Committee to invite you to appear at its next meeting which is scheduled to take place on **Friday April 23, 2021 at 10:30 a.m.** in the **Arnold Thomasos (East) Meeting Room, Level 2, Cabildo Building, Office of the Parliament, Parliamentary Complex, St. Vincent Street, Port-of-Spain.**

Kindly note you may be accompanied by a maximum of two advisors, legal or otherwise, of your choosing. The role of such persons will be that of advisor and not as representative or advocate. You will be able to converse freely with your advisors but they will not be permitted to address the Committee. You are reminded that in accordance with **Rule 13 of the General Rules for the Conduct of Proceedings of Committees**, you and your advisor(s) will not be permitted to be present during the deliberations of the Committee.

Pursuant to the provisions of **Appendix III(19) of the Senate Standing Orders**, you may make a written submission in addition to appearing before the Committee. Additionally, you may submit for the consideration of the Committee the names of persons who may assist with its deliberations.

In this regard, the information referred to above, if any, should be sent to the Secretary of the Committee, Mr. Brian Caesar, on or before **Tuesday April 20, 2021.**

You are also reminded that, pursuant to **Standing Order 103**, the proceedings of and the evidence taken before the Committee of Privileges, and any documents presented to and decisions of the Committee must not be made public by any Member or other person, before the Committee has presented its report to the Senate. Guidelines for witnesses appearing before the Committee of Privileges have been included for your information.

Chairman: Sen. Nigel de Freitas
Committee of Privileges (Senate)

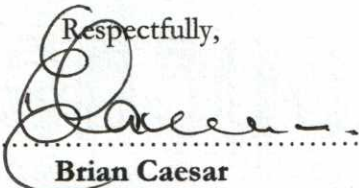
Telephone: (868) 624-7275 Ext. 2258/2232/2289 Fax: (868) 625-4672
Email: cots@ttparliament.org Website: <http://www.ttparliament.org>

(2)

Should you require any additional information, you may contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@ttparliament.org.

Thank you.

Respectfully,



.....

Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

Chairman: Sen. Nigel de Freitas
Committee of Privileges (Senate)

Telephone: (868) 624-7275 Ext. 2258/2232/2289 Fax: (868) 625-4672
Email: cots@ttparliament.org Website: <http://www.ttparliament.org>



Committee of Privileges (Senate)

GUIDELINES FOR WITNESSES APPEARING BEFORE THE COMMITTEE OF PRIVILEGES

Introduction

Unless another Committee is so directed by the Senate, only the Committee of Privileges may inquire into or make findings in respect of, the conduct of a Member of the Senate. In such circumstances, it is not uncommon for the Committee to invite the Member against whom an allegation was made to give a brief explanation of the facts he wishes to present to the Committee.

Guidelines

The following guidelines should be carefully noted:

A. Advisors to Witnesses

There is no provision in the Standing Orders or any statutory provision for a witness before a Committee of the Senate to be represented by legal counsel.

However, consistent with the practice you may be accompanied by an advisor who may, but need not be, an Attorney-at-law. The role of such person will be that of an advisor only, rather than a legal representative. You will be able to converse freely with your advisor(s) but they will not be permitted to:

- a) address the Committee or present evidence on your behalf;
- b) object to procedures or lines of questioning pursued by the Committee; or
- c) ask questions of witnesses invited by the Committee to appear.

B. Evidence Gathering

The Committee may also seek information from a wide variety of sources, if deemed necessary and may gather the views of those knowledgeable about or directly concerned by the issue before them. The evidence of every witness invited by the Committee to appear during its deliberations shall be taken down verbatim and sent in proof to the witness. The witness shall be at liberty to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman. The Committee has a discretion to refuse to hear any irrelevant evidence or recalcitrant witness.

C. In Camera Proceedings

You should note that Committees on Privileges meet *in camera* (in private). As such, Committees exclude everyone from *in camera* meetings, except Members, Committee staff and invited witnesses.

D. Premature Publication of Evidence

The proceedings of and the evidence taken before the Committee of Privileges, including any documents presented to and decisions of this Committee must not be made public by any Member or other person, before the Committee has presented its report to the Senate.

Senate Secretariat
Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street
PORT-OF-SPAIN

April 13, 2021



PARLIAMENT
REPUBLIC OF TRINIDAD AND TOBAGO

Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

PARL: 14/2/1

April 22, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Request to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

I write on behalf of the Committee of Privileges of the Senate to remind you of the invitation to appear before the Committee on **Friday April 23, 2021 at 10:30 a.m.** at the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain.**

In the event that you may have any concern regarding COVID-19 protocols, I am directed to advise that the Committee will adhere to all aspects of the Public Health Regulations.

Should you require any additional information, you may contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@ttparliament.org.

Thank you.

Respectfully,

Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

April 27, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Role of Advisor when engaging with the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

I write on behalf of the Committee of Privileges of the Senate.

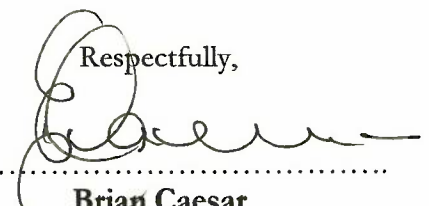
As you would have been advised in previous correspondence, you may be accompanied at meetings by a maximum of two advisors, legal or otherwise, of your choosing. The role of such person(s) is that of advisor to you and not as representative or advocate. At meetings, you will be able to converse freely with your advisor(s), but they will not be permitted to address the Committee.

In this regard, the Committee has directed that you be reminded that your advisor is not entitled to address the Committee either in person, at meetings or via correspondence. As a result, the Committee will not respond to communications received from your advisor. The Committee shall continue to direct correspondence intended for you, to you.

Should you require any additional information, you may contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@tpparliament.org.

Thank you.

Respectfully,



.....
Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

April 27, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Second Request to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

Reference is made to letters dated April 13 and 22, 2021, wherein you were invited to appear before the above-named Committee on Friday April 23, 2021 at 10:30 a.m.

The Committee has noted that you did not attend said April 23, 2021 meeting, to which you were invited.

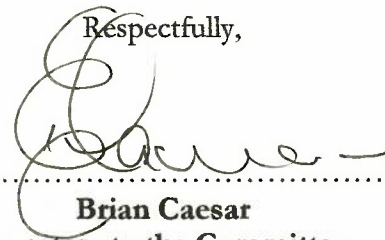
I have been directed by the Committee to extend a **second invitation** to you to appear before the Committee at its meeting scheduled to take place on **Thursday May 06, 2021 at 4:00 p.m.** in the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain.**

As indicated in letter dated April 22, 2021, should you have any concerns regarding COVID-19 protocols, I am directed to advise that the Committee will adhere to all aspects of the Public Health Regulations.

Should you require any additional information, you may contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@ttparliament.org.

Thank you.

Respectfully,



.....
Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

May 05, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Second Request to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

Reference is made to the Committee's letter dated April 27, 2021 in relation to the subject at caption.

I write on behalf of the Committee of Privileges of the Senate to remind you of its second invitation to appear before the Committee on **Thursday May 06, 2021 at 4:00 p.m.** at the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain.**

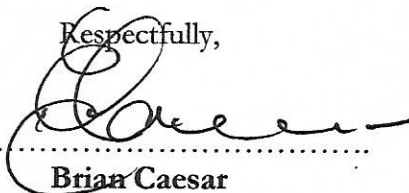
In the event that you may have any concerns regarding COVID-19 protocols, I am directed to advise that the Committee will adhere to all aspects of the Public Health Regulations.

In this regard, the Committee has directed, as had been the case on April 23, 2021, that two (2) rooms be setup to accommodate no more than the permissible number of persons, in keeping with the COVID-19 Public Health Regulations. Both rooms will be outfitted with audio-visual equipment to transmit video image and audio for ease of communication.

Should you require any additional information, please feel free to contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@ttparliament.org.

Thank you.

Respectfully,



Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

May 07, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Third Invitation to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

I write to you on the direction of the Committee of Privileges of the Senate.

Reference is made to a series of correspondence sent on behalf of the Committee in relation to the matter at caption. Particular reference is made to correspondence dated 27th April, 2021 in which you were invited to appear before the Committee of Privileges on 6th May, 2021 to assist the Committee with its consideration of a question of privilege in which you have been named.

The Committee has noted your non-appearance at the two meetings to which you were previously invited. As a consequence, I have been directed to extend a **third invitation** to you to appear before the Committee virtually (via secure video conference), on **Friday May 14, 2021 at 10:00 a.m.**, at the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain**.

In the event that you may have concerns regarding COVID-19 protocols, I am directed to remind you that as outlined in previous correspondence to you, the Committee will adhere to all aspects of the COVID-19 Public Health Regulations. I also have been instructed to advise that arrangements have been made for a meeting room to accommodate you and your advisor(s) only. Separate meeting rooms will accommodate Members of the Committee, with no more than the permissible number of persons, in keeping with the COVID-19 Public Health Regulations. All rooms will be outfitted with the requisite technological equipment to transmit video image and audio for ease of communication between the rooms and to maintain the confidentiality of the Committee's *in camera* proceedings.

I am also directed to inform you that should you choose not to appear before the Committee in response to this third invitation, the Committee will be constrained to continue its deliberations on the matter referred in your absence.

As has been conveyed via previous correspondence, you may be accompanied at meetings by a maximum of two (2) advisors, legal or otherwise, of your choosing. The role of such persons at committee meetings is that of advisor to you and not as representative or advocate. You will be able to converse freely with your advisors, but they will not be permitted to address the Committee.

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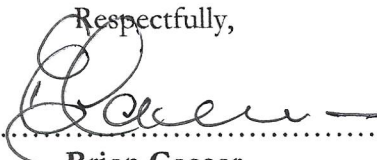
You are also reminded that you may make a written submission in addition to, or in lieu of, appearing before the Committee. Additionally, you may submit for the consideration of the Committee the names of persons who may assist with its deliberations. Submissions should be sent to the undersigned, on or before **Wednesday May 12, 2021.**

Finally, you are reminded that the proceedings of and the evidence taken before the Committee of Privileges, and any documents presented to and decisions of the Committee must not be made public by any Member or other person, before the Committee has presented its report to the Senate.

Should you require any additional information, please feel free to contact the undersigned, Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@tpparliament.org.

Please be guided accordingly.

Respectfully,


.....
Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

May 13, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Re: Third Invitation to appear before the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

Reference is made to letter dated May 07, 2021, sent to you on behalf of the Committee of Privileges (the Committee) in relation to the subject at caption.

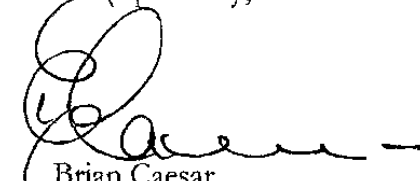
I have been directed by the Committee to advise that the meeting (virtual via secure video conference) scheduled for **Friday May 14, 2021 at 10:00 a.m.** at the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain** **has been postponed.**

Please be advised that a new meeting date and time will be communicated to you via subsequent correspondence.

Should you require any additional information, please feel free to contact the undersigned Mr. Brian Caesar, Secretary to the Committee, at 624-7275 ext. 2258/2232/2289 or cots@ttparliament.org.

Thank you.

Yours Respectfully,



Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

PARL: 14/2/1

June 18, 2021

Mr. Anil Roberts
18 Weathering Heights
Mary Avenue
DIEGO MARTIN

Dear Mr. Roberts,

Invitation to rescheduled meeting of the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

I write to you on the direction of the Committee of Privileges of the Senate (the Committee).

Reference is made to the Committee's letter dated May 07, 2021 in which you were invited to appear before the Committee at its meeting to be held on May 14, 2021, and to the Committee's subsequent letter dated May 13, 2021 notifying you of the postponement of said meeting.

I have been directed to invite you to appear at the Committee's rescheduled meeting to be conducted (via secure video conference) on **Wednesday June 23, 2021 at 3:00 p.m.**, at the **Cabildo Building, Parliamentary Complex, St. Vincent Street, Port-of-Spain.**

In the event that you have concerns regarding COVID-19 protocols, I am directed to remind you that as outlined in previous correspondence, the Committee will adhere to all aspects of the COVID-19 Public Health Regulations currently in effect. I have also been instructed to advise that arrangements have been made for a meeting room to accommodate you and your advisor(s) only. The room will be outfitted with the requisite technological equipment to transmit secure video image and audio to ensure confidentiality and facilitate ease of communication between the room containing you and your advisor(s) and the rooms containing Committee Members.

I am also directed to remind you that should you choose not to appear before the Committee in response to this invitation, the Committee will be constrained to continue its deliberations on the matter referred in your absence.

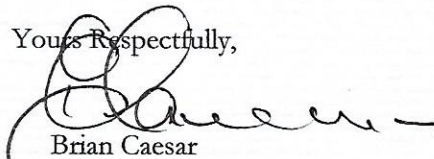
As has been conveyed via previous correspondence, you may be accompanied at meetings by a maximum of two (2) advisors, legal or otherwise, of your choosing. The role of such persons at committee meetings is that of advisor to you and not as representative or advocate. You will be able to converse freely with your advisors, but they will not be permitted to address the Committee.

Finally, you are reminded that the proceedings of and the evidence taken before the Committee of Privileges, and any documents presented to and decisions of the Committee must not be made public by any Member or other person, before the Committee has presented its report to the Senate.

Should you require any additional information, please feel free to contact the undersigned Mr. Brian Caesar, Secretary to the Committee at 624-7275 ext. 2258/2232/2289 or cots@tpparliament.org.

Please be guided accordingly.

Yours Respectfully,



Brian Caesar
Secretary to the Committee

cc: Sen. Nigel de Freitas - Chairman of the Committee

*Appendix VI - Correspondence received from Mr.
Anil Roberts*

APPENDIX VI – A



ATTORNEYS-AT-LAW

FORTIS CHAMBERS

KIEL TAKLALSINGH

Attorney-at-Law

#9 Cornelio Street, Ariapita Avenue, Woodbrook

Port of Spain

E-mail: ktaklalsingh@gmail.com T: 1-868-628-2168 F: 1-868-628-2268

19th April 2021

By electronic mail and registered post

Johnson Greenidge
Asst. Secretary to the Committee
The Parliament Complex, Cabildo Building
St. Vincent Street
Port of Spain

Dear Mr. Greenidge,

Re: Request to appear before the Committee of Privileges of the Senate

Re: Matter referred on Tuesday March 2nd 2021

I write with reference to the above captioned wherein I act on behalf of Senator Anil Roberts. I also refer to your correspondence dated 13th April 2021 which was only delivered to our client on the 14th of April 2021.

Quite disturbingly, it seems that your letter may have the unwitting effect of procuring and/or inciting my client and the committee to breach the current Public Health Regulations. The current regulations prohibit gatherings of more than five persons in public; there are no stated exceptions and it cannot be logically disputed that the proposed venue (Parliamentary Complex) is a public building and therefore constitutes a public place for the purposes of these regulations.

In that regard I am forced to respectfully request disclosure of the identity of the persons who have conspired to orchestrate such a flagrant breach of the law so that same could be brought to the attention of the Trinidad and Tobago Police Service for urgent

investigation to determine if any laws have been transgressed. I need not remind you that in these pandemic times, adherence to these regulations have been deemed as essential and any reckless breach should not be countenanced.

This committee is not a law unto itself and must comply with the regulations in the same way that many organisations have been doing. It is quite telling that even the judiciary has taken a decision to cease in person hearings yet this committee has elected to proceed without regard for the safety of those involved. The work of this committee, which is an obviously puerile attempt to muzzle virulent critique of the government, must be conducted within the bounds of the law.

As such, I respectfully propose that this matter stand adjourned until the regulations permit such hearings to be lawfully commenced.

Regards

A handwritten signature in black ink, appearing to read 'Kiel Taklalsingh', written over a horizontal line.

Kiel Taklalsingh

Attorney-at-Law

Clerk of the Senate

From: Kiel Taklalsingh <k.taklalsingh@gmail.com>
Sent: Thursday, 22 April 2021 02:47 PM
To: Clerk of the Senate
Cc: Brian Caesar; anil.spalk
Subject: Re: Fw: Re Correspondence Senator Anil Roberts

Dear All,

Despite my correspondence to you on behalf of Senator Anil Roberts you have responded directly to Mr. Roberts without even the courtesy of copying his legal representative. It is noteworthy that you have not disputed my contention that the meeting would be in breach of the covid 19 regulations.

It seems that your committee is intent on undermining and frustrating his right to legal representation in this process. If the complaint against him has any merit then I cannot understand why the committee is cowering from allowing him the full spectrum of legal representation.

As it pertains to the content of the letter, it seems that the committee is either seriously misguided or unable to distinguish between law and policy (this would be unfortunate for a committee of parliament). For the avoidance of doubt, the Covid Regulations constitute law; breach of these carry criminal penalties. The covid protocols which you propose to adopt is a matter of internal policy (there are no criminal penalties).

I urge you to reconsider your decision. My client is willing to participate in this matter and defend position. There is no harm in adjourning the hearing for a period of time to protect the health and safety of everyone.

In any event, I have advised my client not to attend this committee meeting in order to comply with the law and out of respect for the national effort in combating Covid 19.

Regards

From: Anil Roberts <anil.spalk@gmail.com>
Date: April 30, 2021 at 2:09:40 PM AST
To: Brian Caesar <bcaesar@tpparliament.org>
Subject: Re: Role of Advisor when engaging with the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021

Dear sir,

I, Senator Anil O. E. ROBERTS adopt all communications, emails, concerns, requests and recommendations sent by my advisor Mr Kyle Taklalsingh as my own. Please be guided accordingly.

On Fri, 30 Apr 2021, 2:04 pm Anil Roberts, <anil.spalk@gmail.com> wrote:

----- Forwarded message -----

From: Kiel Taklalsingh <k.taklalsingh@gmail.com>
Date: Fri, 30 Apr 2021, 1:49 pm
Subject: Fwd: Role of Advisor when engaging with the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021
To: anil.spalk <anil.spalk@gmail.com>

----- Forwarded message -----

From: Kiel Taklalsingh <k.taklalsingh@gmail.com>
Date: Fri, Apr 30, 2021 at 1:48 PM
Subject: Re: Role of Advisor when engaging with the Committee of Privileges of the Senate
Re: Matter referred on Tuesday March 2nd, 2021
To: <ndefreitas@tpparliament.org>, Brian Caesar <bcaesar@tpparliament.org>, <jgreenidge@tpparliament.org>

Respectfully,

As the fully retained and instructed Attorney at Law acting on behalf of Senator Roberts I am mortified that a committee of Parliament would actively engage in undermining his right to Legal Representation.

It is one thing to limit my participation at the hearing, however, it is quite another to outright refuse to consider correspondence from his Attorney at Law. Such refusal is such an affront to Natural Justice, Due Process and democratic principles that the entire proceedings could only be construed as a sham hearing.

It seems your committee is intent on simply going through the motions of a hearing when you have already decided your course of action. This is not only contrary to your oath, it constitutes an act of disrespect to the Legal Profession and the citizens of Trinidad and Tobago.

Even further, despite the rising number of cases of Covid and the extreme measures being put in place, it seems that you have little or no consideration for the health and safety of my client, the staff of the parliament or the legal representatives that will accompany Mr. Roberts to the hearing.

The regulations are clear,

"During the period specified in regulation 17, a person shall not, without reasonable justification— be found at any public place where the number of persons gathered, at any time, exceeds five"

The facility which you propose to have this meeting is a public place, unless you can assure us that it is not deemed to be so in law.

I have copied my client to this email and he will endorse and adopt the content as his own. That should be sufficient to dispel your petulant position of only communicating with him and not his Attorney at Law.

Regards

Clerk of the Senate

From: Kiel Taklalsingh <k.taklalsingh@gmail.com>
Sent: Thursday, 06 May 2021 08:11 AM
To: Clerk of the Senate; Nigel De Freitas; Brian Caesar; Johnson Greenidge
Cc: anil.spalk
Subject: Re: Second Request to appear before the Committee of Privileges of the Senate Re: Matter referred on Tuesday March 2nd, 2021

Dear Sirs,

399 confirmed cases of Covid 19 in the last 24 hrs with a rising number of deaths.

Your committee is being recklessly indifferent to our client's health and the health of his Attorneys. It is noted that you have not even offered an option of a virtual meeting which is the means by which several joint select committees have been meeting. It is either you are deliberately using the pandemic to exclude my client from the hearing or have no real interest in conducting a fair hearing.

We are not attending the hearing which you have scheduled because we do not intend to break the law nor do we intend to endanger our lives and/or the lives of others. All public health officials have advised that persons are to stay home unless movement is essential. Respectfully, your ill conceived inquiry is neither essential nor is it worth risking our lives.

I have been instructed to collate all correspondence in this matter and lodge an official report to the Trinidad and Tobago Police Service. I have also been instructed to follow up with the Trinidad and Tobago Police Service to ensure an investigation is undertaken and commence judicial review proceedings if no investigation is commenced.

I urge you for a final time, let good sense prevail and have this matter adjourned until conditions in society allow for these types of hearings to resume properly.

I have copied my client to this email and he adopts the content of same as his own. He will confirm this by email.

Regards

Clerk of the Senate

From: Anil Roberts <anil.spalk@gmail.com>
Sent: Monday, May 10, 2021 11:19 AM
To: Clerk of the Senate
Cc: Anil Roberts; Nigel De Freitas; Brian Caesar; Johnson Greenidge; Brian Lucio; k.taklalsingh@gmail.com
Subject: Re: Third Invitation to appear before the Committee of Privileges of the Senate Re: Matter referred on Tuesday March 2nd, 2021

Dear Sirs,

For an abundance of clarity, and subsequent to my previous email in which I reiterate my adoption of my advisor's, Mr. Taklalsingh's, position as I own, I wish to respond to this correspondence as follows below.

I once again request confirmation of receipt and acknowledgement of this email, which has not been forthcoming to date.

.....

Dear Sirs,

I stand ready to meet the complaint brought against me by the now deceased former Senator Khan. While I am unsure as to how the committee could proceed with a complaint conceived in the mind of someone who is now unfortunately deceased and which was predicated upon his opinion and unilateral interpretation of unparticularised words, I stand ready to defend any legitimate complaint.

However, as stated previously, I am not prepared to act recklessly and endanger my life, the lives of my family or the lives of my Attorneys by attending unnecessary in person hearings.

Since the committee is refusing a reasonable request for an adjournment, I am prepared to attend the hearing virtually through any virtual platform. I note that other committees have convened and conducted its business via virtual platform and I expect that such an approach should be applied equally and consistently by offering this method of participation to me and my legal representatives.

The current health regulations are clear and unambiguous; even essential sectors such as this a committee of parliament "shall where possible work from home". (see regulation 3 (1) (a) of Public Health Regulations)

There is no good reason why physical attendance is necessary for this matter. Your approach of forcing me to attend physically is contrary to the approach being advocated by the Government of Trinidad and Tobago and all senior health professionals tasked with managing the current pandemic. It is, in my respectful opinion, conspicuously unfair.

In this regard, I await your confirmation that a link will be sent to us for virtual participation. I note your invitation to submit written representations and will indeed do so by the stipulated time period which will no doubt demonstrate my willingness to participate in this process.

I also wish to place on record that there have been no previous invitations offered to me. All previous invitations were contrary to the health regulations because they demanded that I attend an in person hearing in a public building and therefore was null, void and of no effect.

I eagerly await the opportunity to participate fully, safely, lawfully, securely and without risk to personal health with your august Committee of Privilege.

I once again request confirmation of receipt and acknowledgement of this email which has not been forthcoming previously.

Regards,
Senator Anil O.E. Roberts

APPENDIX VI – F

From: Anil Roberts <anil.spalk@gmail.com>
Sent: Tuesday, 22 June 2021 09:32 AM
To: Brian Caesar <bcaesar@ttparliament.org>
Subject: Response to invitation to attend committee of Privileges

Mr. Ceaser,

Consistent with my previous emails I remain ready and willing to appear before the Committee through a Virtual Platform to defend these spurious and contrived allegations (which are as yet unparticularised). In particular, look forward to cross examining the President of the Senate to demonstrate the fickle nature of the complaint.

I will not physically attend the committee hearing until the rate of infections and deaths are significantly reduced. The fact that the Government still has in place a State of Emergency is evidence enough that there still exist conditions which constitute a significant threat to health and safety. It would be hypocritical for this committee to suggest that even though it has the option to conduct a virtual hearing, it has decided to nevertheless convene a physical hearing.

In fact, as a matter of disclosure, can you confirm that the Committee's position is that despite being able to facilitate this activity virtually (as mandated by SOE Regs) the Committee has taken the decision to convene physically. Should you fail to respond to this request for disclosure or proceed with the hearing physically then the inevitable inference to be made is that the Committee is ignoring the regulations and thereby potentially committing an offence.

As members of the Committee are aware, I have sought leave of the house on two previous occasions because of health issues (asthma condition).

I have been advised medically that asthma is a precondition which could exacerbate the consequences to me should I contract the Covid 19 virus.

Respectfully, your purported protocols are appreciated but I am not prepared to risk my life by participating in a physical hearing when several Joint Select Committees have been meeting virtually and conducting their hearings with sufficient efficiency and effectiveness.

I am concerned that the Committee continues to insist on a physical hearing when it clearly presents an obvious threat to my health and safety. I am also concerned that the Committee is prepared to operate in contravention of the State of Emergency Regulations.

Perhaps the Committee could consider acquiring the much touted Pfizer vaccine which the Government has imported for seemingly private use in breach of all customary protocols for such importation. If the Committee is able to acquire same for my benefit then I would be prepared to attend in due course.

I await the requested disclosure and a virtual link in due course.

Yours sincerely,
Anil o e Roberts

From: Anil Roberts [<mailto:anil.spalk@gmail.com>]
Sent: Wednesday, June 23, 2021 9:16 AM
To: Brian Caesar <bcaesar@ttparliament.org>
Cc: roodal09@gmail.com
Subject: Request to cross examine the Honourable President of the Senate (virtually)

Dear sir,

Pursuant to my email yesterday I want to make it pellucidly clear that 1) I stand ready to participate fully through a ZOOM meeting and 2) I am ready to cross examine the Honourable President of the Senate on this critical matter before the Committee of Privileges VIRTUALLY (VIA ZOOM LINK).

YOURS SINCERELY
ANIL O E ROBERTS

*Appendix VII – Written Submission from Mr. Anil
Roberts*

SUBMISSION OF SENATOR ANIL ROBERTS

1. I submit that the complaint before the committee is deficient of particulars and still born for want of prosecution. Further submit that the form of the complaint is unsophisticated at best and would not be entertained or actionable before any similar tribunal seeking to adjudicate in a fair and transparent manner.
2. The complaint was conceived by a Senator, now unfortunately deceased, who has left no material or contemporaneous statement and/or record from which this committee could gain insight as to the nature of the complaint. While the committee has broad power to inquire; it cannot use that power to reimagine what the author of the complaint had in mind when moving the motion.
3. I am of the view that the complaint is vague, unspecific and unfair. It provides insufficient particulars to enable me to respond to the complaint. The allegation/ complaint is as follows:

*"The allegations state that in two episodes of your show '**douglAR Politics**', broadcast on Tuesday February 23, 2021 and Friday February 26, 2021 respectively, you made statements using satirical subtext to allege that in the discharge of her duties as Presiding Officer of the Senate, the President of the Senate, was biased towards you. In so doing, you reflected on the character and conduct of the President of the Senate in such a manner that brought the Senate into ridicule and odium. Transcripts of statements made on February 23 and 26, 2021 are attached"*

4. The first issue is obvious. What are the statements upon which the allegations are based? The show, DougLAR Politics, is approximately ninety minutes long; the complainant, and indeed the complaint, does not identify precisely which statements made during the course of the show constituted a critique on the impartiality of the presiding officer. Further, I am unable to discern from this complaint why these statements would have brought the senate into ridicule and odium.

5. The complaint alleges "satirical subtext". That, in my view, is an inherent admission by the complainant that the plain and/or ordinary meaning of the words I am alleged to have used did not bring the Senate into odium and/or ridicule nor could they have reflected on the character and conduct of the Senate President. The use of the descriptor "subtext" in the complaint further entrenches any perceived offensive meaning within the unilateral interpretation and idiosyncratic machinations of the complainant.

6. In other words, if the offending statements are satirical subtext, then, by the use of the phrase "subtext", the complainant has admitted that the meaning of the words used is not obvious. If the meaning is not obvious, then it is incumbent upon the complainant to establish as a matter of fact before the committee why they are offensive. As a matter of fairness therefore, in my respectful view, the complaint must:

- a. Specify the words which are alleged to be offensive and/or the subject of the complaint;

b. Specify what are the meanings that have been attributed to these words, given that it is subtext, that would suggest that it constitutes a satirical polemic upon the Senate President;

c. Specify the facts which contextualize the alleged subtextual meanings.

7. The Second pertinent issue is the death of former Senator Khan. His death has left a serious lacuna in the viability of this complaint. As the mover of the motion, the precise terms of the complaint and causal link between the statements made and bringing the Senate into odium and disrepute resided with him. I have not received disclosure of any other material which could support this complaint. In the absence of such material, this complaint should be dismissed instantly.

8. I also raise an issue of the procedure. I respectfully request the attendance of the Senate President for cross examination (which I will conduct with the advice and assistance of my lawyer). In the absence of a complaint, I will demonstrate through cross examination that the alleged words used by myself or any other alleged subtext being attributed to me, is not in fact an improper description of the Senate President's character and/or conduct and may have been based upon facts. In any event, will demonstrate through cross examination that any commentary made could not have been an attack on her or bring the Senate into odium and disrepute.

9. You would no doubt agree that there is nothing improper about my actions if it accurately reflects the character and conduct of any public officer. The Senate is a forum of truth and virulent opinion. If the sub-textual meanings being attributed to me that allegedly slur the character of the Senate President are true, then it could not be rationally said that my statements have brought the Senate into odium and disrepute. In other words, if the committee wants to embark upon a course of conduct that scrutinizes the meaning of words to discern their satirical sub textual meaning then I must equally be given an opportunity to prove, through cross examination of the Senate President, that they are either true or do not have the effect being described by the complaint. The complaint places her at the center of the factual matrix of the charge against me and if the committee is unwilling to summon her then it would be patent defect in the committee's conduct of this matter.

Procedural Matters

10. The above is not my final submission. I respectfully request an opportunity make further written submissions subsequent to the hearing of the committee.
11. I wish to reiterate; I remain willing and able to attend the hearing of the committee through a virtual medium. I suffer from asthma and I do not want to risk a personal appearance. My Attorney-at-Law, Mr. Taklalsingh has been recently diagnosed with a cardiac complication and has not yet received the covid vaccine. Your insistence on

an in person hearing is unreasonable, dangerous and
contrary to public policy.

12. Other committees are meeting online. The regulations are clear; work from home if you can. I am willing to attend a virtual sitting of the committee and have always been willing to so attend. I trust that good sense will prevail.

Appendix VIII – Minority Report

MINORITY REPORT
OF THE
COMMITTEE OF PRIVILEGES
OF THE
SENATE
FIRST SESSION (2020/ 2021)
TWELFTH PARLIAMENT

INTRODUCTION:

1. The undersigned member, constituting a minority within the Committee of Privileges of the Senate (the Committee) hereby submits this report to be annexed to the Committee's Report (the Report) on the matter against Senator Anil Roberts.
2. The undersigned member **disagrees** with the deliberations and findings of the Report (at paragraph 39 of the Report) which states that a breach of privilege and this a contempt was committed by Senator Anil Roberts.
3. As a consequence of the foregoing, the undersigned member **disagrees** that sanction be imposed on Senator Anil Roberts.
4. The undersigned member **disagrees** with that section of the Report, which outlines the test to establish a breach of privilege.

PROFFER APOLOGY:

5. The undersigned member disagrees with that part of the Recommendations of the Report (at paragraphs 40 and 46) which states that Senator Roberts should proffer an unequivocal and unreserved apology.
6. In the Notes of Evidence attached to the Report, Senator Roberts wrote to the Committee on May 23, 2021 indicating his willingness to attend the hearing of the Committee "through a virtual medium." Owing to a medical condition, it would have been extremely risky for him to attend in person. No where in the Majority Report is reference made to Senator Roberts' medical condition which is quite unfortunate.

Without seeking any medical evidence to verify the Senator's medical condition, the Committee proceeded to deliberate on the "breach of privilege" complaint and to determine the appropriate sanction. It was determined by the majority of the Committee that a contempt had been committed.

7. further, without a proper discussion and vote on the request of the Senator to have the President of the Senate appear as a witness to clarify certain matters, the majority members of the Committee simply dismissed the request without any meaningful discussion and ultimately the recording of a vote in this request by the Senator.
8. As a quasi-judicial body, the Committee of Privileges has an inherent duty and responsibility to ensure procedural fairness at all times and to ensure that the principles of natural justice are preserved.

9. As a member of the Committee of Privileges, I would have liked to clarify a number of issues raised in the two broadcasts which were carried on February 23rd and February

26th 2021 respectively. However, owing to the decision of the Committee not to provide another opportunity to consider the appearance of Senator Roberts even though it had been determined that the third offer would have been his final opportunity to appear before the Committee, it is to be noted that matters of this nature that were being deliberated upon ought not to be cast in concrete since a member's rights are involved.

10. At no point in time did the majority of members on the Committee consider formally responding in writing to Senator Roberts to inform him that his request to have the President of the Senate appear as a witness was rejected and to provide him as such with a final opportunity as was earlier stated in his correspondence to make further written submissions to the Committee.

This clearly was an egregious procedural breach which manifestly would have denied Senator Roberts the opportunity of understanding the Committee's thinking and decision of not agreeing to his request as well as providing him with a final opportunity to advance his written submissions for the Committee's consideration.

PROCEDURAL FLAWS:

11. The undersigned member agrees with the Report in recognising that a breach of privilege and contempt are serious matters and furthermore, that a finding of contempt of either House may have adverse consequences. Further, the undersigned submits that the Committee is required to ensure procedural fairness and the preservation of the principles of natural justice. In this regard, the committee must make every effort to ensure the full right to be heard and that procedural fairness was afforded to the Senator concerned.

12. Whilst the Committee provided the opportunity and made the effort to ensure a full right to be heard and that procedural fairness was as far as possible afforded to the Senator, it cannot be overemphasised the unusual conditions prevailing during the period of hearings of the same Committee.

13. These hearings took place in a period of a Covid-19 pandemic and a State of Emergency. Both Senator Roberts and his Attorney-at-Law Mr. Kiel Taklalsingh brought to the Committee's attention their unique medical conditions and their profound reservations to be brought into any enclosed area for the hearing of the said complaint.

14. The Committee may have committed a procedural breach by not seeking to verify the parties' medical conditions in an effort to satisfy itself of their authenticity if there were any lingering doubts. By failing to proceed along those lines, the Committee may have also breached the principle of procedural fairness and the principles of natural justice thereby bringing their entire findings and ultimate recommendations into question.

15. Breach of privilege and contempt of the Senate are very serious matters which the Senate must be vigilant to guard against in order to protect the integrity of the Senate and to uphold its dignity. The Senate may even impose penalties/ sanctions upon its members who are found to have committed a breach of privilege and/ or contempt. Hence, the absolute imperative for the Committee to be extremely careful to observe the requirements of procedural fairness and natural justice in relation to any matter referred to it.

16. Whilst the Committee may have been focusing on the Parliamentary clock ticking away quickly towards the recess period and ultimately the prorogation of the Session, the Committee also has a duty and responsibility not to engage in breaches of procedural fairness as well as the principles of natural justice merely to satisfy a deadline. This could be a straight case of more speed, less haste.

Divergent Views on the Test to establish a Breach of Privilege in the Circumstances:

17. The undersigned disagrees with the test put forward by the Chair to establish a breach of privilege in the circumstances. The test while not categorically outlined as stated hereunder sought to achieve the same ultimate objective by the majority of members namely:

- It is a question of fact.
- Intention is not relevant.
- What was the effect of the words uttered by Senator Roberts?
- What objectively would be the effect of those words to someone listening? (see the verbatim notes of the meeting of the Committee of Privileges and then listen carefully to the two broadcasts of the Member).

18. The undersigned is of the considered view that intention or wilful intention is a key ingredient in establishing whether Senator Anil Roberts reflected on the partiality, character and conduct of the President and thereby brought the Senate into odium and disrepute.

19. Based on an objective reading of the transcripts and all the circumstances leading up to those two broadcasts would reveal that the Senator did not set out to intentionally, deliberately and maliciously reflect negatively on the character and conduct of the President of the Senate thereby bringing the Senate into odium and disrepute.

20. It is also to be noted that had the Committee been able to have Senator Roberts before it, a number of pertinent and appropriate questions would have been put to him for clarification.

However, owing to his medical condition, the member was unable to attend and the Committee was deprived of such an opportunity to bring clarity to several relevant issues and matters of crucial importance, which featured in the Committee's inconclusive deliberations.

21. The undersigned submits that any fair-minded person would conclude that a breach of privilege did not occur because the test was not established.

Insufficient considerations for Additional Witnesses:

22. At the fifth and sixth meetings of the Committee, Senator Roberts requested an additional witness to be considered since the main witness was now deceased. The request was not considered or entertained by the Committee. Indeed, the matter was not properly considered and put to a vote by the Chairman of the Committee.

23. The Committee focused its attention on only hearing the member and his evidence even though the witness through a medical condition was willing to attend through a virtual

meeting but was never allowed to do so owing to strict procedural constraints governing the work of the Committee.

Unsatisfactory Exploration of Alternative Sanctions:

24. In its bid to establish a breach was committed, the Committee did not fully explore alternative sanctions to apply to the matter involving Mr. Roberts. The majority of the Committee members considered extremely punitive sanctions including the suspension of Senator Anil Roberts for the rest of the Session.

25. Were it not for the expert guidance of the Committee's Secretary, it does appear that the majority of the members of the Committee were bent on promoting punitive and disproportionate sanctions upon the member which appeared to have been preconceived and/or premeditated.

26. There are established instances in which alternative sanctions were applied involving matters of a similar nature in other jurisdictions. The learning revealed that the House of Commons in the Canadian jurisdiction was seemingly slow or reluctant in invoking the House's authority to reprimand and admonish anyone found to have trampled upon its dignity or authority.

27. They include:

- a) The 1996 Jacob's case – In that case, the Standing Committee on Procedure and House Affairs noted that the actions of the member was ill-advised and determined that his actions did not amount to a contempt or breach of Parliamentary Privilege.
- b) In a 2014 New Zealand case, the question of privilege regarding use of social media to report on parliamentary proceedings.

- c) The Speaker referred a general matter of privileges and the implications for Parliament of people using social media platforms to report on parliamentary proceedings and to reflect on Members of Parliament, including the Speaker.

It was recommended that the Speaker seek guidance based on existing rules of the House to members of the House on appropriate use of social media to report on parliamentary proceedings.

No Breach of Privilege Committed:

28. The Report, in its deliberations and findings concludes that a breach of privilege was committed. However, having regard to the above, the undersigned is of the firm view that:

- (i) the absence of any wilful or deliberate intent on the part of Senator Roberts;
- (ii) the Committee not being able to hear directly from Senator Anil Roberts is unable to form any conclusion on his state of mind at the material moment;
- (iii) by reason of the Senator's limited experience and possible ignorance, no breach of privilege occurred on the grounds of contempt or egregious behaviour that has brought the Senate into disrepute or odium and that no further action is required and/ or necessary.

RECOMMENDATIONS:

29. In the circumstances, the undersigned does not support that part of the Recommendations of the Report, which provides that Senator Anil Roberts proffer an apology. For the above reasons, the undersigned humbly recommends that consideration be

given by the Senate to amend the Report by deleting the said recommendation that Senator Anil Roberts offer an apology to the House.

30. The undersigned recommends that the President issue guidance based on existing rules of the Senate and possibly new rules to all members on the appropriate use of social media by members of the Senate whenever reporting on parliamentary proceedings, as well as a programme of training for all members on the practice and procedures of Parliament.

In this regard, special emphasis should be placed on the significance of parliamentary privilege. This will undoubtedly assist all members to effectively understand and appreciate the nuances of the inner workings of Parliament inclusive of the use of social media platforms in covering the proceedings of Parliament in the future.

And I so submit.

Wade Mark

Senator Wade Mark