

**FIRST REPORT OF
THE COMMITTEE OF PRIVILEGES OF
THE HOUSE OF REPRESENTATIVES
(2004 - 2005 SESSION)**

FILE II

**VERBATIM RECORD OF
ORAL EVIDENCE**

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**ORAL EVIDENCE OF MR CHANDRESH SHARMA GIVEN ON
OCTOBER 27, 2004**

Mr. Chairman: Welcome Mr. Sharma thank you for coming today. Welcome to your advisors, on that score, you would recall that at our last meeting I indicated that you were permitted to have advisors, such advisors could be anybody of your choice, other than a Member of the House of Representatives or the Senate. I see in our presence the distinguished Sen. Robin Montano. Senator, with due respect, this committee has taken a decision not to allow advisors . . .

Mr. Sharma: Can I say that the goodly Senator is not here in his capacity as a Senator.

Mr. R. Montano: Mr. Speaker, if I may be allowed . . .

Mr. Sharma: The document sent to me on page 3 indicates that a Member can be accompanied by another Member.

Mr. Chairman: No, the committee will not allow Mr. Montano to sit in, in the circumstance.

Mr. Sharma: The Member can be here as a supporter?

Mr. Chairman: Let us not debate the issue, Mr. Montano, I will ask you to take your leave.

Mr. R. Montano: With pleasure.

[Mr. R. Montano exits committee room]

Mr. Chairman: Perhaps, Mr. Sharma, you may wish to introduce your advisors.

Mr. Sharma: For the record, the lady on the left is Mrs. Carol Cuffy Dowlat and the gentleman on the right is Mr. Lennox Sankersingh.

Mr. Chairman: You would recall that on Friday 17, September you, Mr. Sharma, rose in the House and sought my leave to have a matter referred to this committee. That matter related to an incident, which you alleged, took place in the Members' lounge of the Parliament on Wednesday 15, September, 2004, which in your opinion resulted in a breach of your parliamentary privileges. Based on your submission, which I am sure you should have before you, I referred the matter to this committee for investigation into whether a breach of your parliamentary privileges had occurred. You will further recall that on the said Friday 17, September, 2004, Dr. Rowley also raised in the House a matter which he believed affected his privileges relating to the said alleged incident. That, too, was referred to the Committee of Privileges for investigation.

It is against that background that I will now invite you to tell the committee exactly what transpired in the Members' lounge on Wednesday, September 15, 2004.

Mr. Sharma: Thank you, Chairman. Before I respond to your question, you would recall that when we met on the last day I had a number of questions and concerns; your instruction then was that I should cause it to be sent to the secretary of this committee in writing. I did so and I received a response. Some of the responses are not clear, so if first wish to obtain clarification on some of them.
[Interruption]

Question No. 2 asked by me: What are the specific charges against you? Who are your accusers? Would you be given an opportunity to meet and question them? In part of the response that came, you established that a *prima facie* case was made out. Can you tell me what that is?

Mr. Chairman: You alleged in your motion before the House—Do you have a copy before you? If I may refer to the second paragraph, you said: “On Wednesday 15, September shortly after 1.00 p.m. and prior to 1.30 p.m., the sitting of the House, I was molested by way of assault and insulted in abusive language by the Member for Diego Martin West in the precincts of the House, namely the tea room.”

So the first thing is that you alleged that you were molested by way of assault and insulting and abusive language.

Mr. Sharma: My specific question, Sir, is . . .

Mr. Chairman: Having alleged this molestation and insulting and abusive language did take place in the tea room . . .

Mr. Sharma: So a *prima facie* case was made out against Dr. Rowley?

Mr. Chairman: You have made out a *prima facie* case to me.

Mr. Sharma: Against Dr. Rowley. [Interruption]

Mr. Chairman: You have made out a *prima facie* case that your privileges were breached.

Mr. Sharma: Am I in danger of risk of sanctions of any kind, as a result of this hearing?

Mr. Chairman: At this point I cannot say; that is probably premature. I do not know; the committee has to sit and hear the evidence of witnesses before we come to a conclusion. That conclusion could exonerate you, in the sense that we could substantiate a breach has taken place or come to a conclusion that a breach did not take place, but we can only come to that conclusion after hearing the witnesses.

Mr. Sharma: Evidence by whom, Dr. Rowley?

Mr. Chairman: He is one witness and after we hear him and yourself, then the committee will determine whether we will call other witnesses and who those witnesses will be.

Mr. Sharma: I have asked the question and I seem not to be getting the answer; maybe I should repeat the question. You have established that a *prima facie* case has been made out, my question is: Against whom?

Mr. Chairman: You have made out a *prima facie* case to me.

Mr. Sharma: You have ruled; I am asking about your ruling.

Mr. Breaux: The Speaker, in his capacity as Speaker, made a ruling in the House that a *prima facie* case, showing breach of the privilege of a House of Representatives Member, Chandresh Sharma, was made out and showing breach of the privilege of Dr. Rowley, was made out, in both instances. *[Interruption]* Do not cut me off; you will have an opportunity after I have completed.

Mr. Sharma: Are you answering the question I asked?

Mr. Breaux: I am contributing; I am a member of this committee.

Mr. Sharma: Are you responding to the question I have asked?

Mr. Breaux: Would you please give me an opportunity to speak.

Mr. Sharma: I need to know what you are responding to.

Mr. Panday: Remember, on that day in the House two Members stood; firstly, Dr. Rowley stood and complained of a breach of his privilege. Subsequently, you stood and complained about a breach of your privilege. The Parliament went on for some time and some time during that day the Speaker made a pronouncement in the House in which he said:

“Hon. Members, earlier in the proceedings, both the Member for Diego Martin West and the Member for Fyzabad raised two issues in the House. I shall now give my ruling...”

That was on Friday, September 17, 2004, with respect to both matters, not one. The hon. Speaker concluded:

“I rule that, *prima facie*, a case of breach of privilege has been made out in both cases and refer these matters to the Committee of Privileges for investigation and report.”

Mr. Sharma: It seems as if the learning is on one side.

Mr. Breaux: Before we continue, I just want to say one thing: I was speaking just now and hon. Member Sharma kept interrupting me. If that has to happen I will have to report it to the House. We came here to do a job; I did not want to come.

Mr. Chairman: Let me make a ruling. Please, Mr. Sharma, I will ask you, if you ask a question and the member is answering you, do not cut him off.

Mr. Sharma: That is very unkind of the committee. I asked you the question, you were answering and he interrupted you to answer and all I ask was . . .

Mr. Chairman: Obviously, he was referring to the question.

Mr. Sharma: If you are answering me and he interrupts, I have two issues to deal with.

Mr. Panday: Mr. Chairman, is it possible to set a procedure that if any member of the committee asks a question, we will raise our hand and you will permit us to come in and we will continue, so we would not appear to be undermining the privilege of any one of us? We come to you: Mr. Chairman, I will like to ask a question and we will come in. Having obtained the permission of the Chairman to go through, we go through completely and the member and the advisors take notes and after we complete the question further, we then respond appropriately, so we will not have chaos as we go along. So we would not just barge in on him and make him feel as though we are out for him, as though we are coming for him, but through you.

Mr. Chairman: We are not coming for anybody.

Mr. Sharma: Mr. Chairman, you will appreciate that there are six members of the committee, including your good self, opposite me, and I am alone here.

Mr. Chairman: I do not want you to feel intimidated. We have now set the procedure right.

Mr. Sharma: Chairman, you indicated that you did not know if any sanctions can be made out.

Mr. Chairman: At this point I cannot prejudge.

Mr. Sharma: I need to know what my rights are, if such a sanction may develop out . . .

Mr. Chairman: That is premature; I cannot answer that question at this point; I do not know what will happen at the end of this committee's deliberations.

Mr. Sharma: If there are any sanctions, what are my rights?

Mr. Chairman: Rights about what?

Mr. Sharma: To treat with them.

Mr. Panday: As we sit here, what could be the various scenarios that could come? One, there has been no breach by either Member; one, there is breach by Member A, and not Member B, and C, there is a breach by Member A and not Member B.

Mr. Chairman: To me this is obvious.

Mr. Sharma: It is obvious in your eyes, but I must be told.

Mr. Chairman: Do you have another question on the response, Mr. Sharma?

Mr. Sharma: Yes. The last line on the same first page:

“Unlike a court of law, the matters before parliamentary committees, there are no charges, no accused or accusers...”

What does that mean in this context?

Mr. Chairman: It means that you have alleged a breach of your parliamentary privileges; you are here to tell us what, in your opinion, happened that day and what constituted a breach of your parliamentary privilege. You are not accused of anything.

Mr. Sharma: Perhaps, the next question will be: What are we here for, if I am not charged with anything, there are no accusers, no charges and the possibility lies that I could face sanctions?

Mr. Chairman: With due respect, I thought we had gone through what you are bringing up now, on the last occasion that we met.

Mr. Panday: You have made a complaint to the committee. The hon. Speaker determined that there has been, indeed, on the surface of it, a merit to the complaint; however, the evidence has not been introduced to the House. Having made the complaint, on the face of it, there is merit to the complaint and now we want the evidence to substantiate the complaint.

Mr. Breaux: Any sanction, if at all, all we are going to do is to report. The House deals with that. We have no authority, no power to do anybody anything.

Mr. Sharma: The follow up to that is if you are going to make a report and arising from that report is the risk of sanctions, then what are my rights?

Mr. Chairman: The House will determine that; I do not know what your rights are here now; you seem to be prejudging the issue, you do not know what conclusion we will come to.

Mr. Sharma: But the Member for La Brea indicated that a report will go to the Parliament and the Parliament will make a ruling. With that ruling I run the risk of sanctions. I am asking what my rights are.

Mr. Chairman: Your rights against what?

Mr. Sharma: If there are sanctions, that means something; at the risk of sanctions.

Mr. Chairman: Let me put it this way: If that were to happen, I would imagine that you would have somebody to advise you on what your rights are. I do not think that it is this committee's place to advise you on what may or may not happen, on what your rights may or may not be. You alleged that certain things happen in the tea room on that day; you came to Parliament and said to the Parliament that your privileges were breached. All we are asking you to do here today is to tell us what happened on that day.

Mr. Sharma: Without an attorney? If I run the risk of sanctions at the other place and I do not have the right to an attorney . . .

Mr. Panday: Having heard all the evidence, the committee deliberates; after the committee deliberates, we report to Parliament. The problem you seem to have concern with is whether there will be sanctions at any stage of the proceedings. My view is that Parliament regulates its own proceedings and can do what it sees fit. However, the learning, has far as I have read it, usually is from the simplest, merely a reprimand, maybe suspension, but in extreme circumstances—usually it is a reprimand. From my learning of Parliament, it is a reprimand. I am trying to give a spectrum of sanctions, which may occur, having regard to the reading prior to today's sitting.

Mr. Sharma: That is exactly my concern. If I run the risk of sanctions—and a reprimand is a serious sanction—and I do not have the advice of a lawyer; I am not allowed to have counsel, then I am at a disadvantage and that has to be corrected. What you are saying is that you know that you could be sanctioned and you are not doing anything about it and I am denied the right to an attorney. Why should I run the risk of facing this penalty without consulting a counsel? If we look at the learning elsewhere, that is why counsel has been provided elsewhere.

Mr. Chairman: You have two advisors, both of whom, as far as I am aware, are members of the legal profession. Do you have another question that you want to raise?

Mr. Sharma: You would appreciate that based on your instructions they cannot speak or ask questions, so I am not getting representation from them.

Mr. Chairman: May I indicate to your advisors what they can and cannot do:
“The role of such persons is emphatically that of advisor rather than representative.”

I am advising your advisors what their respective roles are:

“Witnesses have been permitted to converse freely with such advisors, but the advisors have not been permitted to present evidence in support of a witness, for the witness' submission, object to procedures or lines of questioning pursued by the committee or ask questions of witnesses.”

Mr. Sharma: That really confirms I have no legal representatives.

Mr. Chairman: This is a parliamentary committee; this is not a court of law; in fact, I have been at pains, to tell you that.

Mr. Sharma: The Chair appreciates that I can face sanctions and, as a result, we need to establish procedure. Even if I am reprimanded, that is a sanction.

Mr. Panday: May I kindly ask the hon. Member, since we are asking for definitive procedure: What is in your mind that is disturbing you about the procedure that you will like to have explained, so that we may explain it or do you want to give us an impression what you think is the procedure and we shall discuss it and come to the relevant conclusion?

Mr. Sharma: The committee has just told me that I run the risk of sanctions against me. I agree that the possibility exists. The committee has also told me that I have no right to an attorney; that tells me that I cannot really treat or be treated with, because if the committee is saying that based on this hearing it goes to another place and what will obtain at the other place is the possibility of sanctions and I am doing all of this without counsel, it puts me in a very . . .

Mr. Chairman: For the last time, let me repeat that the Standing Orders do not provide for you to have legal representation. There were and have been precedents in the UK Parliament where a member who has alleged a breach of his privilege was afforded the opportunity of somebody coming to assist him in, "advisor", and an advisor could be anybody. This committee has determined that such an advisor could be anybody of your choice other than a Member of the House of Representatives or the Senate. I do not know how else to put that over to you.

Mr. Sharma: Mr. Chairman, the document sent to me, on page 3 responds to question 12, since you are saying what obtains elsewhere, it tells me that in the United Kingdom and several other places that counsel was provided. Page 3 in response to question 12. In fact, it starts out with counsel and advisors.

Mr. Chairman: So what is the problem?

Mr. Sharma: It says that witnesses are permitted to have counsel or advisors.

Mr. Chairman: It is not as of right' "permitted", in other words the committee will determine whether . . .

Mr. Sharma: Your committee has determined that I will not have counsel?

Mr. Chairman: But the committee has determined that you can have anybody: counsel, economist, policeman, priest; all the committee has said is that such a person must not be a Member of the House of Representatives, a sitting Member . . .

Mr. Sharma: I am seeking legal counsel; the counsel you are speaking about is something different. I am seeking the committee's permission to have legal representation, which is what I want and it obtains in the United Kingdom and elsewhere.

Mr. Chairman: You are talking about a lawyer?

Mr. Sharma: Well, a legal representative can only be a lawyer.

Mr. Chairman: But the committee never told you that you could not have a lawyer; on the contrary, as far as I know, Mr. Sankersingh is an eminent counsel and so too is Miss Carol Cuffy Dowlat; two very eminent counsel.

Mr. Sharma: Will they be permitted to ask questions?

Mr. Chairman: No, we have gone through that already. Next question, Mr. Sharma.

Mr. Sharma: Chairman, question No. 3. I asked: Has the committee conducted or caused to be conducted any investigation in this matter, if so who did the investigation and where was it conducted and what evidence was taken?

Mr. Chairman: Mr. Sharma, that is what we are trying to do.

Mr. Sharma: The committee is going to ask me questions. They are going to ask me questions based on what?

Mr. Chairman: What you have said; the story you will tell of the incident in the tea room.

Mr. Sharma: Yes, I am also asking: Has the committee obtained any other evidence? Has the committee cause any investigation?

Mr. Chairman: The committee has obtained statements from members of staff; those statements were circulated and are in the possession of members of the committee. You are not entitled to those statements.

Mr. Sharma: But Chairman, if I am going to be questioned on the statements then I must have them.

Mr. Chairman: I am saying that you are not entitled to those statements; they are in the possession of every single member of this committee.

Mr. Sharma: How am I going to be questioned on those statements?

Mr. Chairman: But you cannot question any statement.

Mr. Sharma: I am not going to question the statements. I am saying that if I am going to be questioned on the statements provided, then I must . . .

Mr. Chairman: Mr. Sharma I think you are confusing this thing. All you have to do is tell us what happened on that day; you will be questioned on that; you will not be question on what he say, she say or "dem" say.

Mr. Sharma: Chairman, with the greatest respect, your committee has caused evidence to come to yourself. In fact, how was that information obtained? Was it obtained at the request of the committee, because the committee is going to question me on that?

Mr. Chairman: Do not trouble yourself. Could we please move on? I, again, implore you: Could you tell us . . .

Mr. Sharma: I am not yet finished with what you sent me. I am on question No. 3. But Chairman I want to be very clear in my own mind that your committee has in its possession, from what you have said, statements obtained from others and, based on those statements, your committee is going to question me.

Mrs. Sampson Jacent: Mr. Chairman, if may I be permitted to assist the committee, please. The very first thing this committee has to do, Sir, is hear what transpired on that day, in your own words. The Committee of Privileges cannot, at this point, ask you questions based on what it may have read in the newspapers, what it may have heard on the news, all of which is also in the possession of the minds of the committee members, or on the basis of anything else. The committee first has to understand clearly what exactly took place, because you brought this to the House. You are the one who told the House that something took place and before the committee moves a step, in any direction, it first has to hear from you what happened. That is what the committee tried to explain to you in the documents I sent to you.

Mr. Sharma: That is exactly my point, that I thought the committee would have first heard from me and Dr. Rowley, but you went and obtained statements from others, which you have presented to your committee members . . .

Mr. Panday: As the secretary indicated, you will be questioned only on what you have said and if you feel that questions are being asked on extraneous matters, at least, your advisors will tell you—not that you would not answer, but you need some clarification. It is a new procedure and it is good that you are asking questions, and we are all learning.

Mr. Sharma: I want to agree with that, but the fact of the matter is that the committee has in its possession statements from others who are not connected with this, and they are in the committee members' minds. Are the committee members going to isolate . . .

Mr. Chairman: I have explained it, the Secretary has explained it, and Mr. Panday has explained it and you still do not understand it?

Mr. Sharma: I fully understand. The committee is saying that the statements in its possession will not be part of the questioning. Is that it?

Mr. Chairman: Not to you?

Mr. Sharma: To whom?

Mr. Chairman: If and when the committee decides to call whoever gives statements?

Mr. Sharma: Why was this information circulated to the committee now? If I am here . . .

Mr. Chairman: Mr. Sharma, again, that is not within your purview. Do not concern yourself about that. All you need to concern yourself about this afternoon is to just tell us, in your own words, as simply as you can, what transpired on that day.

Mr. Sharma: I want to get something very clear. The committee has me in front of it . . .

Mr. Panday: You asked the committee to constitute, when you complained to Parliament. It is not totally right to say that the committee has you before it, but you have invoked the Speaker to set up a committee. Do not have in your mind that adversarial, accusative position; it is really investigatory rather than adversarial.

Mr. Sharma: This only confirms in my mind that the committee has caused statements to be circulated to members and these members, who I have the greatest respect for, are now going to question me and you are giving me the assurance that they are not going to question me based on those statements. Is that correct?

Mr. Chairman: That is correct.

Mr. Sharma: I am saying that is a difficult thing for them to separate from their minds.

Mr. Chairman: I can assure you that each member here is very capable of separating it.

Miss Lucky: If that was the case, Mr. Sharma, and your concern is with respect to statements that may or may not have been circulated to the members, then you ought equally to be very concerned about newspapers articles, versions that were in the public domain, radio talk show programmes. That is why you have to be aware that when you make a complaint to the Speaker and you ask for the Committee of Privileges to meet, these are all the things that are in existence, there are surrounding circumstances, but you believe that despite those surrounding circumstances and certain things that have been put in the public domain, you repose that level of respect and confidence in each and every one of the members of the committee that we would adjudicate fairly on this matter, otherwise you had the option not to bring it before the Committee of Privileges and take some other action, if any at all. We have all read the papers and any member who wants to say that he or she did not read the papers would be not saying the truth.

Despite what we have heard, despite what we have read, our minds are disabused and we are asking you now to tell us, in your own words, what happened. Our questions are only going to relate to what you tell us. If we have any questions, they are not based on any preconceived ideas. I am sure every committee member is starting off with a blank sheet, which probably just has what occurred so far for the afternoon. Unfortunately, my paper is showing nothing.

Mr. Panday: If you feel, in your own mind, that any question is coming from extraneous sources, before the committee you can indicate your concerns and we will decide what we are doing. If you feel that we are taking things from the press or the electronic and print media, you could tell us if you feel that we are asking extraneous questions and, still falling within the rules of the Committee of Privileges, where you have to answer questions, you can express your concerns prior to answering the questions, that we may deliberate.

Mr. Sharma: Chairman, it is public information, it is well known everywhere that statements have been obtained from witnesses in other matters that have been obtained illegally and through mediums that are not fair. I do not know how these statements were obtained by your committee. I do not know if they were promised favours; if there were threatened to give these statements. The fact that those statements are in the possession of your committee, and your committee is going to question me, having read those statements means that their minds, with that information— The statements obtained are also going to be, as I understand it, part of the report to the Parliament, where I run the risk of sanctions. If it is going to be part of what is going to cause the risk of my getting sanctions, then it is contaminating the process. I have to be clear in my own mind. The newspapers I have no control over, and you have no control over. The radio stations I have no control over, but you have control over—because you asked for those statements, your committee, however they did it, whether the committee did it collectively or indifferently, the fact that the committee asked for it, it asked for a purpose. What was the purpose of asking for it, Sir?

Mr. Chairman: You are not in a position to ask those questions. Your sole purpose here this afternoon is to tell us what transpired in the tea room, as you alleged it transpired.

Mr. Rahael: Mr. Chairman, again, for the umpteenth time; if we look at what Mr. Sharma brought to the Parliament that brings us here, the last paragraph says: "In the circumstances, I submit that there are valid reasons to enquire into and punish the Member for Diego Martin West for having committed a breach of privilege and/or contempt of the House of Representatives. I therefore request that this matter be forwarded to the Committee of Privileges of the House of Representatives.". We are here because of that. So we are here because the hon. Member said that the Member for Diego Martin West has committed a breach of privilege and we are now asking him to please explain to us what is that breach of privilege. Is that good English?

Mr. Chairman: Perfect English. Mr. Sharma, can we really start?

Mr. Sharma: Chairman, from what the member, Mr. Rahael, just indicated you are hearing the complaint made by me and you are also hearing the complaint made by Dr. Rowley. What Minister Rahael is now suggesting, if I understand it, the information I present today, how is that going to be treated with when you are hearing Dr. Rowley's complaint? Is he going to have access to what I say today?

Mr. Chairman: No, Mr. Sharma?

Mr. Sharma: He will not? So today you are only dealing with my complaint?

Mr. Chairman: We are taking your evidence today and we are taking Dr. Rowley's evidence. We cannot ask Dr. Rowley about anything you may say here and *vice versa*.

Mr. Panday: We will not be asking him anything that Dr. Rowley says and we are not asking Dr. Rowley anything that he said.

Mr. Chairman: At this stage. We may wish to call you back later on. Mr. Sharma we again invite you to give to the committee your account of what transpired in the tea room on that day.

Mr. Sharma: Chairman, would you consent that the committee visit the tea room now so we can recreate exactly what took place?

Mr. Chairman: Not at this point in time, perhaps later on.

Mr. Sharma: I think if that is permitted it would present the best . . .

Mr. Chairman: Yes, let us get the story first and then we can consider that after.

Mr. Panday: From my own experience, usually you hear the evidence, and then you visit the *locus sinco* to have an appreciation of the evidence which has proceeded.

Mr. Chairman: I have a feeling that Mr. Sharma is studying law, but you probably asked that question a little ahead of its time. Could you give us your version of what happen?

Mr. Sharma: Chairman, I am under the feeling that today you are only hearing my complaint.

Mr. Chairman: No.

Mr. Sharma: You are hearing both complaints?

Mr. Chairman: Yes, but we told you that since last week. Let us go ahead, please.

Mr. Sharma: Mr. Chairman, I sent to your office the motion, which was read in Parliament and on which you made a ruling.

Mr. Sharma: On Wednesday 15th, there was a sitting of the House and I came to the Parliament at about 1:00 p.m. I first went to the library in the Parliament and then I went to the tea room. In the tea room sitting was Dr. Keith Rowley and Dr. Roodal Moonilal. They were sitting on a three-seater sofa chair at both ends and Mr. Stanford Callender and Kelvin Ramnath were sitting on a two-seater sofa chair. The next vacant chair was a single-seater, so when I entered the tea room, I sat on the single-seater. That single-seater is against the wall of the tea room, the former tea room, so it would have been like where I am now, sitting just like this here. On my right is the two-seater in which to my extreme right was Kelvin Ramnath and next to him was Stanford Callender. Facing the seat I was on is the three-seater and between both chairs is the glass top coffee table. Facing me, on the extreme end, which would be to the right side, my right, was Dr. Rowley and the extreme left end of the couch was Dr. Moonilal.

The television was on and there was a cricket game. We were all looking at the cricket. I requested a cup of coffee and the coffee was served in the smallest of the teacups available, there are two sizes of teacups: a very small one and a regular sized teacup. We all were making comments about the cricket et cetera. Soon after

Dr. Keith Rowley engaged me in conversation and made reference to an article that appeared in the *Newsday* in which I commented about the Grenada situation. During that period it was Hurricane Ivan and the story in the *Newsday*, as I recall it, to which Dr. Rowley made reference, was a question of persons from Grenada seeking refugee status in Trinidad.

Dr. Rowley asked me why do I see race in everything and comments of that kind and I said to him, that was not the case of race; it is what obtains in Trinidad. I went on to suggest to him when you look at Government expenditure, how it was not equally distributed and I pointed out housing was one area, where houses were not built in many of the constituencies represented by Members of the Opposition.

He began to raise his voice and appeared hostile and asked if I was calling him a racist. I did not respond. I continued saying when you look at Government expenditure it tells a story; at which point he got up from his chair and walked towards me. When he walked towards me, I saw him coming appearing very annoyed and I stood up. I stood up—so the chair is here—[pointing] and I couldn't go back much more and he came towards me. Can somebody stand to help demonstrate what happened?

[Mr. Sharma speaking to Mr. Sankersingh] Can you stand and face me? *[Advisor Sankersingh stands]* Facing me with this hand, with the heel of his hand, hit me over here and said . . .

Mr. Rahael: Which hand?

Mr. Sharma: His right hand. He said, "I mad I send down your F-ing teeth," and went on to push—strike me in my chest and then I was the over the chair, against the wall. *[Mr. Sankersingh sits]* I stood up back and he continued saying, "Ah fed up of this Indian race talk; ah fed up; this time I'll deal with you," and continued chucking me in my chest and struck me with his left hand on my face then; at which point Dr. Roodal Moonilal got up and held him and said, "Keith, behave yuhself." I said to him, "Keith, look what you reducing yourself to."

Dr. Moonilal pulled him to his chair; he sat on his chair, which would be facing me, I sat on the chair, and he continued talking. I continued talking and he then began pelting things at me. He pelted a teacup; the teacup in which he had his tea, which hit me in my right, because I braced. It fell on the edge of the coffee table. If you know the design of the coffee table, at the four ends it has a rising, the metal work; a metal table with a glass top; it has a rise on it. It fell on the rising and broke. He pelted me with the cordless phone—there are two remote controls, because it is a cable TV, so I suspect one is for the TV and one is for the remote—at which point Dr. Moonilal encouraged him to leave the tea room.

The sitting of the Parliament would have started soon after and all Members came to the Parliament; it was a short sitting. After the sitting was concluded, soon after, I went to the Police. The Opposition had a caucus meeting to discuss other matters and I went to the Police, which is across the road from here. Before I did that, I came to your office. You were not in; I advised your Secretary why I was there. Some effort was made to reach you. I went to the police. The police accompanied me back to the tea room. Mr. Ganga Singh and Mrs. Bissessar went with me to the Police Station and three officers came back. The officers, I think,

approached the Clerk of the House. The Sergeant-at-Arms came down, met with the Police; the Police took the teacup with them; interviewed members of staff. In fact, I was there when they were interviewed. I think they interviewed four members of staff, all claiming not to see or hear anything.

I subsequently went to the Port of Spain General Hospital where I was seen by the attending physician and two other doctors came. The doctor wrote up a medical report in my presence, which was given to the Police and I was treated at the hospital for a number of matters and that's about it.

Mr. Chairman: Thank you very, very much, Mr. Sharma, that was so simple. I will now invite members of the committee to ask questions of Mr. Sharma. As suggested by Mr. Panday, if you wish to ask a question, just put up your hand so I can recognize you. Any questions of Mr. Sharma?

Mr. Rahael questions Mr. Sharma:

- Q.** This incident occurred about what time? Did you say what time?
- A.** After 1:00.
- Q.** After the incident you claimed that you went to the Parliament, to the House. Did it happen right after? I am just trying to get an idea what time?
- A.** What is your question?
- Q.** I'm trying to get a time that this incident happened; you said after 1.00. I am asking you, immediately after the incident you went to the Parliament or did you stay in the tea room, just to get an idea what time the incident happened?
- A.** I was in the Parliament before it began.
- Q.** After the incident did you remain in the tea room for a period of time or did you go straight to the Parliament?
- A.** After the incident . . .
- Q.** Did you remain in the tea room for a time or did you go straight into the Parliament?
- A.** I would have stayed in the tea room for a few minutes.
- Q.** Could you tell me what time you went to the Police?
- A.** After the sitting of the House.
- Q.** You don't have a time? What time in the evening?
- A.** The sitting would have concluded sometime after 2.00; we had a caucus meeting, so some minutes after 3 o'clock.

Mr. Rahael questions Mr. Sharma—Continued

- Q.** When Hon. Dr. Rowley, as you said, pushed you a couple times . . .
- A.** Struck.
- Q.** Struck you couple times on your chest and on your face, the objects that he also threw at you, were you hurt at the time? Did you feel any pain?
- A.** I do not follow your question; repeat it for me.
- Q.** After Dr. Rowley, as you indicated, struck you many times on your chest and in your face and he pelted objects at you, I am asking, were you in pain after all those incidents of being struck so many times?
- A.** Yes.
- Q.** You were in pain?
- A.** Yes.
- Q.** But yet you were able to go to the Parliament, attend caucus, report it to the Police and then go to the hospital?
- A.** Yes.
- Q.** Dr. Rowley left with someone else or—after the incident, who left the tea room and who stayed back? I don't know if you indicated that to us.
- A.** I did indicate.
- Q.** What was it again? Sorry, I missed it.
- A.** Can we get a copy of the Hansard to refresh our minds? If I recall I did indicate that Dr. Moonilal took him out.
- Q.** Dr. Moonilal and Dr. Rowley left the tea room?
- A.** I said Dr. Moonilal took Dr. Rowley out of the tea room.
- Q.** So they both left the tea room, Dr. Moonilal and Dr. Rowley and therefore Mr. Ramnath and Mr. Callender stayed back?
- A.** Yes.
- Q.** Did you indicate to Mr. Callender or Mr. Ramnath that you were in pain after the incident?
- A.** There was no need to do that; they are not doctors.

Q. So you did not?

A. They are not doctors; there was no need to.

Q. So you did not complain to them?

A. I wasn't aware that I should have.

Q. I am not saying you should; I am just asking if you complained to them and you said, no.

Mr. Chairman: Just answer the question.

Mr. Sharma: At the same time the question must be relevant to what we are discussing. You are questioning me on what I've said.

Mr. Chairman: Let the Member ask the question.

Mr. Sharma: Any question?

Mr. Chairman: Arising from what you said.

Mr. Rahael: That's it for now.

Mr. Chairman: Other members, any questions?

Mr. Bereaux questions Mr. Sharma:

Q. Can you say exactly when you went to the Police Station and gave that report, in terms of time?

A. Around 3 o'clock; maybe minutes after or minutes before.

Q. You cannot say exactly?

A. That is as exact as I can be.

Q. There is a reason why I'm asking. You said minutes after 3:00?

A. It would have been around 3.00, maybe minutes before or minutes after

Q. I just want to get this one thing clear. After this altercation and these alleged blows which passed, did you report to anybody else before the sitting or during the sitting? You made no report to anybody, like the Speaker? The Speaker was there. Did you report or seek to report it?

A. There was no opportunity for that.

Q. I am asking you a question?

A. I've answered your question.

Mr. Bereaux questions Mr. Sharma—Continued

- Q.** That is not an answer. Did you or did you not do it? It is quite clear. I am asking you. I did not ask about opportunity; that is if I ask, why not. I'm still trying to get an answer?
- A.** We are not in a court. I am saying what I did. The sitting began; the Speaker was in the Chair; after I went to the Speaker's office, he was not in.
- Q.** Did you go to the Speaker's office by yourself or in the company with somebody else?
- A.** There may have been others?
- Q.** I am asking you. Did you go by yourself or in company with anybody else?
- A.** Sen. Robin Montano was with me when I went to Speaker's office.
- Q.** Sen. Robin Montano was with you?
- A.** I did not hear you. You said something; let me hear you. Do you mind repeating what you said?
- Q.** You said . . .
- A.** Before I answered the question . . .

Mr. Speaker: No, please.

Mr. Sharma: He said something; I want to know what he said.

- Q.** I was just speaking to myself.
- A.** Well I prefer you don't speak to yourself while you are asking me questions. You cannot ask me questions and speak to yourself, because I'm listening, so I wouldn't when you're speaking to yourself.
- Q.** I will make sure and tell you in the future. How many blows you got from Dr. Rowley, allegedly?
- A.** A few.
- Q.** How many, could you please tell me?
- A.** I was struck first in my face with the heel of his hand.
- Q.** Which hand?
- A.** I indicated that earlier.
- Q.** Which hand?
- A.** Which hand, what?

Q. Which hand did he strike you with?

A. On the first occasion or the second occasion? I indicated he struck me and . . .

Q. On the first occasion, which hand did he strike you with?

A. Let us recreate it.

Q. I am asking you a straight question.

Mr. Sharma: Chairman, when I presented the information a while ago, at your request, it was for the members to take note; now the member is cross-examining me.

Mr. Chairman: He's asking you a simple question.

Mr. Sharma: Which I answered a few minutes ago, which was very clear. I demonstrated it; I even asked for us to go to the tea room.

Mr. Breaux: If you don't want to answer, I can't force you.

Mr. Chairman: Proceed with another question.

Q. You said you were hit; you said with the hand and then some missiles of some sort were pelted at you. Where did they hit you, if at all any of them? Where did the teacup hit you?

A. I indicated that. The medical which you have in your possession tells you I got hit on my right hand. I told you what happened when he pelted the teacup, five minutes ago I said that. I said he pelted me with the telephone and the cordless.

Q. Where did you get hit?

A. On my chest area with the two remote controls and the cordless phone.

Q. Both of them in your chest area?

A. Yes.

Q. Who else were the persons there?

A. I indicated that earlier.

Q. No, I . . .

A. What is your question?

Q. You said Mr. Ramnath, Dr. Roodal Moonilal, Mr. Stanford Callender and Dr. Rowley and yourself. Were any other persons there?

Mr. Bereaux questions Mr. Sharma—Continued

Mr. Sharma: Chairman what is the purpose of that question? I've indicated who was there. You can't cross-examine me like that.

Mr. Chairman: It is not cross-examination. He is asking you to confirm whether . . .

Mr. Bereaux: I am having difficulty. I am not going to ask the hon. Member any other question.

Mr. Sharma: Thank you.

Mr. Rahael questions Mr. Sharma:

Q. You did indicate that Dr. Rowley hit you with the palm of his hands and it was his right hand. That is what you said before?

A. When did I say that, Sir?

Q. When you were doing the demonstration.

A. Okay.

Q. When you were doing the demonstration, that is what you said. Correct?

A. Correct.

Mr. Panday: He said right first and subsequently he said the left also.

Q. You want to change that or is it the right?

A. I can't change anything. *[Crosstalk]*

Q. The only reason I'm coming back to that is because you said, whether it was the first time or the second time. Dr. Rowley hit you how many times?

A. Let's hear the Hansard. It would say what I said.

Q. I can tell you what the Hansard said.

Mr. Chairman: Perhaps, you should rephrase the question. Do you recall?

Mr. Sharma: Chairman, I demonstrated that; it is now in the records; it is strange that both the Member for La Brea and Mr. Rahael—*[Interruption]*—allow me to speak, please—both the Members suddenly can't remember what was said five minutes ago. I have no difficulty with that. They can't recall what was said five minutes ago, they want me to recall—listen, let us be neutral. The Hansard record has it. Let us produce it, it will benefit all of us. You cannot cross-examine me like that at all. *[Crosstalk]*

Mr. Rahael questions Mr. Sharma—Continued

Q. Mr. Sharma, I do not want to cross-examine you. I just want to clarify. You indicated that Dr. Rowley struck you or whatever, but then you asked whether it was the first time or second time. Do you recall how many times Dr. Rowley hit you with his hand.

Mr. Sharma: Mr. Chairman, the questions are intended to be repeated, hopefully, that the answer would be different. *[Interruption]* I am speaking now. I wish to refer to the *Hansard* full stop.

Mr. Chairman: We are not going to refer to the Hansard during any questioning.

Mr. Rahael: Mr. Chairman, he indicated whether it was the first time or the second time when Mr. Bereaux asked the question.

Mr. Chairman: Mr. Sharma, you would recall you are the one who complained of these things, so I would imagine that it would be certainly in your memory what happened, whether it was one time, two times or whatever.

Mr. Sharma: I answered all of that.

Mr. Chairman: I know that, but all he is asking you is, do you recall, can you confirm.

Mr. Sharma: Chairman, this incident took place on the 15th day of September, today is the 26th of October, it is almost six weeks. I am being asked to recall what took place six weeks ago.

Mr. Chairman: If you can't recall, say so.

Mr. Sharma: The committee heard it six minutes ago and they cannot recall it. I am asked to repeat something that took place it six weeks ago.

Mr. Panday: Mr. Chairman, I submit that it really is tantamount to cross-examination.

Mr. Chairman: But we are not cross-examining anybody.

Q. I am just saying that when you first explained what happened—I'm just trying to help you—when you first explain what happened, you said that Dr. Rowley hit you with the palm of his hand and you said the right hand, that is what you said. I remember clearly what you said. When Mr. Bereaux asked you, you asked whether it was the first time or the second time, so it means, therefore, that he may have hit you more than once.

A. I did say that. *[Crosstalk]*

Mr. Rahael questions Mr. Sharma—Continued

Q. You did? Then say that, okay, thank you. So he hit you a few times?

A. I demonstrated as well.

Miss Lucky: I am going to clear up the record, because what occurred in this case was a demonstration and then Mr. Sharma proceeded to give further evidence. In the demonstration, when Sankersingh was used, Mr. Sharma has not been inconsistent, because he said . . .

Mr. Bereaux: I did not say he was.

Miss Lucky: Please, I want us to be quite fair and I, too, like Mr. Panday, feel that we have to be careful that we do not cross-examine. What the witness, Mr. Sharma said, is that when Dr. Rowley came to him—and the demonstration was shown—we were shown a right hand going on to a right check and then Mr. Sharma went on to say that he was pushed back, and he had already indicated that his chair was already onto the wall, and then another statement was made by Dr. Rowley and Mr. Sharma said he was “chooked”, if I got the word correct. He was “chooking” me in my chest, he “chooked” me with his left hand. That is where the two different hands come in, with two different circumstances.

Mr. Rahael: So he was not hit twice?

Miss Lucky: It was a demonstration and we saw the use of certain hands and certain things were pointed out.

Mr. Chairman: The question, I think, Mr. Rahael is asking is how many times did you say Dr. Rowley struck you in your face. Once or twice?

Mr. Sharma: Twice.

Mr. Panday questions Mr. Sharma:

Q. Did you ever call Dr. Rowley a racist?

A. No, I did not.

Q. When you made the statement that they “doing” for Grenada and they are not doing for different constituencies represented by the UNC, what was the purpose of making that statement, might I ask?

A. I was demonstrating that the Government expenditure, in the particular instance, the Ministry of Housing, was doing a number of houses all over and there was not a fair distribution in the constituencies, because the need exists in all the constituencies. I showed him what was happening in my own constituency, for instance, and what was happening in a PNM constituency and showing him that in PNM constituencies a number of houses were being constructed.

Mr. Panday questions Mr. Sharma—Continued

- Q.** But let us look at the politics of Trinidad and Tobago. You realize that the country is polarized; do you agree with that?
- A.** Yes, it is.
- Q.** You would also agree with me that the PNM is rooted more in the African base of the society?
- A.** Well, I'm not sure.
- Q.** And the UNC are, basically, Indian areas?

Mr. Chairman: If I may interject here; I will prefer a different line of questioning. Just question him on what he has said.

- Q.** In your own mind, did you believe that that statement could have started the argument?
- A.** Dr. Rowley started the discussion, he raised his voice, he got angry, he assaulted me, so there was nothing I started.
- Q.** You made mention about a statement that you made in the *Newsday*, could you remember the statement which you were purported to have made in the *Newsday*?
- A.** I would prefer we get a copy of the *Newsday*, because I can't remember the details.
- Q.** In your own mind, did you do anything to provoke Dr. Rowley?
- A.** Not at all.
- Q.** You said that things were thrown; you itemized things which were thrown after you all sat down again. I see in a medical that you said here, "soft tissue injury to the face, chest and right hand. Do you remember what caused that soft tissue injury to the right hand?"
- A.** The first thing I want to clear is that I did not say that, that's the doctor's idea. For the records, I want to say that is the attending physician at the Port-of-Spain General Hospital. The injury to my right hand is caused by the teacup pelted at me by Dr. Rowley, which I "breaks", hit my hand, fell on the edge of the coffee table, the iron part and the teacup broke.
- Q.** Did you use any obscene language that day?
- A.** No.
- Q.** You know sometimes you appear to be slightly cantankerous, were you in that poplar and particular mode that day?
- A.** I was in a very good frame, very friendly, very nice, as I am most times.
- Q.** Now, how many reports did you make to the police?
- A.** Only one report; only one visit to the police.

Mr. Panday questions Mr. Sharma—Continued

- Q.** One report, one visit to the police. You said you made the report sometime after 3:00 that day?
- A.** Around 3:00 give and take a couple minutes before or after.
- Q.** Having made the report, exactly what happened thereafter? The Police came across straight to the Red House?
- A.** That's right.
- Q.** When the Police came across to the Red House, did they pick up any exhibit or things from the Red House?
- A.** When the Police came they made contact with the Clerk of the House who, I suspect, they were seeking to establish why they were there. They were then met by the Sergeant-at-arms, taken to the tea room. In the tea room, they interviewed the attendants, who might have numbered four and the teacup was presented to the police and they left with the teacup.
- Q.** You said that the Police came and they interviewed you. Did they interview you there, at the tea room?
- A.** No, they spoke with the Sergeant-at-Arms and the attendants.
- Q.** Were the number of attendants four?
- A.** I recall four.
- Q.** When the police examined the attendants you were present, were you?
- A.** Yes.
- Q.** You indicated in your evidence that each one of them said they saw nothing.
- A.** They said they saw nothing and heard nothing; they were not in the precincts of the tea room, meaning the area we were occupying.
- Q.** Now you know downstairs, the tea room is divided into two areas, one where the food was served and Members eat and then there is a corridor and then there are some seats and a television in another room on the western side of the main room, remember that?
- A.** Yes.
- Q.** Now, on the western wall of that room there is a clock, you remember that?
- A.** Yes.
- Q.** There is a door just in that vicinity?
- A.** Yes.

Mr. Panday questions Mr. Sharma—Continued

- Q.** When the incident happened, were any member of the staff present in the room?
- A.** No, the only persons in the tea room were the Members Parliament.
- Q.** And as I said where the clock is there is a door.
- A.** Yes.
- Q.** That door was opened or closed?
- A.** That door is always closed it is never opened, it is one of those doors that—it is a swing door.
- Q.** That door—is there any glass on that door or is it a solid wooden door?
- A.** I think it is a solid door.
- Q.** You said they made one report to the Police.
- A.** That's right.
- Q.** When the officer spoke to the four people, did he indicate their desire to have written statements from them?
- A.** I would not be able to say. I suspect after he interviewed them and they indicated to the officer—because there were three of them—they indicated they had seen nothing, they had heard nothing, perhaps, there was no need for statements.
- Q.** Thank you very, very much, Sir.

Mr. Chairman questions Mr. Sharma:

- Q.** Mr. Sharma, are you aware that there is a Police post in the Parliament?
- A.** Yes.
- Q.** Why did you not report this incident to the Police who were on the precincts of the Parliament when it occurred?
- A.** I wasn't aware that the Police was for that purpose. I thought they were just here to manage traffic and so. In fact, I don't think Members of Parliament are aware of their existence, in a real sense—we see police there and the police post in our minds means where the police can change their uniforms and sit, et cetera, et cetera.
- Q.** Now you said you were in the tea room at about 1 o'clock you arrived?
- A.** Yes.
- Q.** At what time approximately or as far as you recall, this incident occurred?
- A.** I would think close to, maybe, 10, 15 past 1:00, because as I indicate when I came to the Parliament, I went into the library and we had spent two or three minutes and came into the tea room.

Mr. Chairman questions Mr. Sharma—Continued

- Q.** Why did you not come to me between that period, 1:15 to 1:30, to report this incident?
- A.** I didn't think it was necessary at that point. I was shocked; I couldn't believe this had happened. By the time I left—usually we enter the Chamber not later than 25 past 1:00, to receive you at half past 1:00, so there was no time for that. I was in shock.
- Q.** Permit if you find I am repeating a question that somebody might have asked before. Why did you not raise this matter in the House?
- A.** Chairman, I am not aware there is a procedure available to Members to raise such. In fact, there is none.
- Q.** To the contrary, I think there is. I will let you know. What time did you come to see me and you said you were accompanied by Sen. Montano? You came to my office with him?
- A.** Yes.
- Q.** He did not join you there, you came together with him?
- A.** Yes.
- Q.** At what time was that?
- A.** That would have been maybe half . . .
- Q.** Before or after you went to Police?
- A.** Before.
- Q.** Before you went to the office?
- A.** I first came to you, meaning your office, you were not in and then I went to the police.
- Q.** You said that Dr. Rowley came towards you and he slapped you?
- A.** He hit me with the heel of his hand.
- Q.** Not a slap?
- A.** The first one was this [*Mr. Sharma demonstrates*] and the second contact in the face was a slap.
- Q.** Then you said he chucked you?
- A.** Struck, chuck/struck, very violently.
- Q.** Not "chook"? There is a difference between struck and "chook"? "Chook" is like a pinch.
- A.** "Chook" is not that. He didn't "chook" me; he struck me forcefully, because, as I said—the width of the chair might be about 24 inches, so my leg was jamming the chair, I was standing up and he struck me. I went to the wall, so it had to be with some force for it to happen.

Mr. Chairman questions Mr. Sharma—Continued

- Q.** I think some member had asked you if you were in pain subsequent to receiving these pushes and slaps and “chook” . . .
- A.** Subsequent?
- Q.** Were you in pain when it happened?
- A.** I was struck, I was assaulted, I was hurt.
- Q.** But were you in pain? If a fella hit you, you will be in pain?
- A.** Of course, the degree of pain is what . . .
- Q.** You noticed whether your face was red, at that point in time?
- A.** I did not have access to a mirror, Sir, but there was soft tissue damage according to the medical report.
- Q.** I have a copy of the report that you had caused to be sent to me.
- A.** I am sure my face would have gotten red.
- Q.** Was there any swelling.
- A.** Yes.
- Q.** Right after? When did you observe the swelling?
- A.** When I went to the doctor, the doctor indicated it was swollen and there was soft tissue injury.
- Q.** Did you observe swelling before you had gone to the doctor?
- A.** I didn't have access to a mirror.
- Q.** Did you feel any numbness, then?
- A.** Yes. When I went to the hospital, since you asked the question, a urine sample was required and I was taken to the bathroom accompanied by a nurse and there was a mirror in the bathroom. I was taken to the doctors'—and I saw the redness and swelling.
- Q.** Just on your face? What about your hand and chest?
- A.** I couldn't see my chest then.
- Q.** When the House was sitting, did you feel the effects of these alleged blows?
- A.** As I indicated, I was in shock. I felt numbness, I felt hurt, weak, pained. I think I couldn't believe it had happened. I participated in the proceedings, as you recall.
- Q.** The effects of these alleged incidents did not affect your participation in the committee meeting?
- A.** I can't say, you would have to say, because I did do what I was required to do. *[Laughter]*

Mr. Chairman questions Mr. Sharma—Continued

- Q.** At what time, approximately, after the incident did Dr. Moonilal escort Dr. Rowley out of the tea room?
- A.** Say again.
- Q.** At what time or after which incident?
- A.** After he pelted me.
- Q.** With?
- A.** The teacup and the remote controls and the cordless phone.
- Q.** Now the throw of these objects, was it in that order you just described: the teacup first?
- A.** The teacup first and the next three—well, they came so fast I wouldn't know the order, but the teacup I remember first, because I "breaks" the teacup.
- Q.** The teacup came first?
- A.** Yes.
- Q.** Was there a table between you and him at that point in time? The coffee table was there?
- A.** Yes.
- Q.** Assume this is the teacup—*[Mr. Chairman raises book to demonstrate]* did he throw it or did he slide it?
- A.** Ask that question again.
- Q.** I am trying to demonstrate here. This is the saucer—firstly, was there a saucer on the teacup or was it just a teacup?
- A.** A teacup.
- Q.** Did he throw the teacup toward you or did he slide it on the coffee table?
- A.** Slide that and you will see. Slide it across. *[Mr. Chairman slides the book in demonstration]*
- Q.** The question I asked you was whether there was table between you and him?
- A.** Yes, but if he slide it, it would fall. He pelted.
- Q.** So he did not slide it? It was thrown?
- A.** Pelted it at me.
- Q.** Pelt is this—*[Mr. Chairman demonstrates]*—thrown could be this. Which is it?
- A.** Pelt.

Mr. Chairman questions Mr. Sharma—Continued

- Q.** Pelt is that.
- A.** I am not sure of what you mean by “throw” and “pelt”.
- Q.** I am demonstrating, listen carefully. *[Crosstalk]* I am interpreting this as throw, I’m interpreting this as pelt. *[Mr. Chairman demonstrates]* So this is the teacup, that is a pelt, that’s my interpretation of it. This is a teacup and this is a throw. Which was it?
- A.** I doh agree with what you’re saying. What I am saying is that the teacup left his hand, which ever medium he used, made contact with my hand, hurting my hand, fell on the edge of the coffee table, the island part, and broke.
- Q.** You are not sure whether it was thrown at you or if he pelted it?
- A.** I said he pelted and you are saying your variation of pelt.
- Q.** I just demonstrated, in my opinion, what I am saying is a throw.
- A.** But I’m not agreeing with what you mean by “throw” and “pelt”.
- Q.** Did he do this then? *[Mr. Chairman demonstrates]* Follow me: I am Dr. Rowley and you are Mr. Sharma, obviously, this is the tea cup. We’re about this distance apart you think?
- A.** Smaller.
- Q.** About here so?
- A.** Yes.
- Q.** So was it this? *[Mr. Chairman demonstrates]*
- A.** It may have been, because I know the teacup leaving his hand—I won’t be able to say exactly.
- Q.** It wasn’t that?
- A.** I don’t think it was slide, if we use your word.
- Q.** I’m saying “throw”?
- A.** If we could agree that the teacup left his hand, because I cannot go with everything you’re saying there: pelt and throw, so I’m saying he pelted me with the teacup.
- Q.** Could you demonstrate it?
- A.** Can you pass me a teacup, please? *[Laughter]*
- Q.** So let us assume that this is Dr. Rowley here . . .
- A.** I do not know whether he held it like this or like this. All I do know is that the teacup came at me.
- Q.** Like that?
- A.** Exactly.

Mr. Chairman questions Mr. Sharma—Continued

- Q.** So that's why I'm saying it is a throw.
- A.** Okay.
- Q.** So he did not pelt you? Earlier on you said pelt?
- A.** This is what I consider pelt. You are saying your variation is so.
- Q.** Obviously, you never played cricket. Let us leave that there.
- A.** Okay. But we have established that the teacup left his hands, made contact with me.
- Q.** You have said that the teacup left his hand. Now, for my benefit—as I said, you'll forgive me if I repeat a question asked before—and just give me a yes or no answer, if you could—did you call Dr. Rowley a racist?
- A.** I never called Dr. Rowley a racist.
- Q.** Thank you. Did Dr. Rowley call you a racist?
- A.** No.
- Q.** Did you curse Dr. Rowley?
- A.** No.
- Q.** Did Dr. Rowley curse you?
- A.** He used foul language. I don't think he curse me. He said, in effect . . .
- Q.** The proverbial "F" word, he didn't use that, did he?
- A.** He used it, but not cursing me using it.
- Q.** In conversation?
- A.** Yes. When he came to me, he said, "I mad to send up your F . . . ing teeth."

Miss Beckles questions Mr. Sharma:

- Q.** I just have one question. You went to the Parliament following the incident. Did you speak at all during the parliamentary session?
- A.** On that day there was no speaking, it was a finance committee meeting.
- Q.** Did you make a contribution?
- A.** Certainly.

Mr. Rahael questions Mr. Sharma:

Q. You did say, in fact, in your document to the Speaker that you were molested by way of assault, insulting and abusive language. In addition to all of that, you were struck in the face more than once, you were pushed more than once. No one came to your help, not Dr. Moonilal or no one interjected and held back Dr. Rowley or anything like that?

A. At what point?

Q. At any point.

A. I indicated that he was held back by Dr. Moonilal.

Q. Fine. All of that and, I mean, someone came, chuck you, then push you, then slap you and you just didn't retaliate?

A. What would you have done?

Q. I may have retaliated.

A. How?

Q. I'm just curious.

A. I did not retaliate. As you know, I am a man of peace. *[Laughter]* In fact, Mr. Rahael, if you recall, I said it earlier, "Keith, look what yuh reducing yourself to."

Q. Again, the Member for Diego Martin West abused you, used obscene language at you, threw objects at you, chuck you in your chest more than once, slapped you more than once and you did not retaliate?

A. I did not.

Q. When the Member for Diego Martin West was doing all of this, no one actually stopped him, no one stopped him from doing all of this?

A. I indicated that Dr. Moonilal . . .

Q. You said that Dr. Moonilal moved him away?

A. Moved him meaning stop him.

Q. All of these incidents happened before anyone stopped him?

A. In your estimation, how long do you think these incidents took?

Mr. Chairman: No, no, please. All you have to do is answer the question.

Mr. Sharma: Chairman, in fairness, he is asking like this is a delayed play.

Mr. Chairman: All you have to do is answer the question.

Mr. Rahael questions Mr. Sharma—Continued

Mr. Sharma: All these things do not take very long.

Mr. Rahael: Mr. Chairman, we heard that something was thrown; we heard that something else was thrown, a cordless phone, several objects were thrown. We heard that he had to leave from where he was to approach you where you were seated, chucked you, slapped you, chuck you, slap you—*[Crosstalk]*

Mr. Chairman: Just ask the question.

Q. I'm just saying, all of this happened, and no one, while these things were happening, no one stopped him from having it done to you and you did not retaliate?

A. I answered the question. I think he is just repeating himself.

Mr. Bereaux questions Mr. Sharma:

Q. You indicated that you had gone to the Police Station at some time and that you made a report. Do you know if that report was written down?

A. Say again.

Q. Do you know if the report which you made was taken down in writing?

A. Yes it was.

Q. Could you recall the name of the Police officer who took it down?

A. No. The Police officers do not carry name badges on their shirts.

Q. I didn't ask you that. I ask you and you answer and as you answer I take it. Mr. Sharma, let me tell you: I am trying to be fair and I propose to be fair, but if you don't answer me—I do have another choice.

A. To be unfair? You have a choice to be unfair?

Mr. Chairman: Please, please.

Q. I am trying to be fair by asking you and you are refusing to answer.

A. I want the records to reflect that you have . . .

Q. Did I say that?

A. The record must reflect . . .

Mr. Bereaux questions Mr. Sharma—Continued

Mr. Chairman: Please! Would members just ask a question and Mr. Sharma, please, just answer the question, doh ask a question. You are not allowed to ask questions.

Q. I asked if you know it, if yuh dunno, yuh dunno.

A. I don't know the name of the officer.

Q. I see here what is supposed to be a medical report, which you submitted, but from my own experience I know that this is not the complete report. Did the doctor give you any other thing but these two, one saying "Medical Report" and one at the back? Was there any other attachment to this?

A. You said you know medical reports to be different.

Q. Let me just finish. I see what is addressed as a medical report?

A. Which is a medical report; which is the medical report.

Mr. Chairman: I think it is one report, but photocopied front and back.

Mr. Bereaux: Front and back, one page.

Q. What I am asking is if that all given to you by the doctor?

A. There was the x-ray; there was whatever other procedure they would have employed.

Q. Can you provide us with a copy of that?

A. What is the purpose of that?

Mr. Chairman: Say yes or no.

Mr. Sharma: But I have to know, so I can decide if I can produce it. If you're asking if I could give the chest x-ray, the other things, you have to tell me you need it for this purpose and I would say yes or no.

Q. All I ask is can you do it. If you can't . . .

A. I will be prepared to do it if I know for what purpose it is going to serve. I will give you whatever is available.

Q. I need to get complete picture of what the medical . . .

Mr. Speaker: If the committee needs it, we will send for it.

Mr. Sharma: All medical reports are like that. I am prepared, once it is required.

Mr. Bereaux questions Mr. Sharma—Continued

Mr. Chairman: Any other questions Mr. Bereaux?

Mr. Bereaux: No.

Mr. Chairman: I just have a few questions before we wind up this witness.

Mr. Chairman questions Mr. Sharma:

- Q.** I won't delay you. I do not want to interfere with your dinner arrangements. Are you a diabetic?
- A.** Yes.
- Q.** Who did you first report this incident to?
- A.** To the police. After I came to your office, you were not there; I left your office and went to the Police.
- Q.** So the first person you . . .
- A.** Your question is: To whom did I report this matter firstly?
- Q.** Yes?
- A.** I first reported it to the Police.
- Q.** The first person you reported this matter to is the Police?
- A.** Yes.
- Q.** Who was the first person you spoke to about it?
- A.** You have changed your question now.
- Q.** It is a second question. Who was the first person you spoke to about this?
- A.** It was raised in my caucus meeting and I said what happened.
- Q.** You could recall whom you addressed first?
- A.** The caucus.
- Q.** Again, forgive me for repeating a question that may have been asked before.
- A.** What you meant by report, by the way, I just want to be clear. Your question was: To whom did I first report it? What you mean by that?
- Q.** It was clear. Other than Mr. Callender, Dr. Moonilal and Mr. Ramnath, no other Member of Parliament or other person was in the tea room when Dr. Rowley, allegedly chuck you, slap you, throw the teacup at you?
- A.** That's right.
- Q.** All the objects were thrown; I think you'd confirmed that?
- A.** Whatever term, but meaning left Rowley's hand and came in contact with me.

Mr. Chairman questions Mr. Sharma—Continued

- Q.** Did you, at any time, after this incident on Wednesday, I think it was, speak to the media about it?
- A.** On the same day, the media was back and forth, so they would have seen me coming and going from the police station.
- Q.** The question is did you speak to the media about it?
- A.** I may have.

That is all that questions I have for Mr. Sharma. No other questions. Mr. Sharma, may I thank you sincerely for finally coming to answer these questions. May I also thank your advisors for being present. If you can, probably, just wait outside I will let you know what the committee decides about your invitation to visit the tea room. Just wait outside and I will give you an answer to that.

Mr. Sharma and advisors, before you go I must inform you that these proceedings that took place here this afternoon, as lawyers would say, are *in camera* proceedings, and it is not to be published, in its widest sense, so that you do not speak about it to anybody else. You do not give interviews with the press. It is just not to be published.

If that were to occur and it was brought to the attention of the House, that, in itself—as a former Parliamentarian you would know—I think Mr. Sankersingh had served as a Senator some time ago—okay, it is probably yet to happen—*[Laughter]* but Mr. Sankersingh knows very well, he is a lawyer of long-standing, that itself would be a contempt and breach of parliamentary privilege. I urge you not to communicate these proceedings and what transpired here today to anybody.

Mr. Sharma: On that same note, the last time such occurrence took place, it was the Prime Minister, so you want to make sure it stays with us.

Mr. Chairman: That is something else, we are dealing with what's before us.

**ORAL EVIDENCE OF MR. KEITH ROWLEY GIVEN ON
OCTOBER 27, 2004**

Mr. Chairman: Dr. Rowley, welcome. Let me apologize for keeping you waiting for a while. We did have a delayed start to the proceedings that preceded your entry into this committee meeting. Let me remind you that this is the Committee of Privileges, which meets in private and the work of the committee cannot be published before the committee reports. Whatever is said inside here is said *in camera*, which means that it cannot be published outside of this committee, so that your advisors are not permitted to discuss this matter with anybody else. You are not permitted to discuss this matter with anybody else and it must not be published—and I use the word “published” in its widest sense.

With respect to your advisors, let me indicate that their role here is simply that of advisor, rather than representative. You can converse freely with them, but they will not be permitted to present evidence on your behalf or of any witness' submission. They cannot object to the procedures or lines of questioning pursued by the committee; they cannot question witnesses.

Now, I think on the last occasion you did introduce your advisors but, perhaps, as we are now in full session, you may wish to do so again.

Dr. Rowley: Thank you very much, Mr. Chairman, members of the committee and members of staff. No need to an apology with respect to the late start. As I indicated earlier on, it is my intention to cooperate fully with the committee and I appreciate the fact that the committee is sitting at this late hour. On my right is counsel, Margaret Rose, further right is counsel Celeste Jules.

Mr. Panday: Mr. Chairman, before you proceed, in fairness to Dr. Rowley, is it possible to indicate to him that the only questions which would be asked of him is what he said and what nobody else said, so his mind would be focused; exactly what you told the other person.

Mr. Chairman: Now, at this stage, we will only ask you questions based on what you would tell us, not on what anybody else may or may not have said; so that we are only asking you questions on what you will relate to us this evening.

On Friday, September 17, you rose in the House and sought my leave to have a matter referred to this committee; that matter related to an incident you alleged took place in the Members' lounge of the Parliament on Wednesday 15, September, 2004, which, in your opinion, resulted in a breach of your parliamentary privileges. Based on your submissions, which you should have before you, I referred the matter to this committee for investigation as to whether, indeed, a breach of your parliamentary privileges had occurred. You will further recall that on Friday, September 17, Mr. Sharma also raised in the House a matter that he believed affected his privileges and related to the alleged incident. This too was referred to the committee for investigation.

It is against this background, that I now invite you to tell this committee exactly what transpired in the Members' lounge on Wednesday 15, September, 2004.

Dr. Rowley: Thank you, Mr. Chairman.

Let me, with your indulgence, just clarify, firstly, by just mentioning by way of putting on the record, that I still, notwithstanding your ruling, have some concerns about not being able to sit in on Mr. Sharma's testimony. I know that the committee has a position on that, but I still have my concerns that in light of the fact that findings can be made, which are adverse to me, I should have been able to hear what he has to say. I accept the ruling and I will cooperate.

Secondly, Mr. Chairman, in my statement in the Parliament there were two issues I raised: one, was that I was verbally abused in a very vile manner by Mr. Sharma and insulted in the precincts of the Parliament, in a manner which I view was a breach of my privilege, insofar as it was dishonourable and it affected my ability to go about my business. Secondly, I raised the issue of Mr. Sharma and/or his agents propagating a falsehood to the national community, claiming that I had assaulted him and this matter has been fed to the electronic and print media and this false allegation continued and continues to be repeated as a blatant attempt to tarnish my reputation and, more so, to intimidate me in the performance of my duties as an elected Member of this House and I consider that to be a breach of privilege.

So there are two issues that I raised in my complaint to the House: the actual attack, the verbal insult and also the repetition in the public domain of an incident that did not take place, which I claimed from day one, and I still claim, is a fabrication meant to defame me with a purpose to affecting me in the performance of my duty. Now I get to the point that you ask about.

Mr. Chairman, on Wednesday 15, September 2004, I went into the tea room some time after 12:50 p.m. MP for Oropouche, Roodal Moonilal, was in the tea room sitting on the north side couch in the left hand side of that couch. One side of the pantry door was opened and the other side was closed, so I could walk through. I came through the pantry and entered through the opened door and sat right on the north side of the couch. I sat beside Mr. Moonilal on the same couch.

When I walked into the TV room, MP Moonilal was alone in the sitting area. Prabha Singh, who is the tea lady, walked into the room and I asked her to get me a cup of tea and some crackers. She served me the cup of tea and the crackers and I consumed both. I left the empty teacup on the coffee table in front of me. On that coffee table there was also a remote control for the TV and the portable phone. MP Moonilal and I were watching cricket and we were discussing the scores as the game progressed.

A few minutes later, MP Stanford Callender, Tobago West came and joined us. He sat on the eastern side of the room on that couch. Soon after he was followed by MP Ramnath for Couva South, who came in and sat next to Mr. Callender on the eastern couch. At this point, there were four people in the television area and there was, at least, one staff member elsewhere in the wider room in the dining area; so, at least, five persons were in the room; four of us in that area there and one in the other. While seated in the tea room on the south-facing couch with my back to the passage way, I felt a very gentle tap on the back of my head. On looking over my shoulder I realized that it was MP Sharma who was passing and was saying hello to me; he was on his way into the pantry, crossing the TV area into pantry. I acknowledged him and he disappeared into the pantry.

Dr. Rowley—Continued

We were having a very relaxed conversation, the four of us who remained in the television area. We were having a very relaxed conversation when Mr. Sharma came out of the pantry area and joined us. The conversation was about cricket and it continued for about a minute or two, until some mention on the television I think it was, was made of the hurricane in Grenada. I said to Mr. Sharma, in a very normal tone, I'm quoting, this is what I said to him, "I saw your comments in the newspapers about Grenada; why is it that in a moment of great tragedy, all you could see is race; why when people are traumatized you can't even empathize with them and all you could talk about is race; how come on every single issue, regardless of what it is, you must find a way to put a racial complexion on it; why do you have to reduce everything to race?"

It was as if I had touched a raw nerve, because Mr. Chairman I was not in the country during the events of Grenada, the hurricane. I was out; I came back in and I was unaware of the build up and there were comments made by Mr. Sharma and how he felt about this issue. So I didn't know he had strong negative feelings; so I was surprised by his reaction. But my comment to him about reducing things to race, largely was in the context of how he speaks on the issue in the Parliament, where he tends to refer to things in that manner.

The end result is that Mr. Sharma got very angry and responded to me by saying, "You know is a racial ting; this is another plot by the PNM to bring in new voters; the PNM is only about race and this is only another case of PNM and their racist policies; Keith man, you know is about race." I said to him, "Even if any Grenadians come here . . ." and I'm referring here to his article in the newspapers—"how can you know who they will vote for; who's a PNM voter; how does a PNM voter look?" Mr. Sharma was very agitated still and he said so me, "The PNM is a set of racists; everything you all do is about race." I said to him, "Does that include me; are you saying that I do my job as a racist and I am a racist?" He said, "Yes." In a shocked and doubtful state, I said to him, "You calling me a racist?" Mr. Sharma leaning forward in the couch in a loud voice said to me, "Yes, you're a racist; I'm calling you a racist."

In disbelief I again asked him, "What?" I got up and he too jumped up out of his seat and he stepped towards me. We, virtually, met face to face at the end of the coffee table, which separated us initially. There was a coffee table between us and as I got up and moved towards him, he got up and moved towards me. He said to me, in that situation of face to face confrontation, "Yes, you are a f--ing racist."

Mr. Chairman: If you could just temper that by saying the "F" word first.

Dr. Rowley: Mr. Chairman, you asked me to tell you what happened, now that you tell me how you want it, I will give it to you how it happened. *[Laughter]*

Mr. Chairman: You don't have to be that graphic.

Dr. Rowley: Okay, Mr. Chairman. I was only following your instructions.

Mr. Chairman: Follow my latest instruction.

Dr. Rowley: Which is expletive. I think it's acceptable, because it might have more. *[Laughter]*

That statement caused me to—I moved towards him and we moved towards each other, virtually, eyeballing each other. By this time we were so close to each other that I had to extend my palm to virtually—with my open palm, virtually, held him off like that. As he pointed his finger to me and he was reaffirming his stand, "You're a racist," to which I eyeballed him again, questioning and virtually, based on my history on how he performs in the Parliament, I said, "You calling me a racist?" In a split second, in this eyeballing and being so close to each other face to face, MP Moonilal saw what was happening and he leapt out of his seat and he said, "Fellas, fellas, allyuh stop this." That was the comment from MP Moonilal, "Fellas, fellas, all yuh stop this."

I said, "But he calling me a racist; you eh see de man calling me a racist." Sharma replied, "But you are a racist, you know that." With my back facing Mr. Callender and Mr. Ramnath, with Dr. Moonilal very close, almost between Sharma and myself, I turned towards Sharma. As my shoulder passed Dr. Moonilal, who held me, I said to Sharma, "You keep calling me a racist." The conversation went on like that for a few seconds; all this happened in a split second. At that point, I turned around and I thought I saw a member of the staff close by, but then at that point Mr. Ramnath said, "Like allyuh fellas getting serious; all de time I thought is joke allyuh was making." Dr. Moonilal at this point said, "Come fellas, yuh see this, leh we done dis." That was Dr. Moonilal.

At that stage, I moved back to my seat, Dr. Moonilal moved back to his seat, both of us resumed our position on the north couch facing Sharma who went back to where he was sitting and, as far as I was concerned, the issue was over. We were seated, the coffee table between us, but he was still glaring at me and still a little worked up. Then he said to me from where he was across the table, "Yuh think I wouldn't nah buss your so and so head; yuh F-ing; you're an MC racist; ah go buss your F---ing head; yuh feel because Manning gih yuh a little work and you have two cents in yuh pocket I ain go buss your F-ing head; I ent fraid dat; ah go buss your F-ing head." For me, even though he was saying these things, I just thought he was bluffing; he was just talk and bluffing. And in front of me were these items I mentioned earlier on: the coffee cup, the remote and controls.

He was threatening to buss my head and I slid the TV remote across to him and I said, "Well, okay if yuh go buss my head," I slid the remote across the table and said, "Well buss meh head, use this," and the remote slid across the table, fell on the floor. As he kept repeating the threats, I slid the telephone across the table, "Okay, well buss meh head, use this," and it slid across the table and fell on the floor.

Mr. Chairman: What fell on the floor?

Dr. Rowley: First I slid the remote to him, it slid across the table, fell on the floor; he kept, as outlined before, the various buss head story and every time he said that I would say, "Well buss meh head," which meant that the remote, the telephone, whatever was on the table—the last thing I slid across to him was the teacup, which was in front of me. The teacup slid across to him, at this time he was

pretty much leaning towards the coffee table. I slid the teacup to him and the teacup did not fall off the table. I did not slide the teacup off the table, as I did with the other two items, but the teacup was slid across the table. He was so angry he took his—well, I'm not sure which hand—but he slapped the teacup off the table towards Mr. Callender and Mr. Ramnath and the teacup fell and broke on the floor, in front of Mr. Callender.

At that stage, Dr. Moonilal said to me, "Keith, come let's get out of here; let's go outside." Before that he said something like, "Sharma behave yourself," I cannot remember what he said, but Dr. Moonilal was in this mode of saying pacifying words and he distinctly said to me, "Keith, come, let's get out of here; let's go outside." I left with Dr. Moonilal; I left the room. Again, as I was leaving I heard Sharma, I don't know what he was saying, just a few things, but his voice was lower then and, again, I thought the issue was over and I left. On the way out, Dr. Moonilal said to me, "Boy look like that fella is never going to change; some people like that and you cannot change them." He was describing the hopelessness of Sharma and his behaviour. Dr. Moonilal and I walked up together, talking along that line, up the steps on to the balcony upstairs overlooking Woodford Square, where we stopped and continued talking along that vein, about how some people are, in fact, locked into a mind set and nothing that you could do could change them or convince them.

We were talking along that line when MP for Siparia Kamla Bissessar-Persad—she approached us from the southern side along the corridor. She joined us and we greeted one another; some kind of introductory joke was made to her as she joined us. I don't remember what the joke was. She spoke to me, I spoke to her and the three of us walked into the Chamber. That would have been somewhere in the order, I would think, about 1:15 or between 1:15 and 1:30, that sort of time, because we got into the Chamber early and we went to our respective places in the Chamber.

The Parliament convened at 1:30 p.m. MP Sharma did not come in at the same time, he came in a few minutes later, I'm not sure if it was before or after the prayer that he came in, but I know he came in later and I saw him coming in after we had taken our position. He took up his seat and I observed him chatting cordially with MP Partap and he was being his normal self to the others around him. Then we went through the parliamentary introductions from the Chair and the Speaker was in the Chair and the proceedings got to Finance Committee stage. Then the Speaker asked for the gallery to be cleared and then left the Chamber. The committee was chaired by the Leader of Government Business, Ken Valley. We all proceeded to have a normal Finance Committee meeting. In fact, Mr. Sharma was quite vocal during the meeting. He had a lot to say in questioning the Government, while I had nothing to say. He intervened on, at least, two or more occasions and participated in the process as normal. In fact, if my memory serves me right, I think Mr. Sharma was the first person to have made an intervention in the Finance Committee stage. He was lively and garrulous in his contribution, as usual. I observed nothing abnormal about him.

Finance Committee ended, the Speaker came back and adjourned the House. But before that happened, I observed Ganga Singh had moved from his seat to Sharma's area. As you know, Mr. Chairman, Ganga Singh sits on the eastern end of the Chamber; he had moved to the western end. At least one other person, it could have been two, I'm not sure, went over to speak to Sharma, in some kind of a huddle. When that was happening, this sort of little traffic towards Sharma, MP Callender, who sits directly behind me, said to me, "Look at those fellas." I looked up and saw the huddle and he said, "Those fellas planning something." I said, "So what, I don't know." Then I looked up again and I saw Sharma leaving his seat. When the Parliament adjourned I came out, I went to my car and I went straight home. I left Parliament about five minutes after the adjournment, I did not stay around, I spoke to no one about the incident in the tea room. The last person I spoke to was MP Eddie Hart who I said goodbye to downstairs and I left the building. I got home about 3.20 p.m.

Some time towards, I don't know the exact time, but it must have been nearer 5 o'clock or thereabouts, I got two calls at my home: one from the print media asking me about cuffing down Mr. Sharma in the Parliament.

Mr. Chairman: What time was that?

Dr. Rowley: That would have been some time approaching 5 o'clock, but I can't swear to the time; I did not make a note of the time, but I can give you it as close as that, it was approaching 5 o'clock. The reporter said to me, "It has been reported to me that you have cuffed down Sharma." I flatly denied it. I told her it was not true. I told her, "We had an argument, but nobody struck anybody and if anyone is telling you that, they are trying to mislead you." I said to the reporter, "Don't waste time with those fellas." The reporter never called me; that was the end of the conversation; that particular reporter never called me back.

A few moments later, I got a call from—I think it was radio station 104—asking me the same question: If I could confirm that I had a fight with Sharma and I cuffed him down in the tea room? Now these two calls alerted me that there was something happening out there originating from our verbal altercation in the tea room. As I told the first reporter and I told this other reporter, it was not true and I sat where I was waiting for the normal evening news. Then the television came on. I had the televisions on, the news came on. The second item on the television, the 6:45 news, I heard and saw representation on television about this fracas in the Parliament; Sharma is in the hospital allegedly having been subjected to a beating by me. Mr. Chairman, I was shocked and appalled at this total fabrication which was being fed to the public.

I then switched to the 7 o'clock *TV6* news where I saw two of my parliamentary colleagues, who were not in the tea room at the time of this incident that I mentioned earlier on, one was MP for Siparia, Kamla Bissessar-Persad, the other was MP Ganga Singh of Caroni East. They were on *TV6* with a backdrop, which I think I recognized as the Port of Spain General Hospital entrance and they were reporting to the national community about this beating that their colleague received at my hand, saying that I had assaulted Sharma in Parliament and MP Kamla Bissessar-Persad was speaking authoritatively and expansively about

the grievous medical condition of Mr. Sharma, something to the effect that Mr. Sharma's blood pressure was up, his sugar was dangerously high and the doctor had warded him. MP Ganga Singh for Caroni East, his angle was to embellish the situation by referring to the grave implications about the alleged violent assault on MP Sharma. Whilst describing this assault on MP Sharma, MP Singh took time to detail my standing in the national community, both as a member of the Cabinet and a senior parliamentarian and he went as far as to resurrect the fact that I was a former deputy leader of the PNM. All of this to embellish and to bring home to the national community how a man of my standing had failed the national community by behaving in the manner as described by his colleague, MP Bissessar-Persad.

Mr. Chairman, the following day there were articles in the newspaper and I wish to refer to—if you will allow me to consult my notes—an article in the *Guardian* of Friday, September 17. I will give you the article so you can see the context. I will just refer to the relevant context to my presentation. On Friday, September 17 is an article which talks about tea room clash. The headline is “Tea Room clash appalls Chamber, call for quick police action”. Now, Mr. Speaker, I want you to take this in the context of what I told you actually happened. It says that the Chamber of Industry and Commerce expected Speaker Barry Sinanan and the Police to investigate the incident promptly and, if necessary, appropriate action must be taken to address any violations of the law or of the regulations which govern the behaviour of Members of Parliament.

Further down in the article it says, categorically, “Sharma was hospitalized at Port of Spain General Hospital . . . The Chamber said the country demanded that its MPs set the finest example of civil behaviour, particularly within the forum of Parliament. The Chamber further went on to say, “This event could not have occurred at a more inappropriate period in the country's history, when our people long to reverse the spiralling rate of crime.’ It goes on to make reference to a Presidential address of the week before where the President called on parliamentarians to be instruments of racial unity.”

Mr. Chairman, I want you to understand that I am an Afro-Trinidadian and Mr. Sharma is of Indo-Trinidadian extract and I want you to see this statement in that context. I quote from the Chamber: “Such behaviour . . .” referring to the behaviour in which I am implicated, “is intolerable and a dreadful example to the nation . . .” Further down in the article: “UNC Chairman claimed in a statement issued yesterday that Dr. Rowley violated the rules of Parliament and Mark called on Prime Minister Patrick Manning to discipline his MP for, ‘this abuse of Parliament’.” That was in the public domain, arising out of what I described as the verbal confrontation between MP Sharma and myself and in the context of persons who purported to present, in front of the hospital, what happened in the tea room and the condition of MP Sharma.

Mr. Chairman, I want to draw your attention to an article. This matter was the subject of continued dissemination.

Mr. Chairman: Could you give us the name of the reporter in the *Guardian* article?

Dr. Rowley: There was no byline. Mr. Chairman, I just quoted for you from Friday 17, September, but if I quote for you from Thursday 16, September, which is the day after the event, an article in the *Newsday* written by Nalini Seelal, Sean Douglas and Ria Taitt. In the article, as reported, Sharma claimed, and I quote from the article, "He went on to push me and hit me in my face and he threw a teacup which broke and threw the remote control too." "He said he was unable to avoid the teacup which landed on the floor and broke. According to Sharma the enraged Rowley then took up the remote control for a television and threw it at him. Sharma cited several witnesses to the alleged incident, Rowley, Callender..."

Mr. Chairman: If I may interject here, Dr. Rowley, perhaps, if you wish to refer us to these articles, just take the article and the date and the publishing house and circulate.

Dr. Rowley: But Mr. Chairman, with all due respect, I want to indicate to you in making my presentation what happened to me, in terms of the injury of the statements made in the context they were made. Please, I crave your indulgence, to draw your attention to an article of Friday, October 08.

Mr. Chairman: Proceed.

Dr. Rowley: And this article now, remember the first one was the Chamber of Commerce implicating me and sanctioning me, in the context of a Presidential address, this one is no lesser person—this is Friday, October 08, and article written by Caury Bains of the *Guardian South Bureau*, two weeks ago; this indicates the continuing nature of my injury—than the Deputy Director of Director of Public Prosecutions (DPP) had this to say about the incident about which I am implicated. His name is Roger Gaspard. He said, and I quote the article—I am quoting the words of Roger Gaspard: "To a large extent we older heads have failed." I continue to read the article: "Referring to the tea room incident involving Government Minister Dr. Keith Rowley and MP Chandresh Sharma, Gaspard asked, 'Where are the exemplars?'"

The article goes to say, "To illustrate he used as examples sporting heroes Brian Lara and Argentine footballer, Diego Maradona". Mr. Chairman, I quote this in the context that Diego Maradona is a disgraced individual who ended his career in disgrace and is this still in disgrace; that is the comparison being made by the Deputy Director of Public Prosecutions. That is the context in which I am presented to the national community by the Deputy Director of Public Prosecutions (DPP), with respect to an alleged incident which was fed to the national community by my parliamentary colleagues. He said, "These men were without equal . . ." referring to Lara and Maradona, "in their various sporting disciplines, but as exemplars they had fallen short." They quote Mr. Gaspard continuing to say, "Sadly, Trinidad and Tobago today is fragmented along racial and ethnic lines and the people at the top are continuously failing to eliminate feelings of marginalization in the minds of the nation youth."

Mr. Chairman, I quote this in the context that Mr. Gaspard was addressing the boys of ASJA College, which are largely Indo-Trinidadians youths, so you can see the gravity of this statement being made by no lesser person than the Deputy Director of Public Prosecutions implicating me in an acts to which I take objection.

I quote again from the article, "Perhaps the single most . . ." and these are the words of Mr. Gaspard, "potent ingredient for successful leadership is character. Leaders cannot rise above the limitations of their own character and people who achieve great heights owing to mere talent, but who lack the bedrock character to pole-vault difficult times, are prone to defeat." Those are the words of the Deputy Director of Public Prosecution, in the context of what he thought happened in the tea room.

Mr. Chairman, the continued dissemination of this matter could only be seen in the context of the fact that there is another side to it. The police has been fed this information as well and as you may or may not know there is a criminal investigation proceeding. I make no further reference to that. Mr. Chairman this continued dissemination by Members, Mr. Sharma, his agents and associates, including former Prime Minister, Basdeo Panday, currently Leader of the Opposition, who had this to say on September 16 in an article in the *Newsday*—again I crave your indulgence to quote it for completeness of my testimony. Mr. Panday had this to say: "Leader of the Opposition Basdeo Panday was last night strongly critical of the fight which took place yesterday in the Parliament between Chandresh Sharma and MP Keith Rowley." The fight. "Mr. Panday went on to say, 'It is atrocious that such a thing could happen within the precincts of Parliament.'" He went on to say, "It is indicative of the thuggery which the PNM is prepared to generate to in order to hold on to power." Mr. Panday went on to say, and I quote, "I understand Mr. Rowley did, in fact, hit Mr. Sharma three times and threw a cup at him which smashed."

Mr. Chairman, the continued repetition of that kind of allegation from the sources from which it emanated is a source of great injury to me, since I view it as intimidation, interference in the carrying out of my duties by way of that intimidation; defamatory at the worse, with a view to adversely affecting my standing in the national community and that the filing of a false report to the House and to the police to the detriment of myself and to the general House, I consider that an injury and an ongoing injury and I look to this committee for redress.

Mr. Chairman: That completes your statement to the committee?

Dr. Rowley: Mr. Chairman, I want to refer you to a number of newspaper articles which made reference to this allegation. The *Newsday* Thursday 16. There were two articles in the *Newsday*; I quoted from one by Ria Taitt, Nalini Seelal and Sean Douglas and the other one I just made mention of Mr. Panday speaking about "thuggery". I want to refer to the *Daily Express* of the same day, Thursday 16, an article headlined, "Storm in a teacup" by Prior Beharry; "Tussle in the tea room", that's the *Express*. Thursday, September 16, this was the day after the incident. These were the first published reports on the incident on Thursday 16. On Saturday 18, *Guardian*, the article, "MPs go before Privilege Committee, by Joel Brown with the headline, "Recipe for racial divide", and, more importantly, on the same day, on the same page, in the same newspaper, an article by Corey Connelly, and the quotation there has a sub-headline, "I saw Rowley strike Sharma three times," those are the words as ascribed to MP for Couva South Kelvin Ramnath, who I identified as the person who sat on the couch on the eastern side throughout the entire altercation, having not moved once.

Mr. Chairman: If you could run through quickly.

Dr. Rowley: On Friday 17 Newsday, another article by Nalini Seelal, "Rowley not yet questioned by cops" referring to the criminal investigation which is ongoing. On the same day, same newspaper, *Newsday* September 17, the article by Ria Taitt, "Rowley plot hatched at UNC caucus" and an article by Azard Ali entitled, "Chand and Rowley does do well"; Thursday, September 16, the *Guardian*, an article by Gail Alexander, "Blows in the Red House". Permit me to quote the first line of that article, Mr. Chairman, "'Fyzabad MP Chandresh Sharma was warded at the Port of Spain General Hospital last night after he allegedly had an altercation with Diego Martin West MP Dr. Keith Rowley at the parliamentary building yesterday,' UNC MP Kamla Persad-Bissessar said yesterday." The rest of the article is there for your perusal. I think that is enough.

Mr. Chairman: If you wish to tender the rest, you may proceed.

Dr. Rowley: Can I tender the rest en mass?

Mr. Chairman: Just refer to them, for the records and we will ask you to submit the rest to the Secretary.

Dr. Rowley: Mr. Chairman, I think the point is made. I have submitted, basically, the body of reports which are for this matter and continue to relate to this matter.

Mr. Chairman: Are you in a position to make available to the committee copies of those reports?

Dr. Rowley: I did bring copies. Could I provide you with a complete package a little later? We can provide it to the Secretary, a complete package.

Mr. Chairman: You can. Is that the end of your submission?

Dr. Rowley: Yes, Mr. Chairman.

Mr. Chairman: Thank you very much Dr. Rowley. I will now ask members of the committee if they wish to ask any questions of Dr. Rowley arising of his submission.

Mr. Beraux questions Dr. Rowley:

Q. Dr. Rowley, you stated that when Mr. Sharma came towards you, this loud talking and both you of you were standing and so on. You put your hand out like that, right or left, I don't know which one.

A. My left hand.

Q. Did you push Mr. Sharma or chuck him? Did you touch him at all?

A. My left arm extended with an open palm would have touched Mr. Sharma on his right shoulder, with minimal force, purely as a distance measuring instinctive reaction; there was no striking, no pushing, no chucking, no hitting. Bear in mind, member of the committee, he was advancing towards me. We were at very close quarters.

Q. I hear what you say. I asked what I wanted to find out.

Mr. Rahael questions Dr. Rowley:

- Q.** What about your open palm, did it touch his face or came close to his face at all?
- A.** At no time did any part of my person touch Mr. Sharma's face.
- Q.** When Mr. Sharma was using all these obscene words and making all these statements, didn't you respond him to in like manner, I mean, the fact that he would have been hurling all these abuse to you, you didn't respond in a similar manner?
- A.** My only response to him was to threats of bussing my head, where-upon I push the items toward him saying to him, "Since you're going to buss meh head use this." I did not engage him in a verbal battle; I used no obscene language to him; I used no offensive language to him.
- Q.** Did the remote controls touch him at all as far as you recall?
- A.** Not as far as I'm aware, Mr. Chairman, they fell to the floor as they slid off the table in his direction.

That's it for now.

Miss Lucky questions Dr. Rowley:

- Q.** Dr. Rowley, did you see any reports, television reports or any reports in the newspapers concerning a press conference that was held at the Opposition office on Friday, that would have been Friday 17, September?
- A.** Yes, if you are referring to the report wherein MP Ramnath and Moonilal were present, I did see that, yes.
- Q.** You heard what Dr. Moonilal had to say?
- A.** I saw Dr. Moonilal talking and I heard what he had to say.
- Q.** Were you surprised by what was said by Dr. Moonilal?
- Dr. Rowley:** Mr. Chairman, before I answer, I just want to check with the Chair. Mr. Chairman, I thought you said to me at the beginning of the session that you will only question me on what I said to you. I think these questions are coming from a different—

Miss Lucky: I want to be clear, because I want to explain to this committee and to Dr. Rowley why I am asking that question. When Dr. Rowley was making his presentation with respect to the articles and so, he did, in fact, say, with respect to one of the articles, when it involved MP Ramnath, that this was MP Ramnath's statement, bearing in mind the MP Ramnath was sitting there and Dr. Rowley—and I think rightly so, if Dr. Rowley's version is true, would have been surprised and it was presented in that fashion. I am just asking, because I am dealing with this in a fair manner, as I am known to be, therefore, it's not a trick question. I'm just asking.

Mr. Chairman: If you wish to answer, you can; if you do not wish to answer . . .

Miss Beckles: Mr. Chairman, can I say something? If I may say, that if this question was asked in relation to Mr. Ramnath, it would be appropriate because in the context of what Dr. Rowley said, it is in order, for him, but in relation to link Mr. Ramnath's statement to Mr. Moonilal's statement, for the purposes of enquiring of a surprise, I think, would not be in keeping with the evidence given by Dr. Rowley.

Miss Lucky: If the committee does not want me to ask the question, I just want to say that it is in the interest of fairness, but if the committee does not want me to ask it, I will move on.

Miss Beckles: I am just saying that if it is that we are going in accordance with the ruling, because then it leaves us open to other things; I think it is perfectly in order if it was asked in relation to Ramnath, because he expressed an opinion, but in relation to Mr. Moonilal, no such opinion was expressed. I am guided whichever way we decide.

Miss Lucky: I would just like to say one thing before the committee makes a decision on it, bearing in mind that Dr. Rowley did spend some time—again, I am saying rightly so in terms of his version of what occurred, saying that after he left the tea room he was on the corridor with Moonilal and even Mrs. Persad-Bissessar who came, and a lot of time was spent on it. And Dr. Rowley even said that Dr. Moonilal came outside and had a discussion with him, saying that you can't change the mindset and so on. I may not be quoting you verbatim, Dr. Rowley. I think my question is a very fair one, because it is not meant to set up anybody or to put anybody in an embarrassing position.

Dr. Rowley: Mr. Chairman, as I said earlier on before we started, I want to be as helpful as I could to the committee and I have no difficulty answering the question. Put the question again.

Miss Lucky questions Mr. Rowley:

- Q.** Dr. Rowley, I'm going to be even fairer to you, if I might just ask it again, I am going to ask it in the sequence. My question was: Did you see the press conference that was held at the Opposition office? I was not present; it was supposed to have been held on Friday 17, September, 2004. Did you see excerpts of it?
- A.** I don't know where the press conference was held, but I did see—if you are referring to the appearance on television that Friday of my colleagues, Ramnath and Moonilal, I did see that news item.
- Q.** I am going on to ask, I'm sure I asked it already. You would have heard certain things said by Dr. Moonilal; am I correct?
- A.** Yes.
- Q.** I'm just asking, and I'll put it this way: What you heard said by Dr. Moonilal, did it surprise you based on what you have indicated to this committee occurred?
- A.** I was shocked, very much so.

Miss Lucky questions Mr. Rowley—Continued

Q. Again, I'm going on to ask: Did you at any time thereafter—I'm talking now about after Friday, September 17, when you would have seen it, did you ever approach Dr. Moonilal about it? I don't need to know the contents of what you might have said. I'm just asking about what he said that would have shocked you.

A. No, I did not.

Dr. Rowley: If I may, Chairman, in answer to the question how I felt about seeing Dr. Moonilal on that day when he appeared on television; my reaction was in the context of what was reported on Thursday, September 16, the day after the event, in the article of Nalini Seelal, Sean Douglas and Ria Taitt, where Dr. Moonilal's position was very clearly recorded and put to the public. It was in that context that I was shocked.

Mr. Chairman: Is it there?

Dr. Rowley: It is in one of the articles I made reference to; Thursday, September 16. I quote, the report says, "Yesterday Moonilal confirmed the duo had an altercation" referring to myself and my colleague, Sharma, and it's quoting the words of Mr. Moonilal, "I escorted Dr. Rowley out of the room. They were having a very heated discussion.' When *Newsday* pressed him as to whether he had seen the two men exchange blows physically, Moonilal only said, 'They had an altercation. There was a confrontation.' The article goes on to say, the writer said, 'Asked if Rowley hit Sharma, Moonilal said, His arms were making movements, both men were animated.' " It's in that context that I was shocked when I saw him on the television saying what was said on the following day.

Mr. Chairman: That would have been the Friday?

Dr. Rowley: This article dated Thursday 16 reported what was said by Moonilal on Wednesday 15th.

Mr. Chairman: The report Miss Lucky referred to is the Friday?

Dr. Rowley: The television statements of Moonilal were viewed on Friday evening's news.

Miss Lucky: I hope now the committee is satisfied why I ask these questions, because the bundles are being put to us.

Mr. Chairman: I think you were right in the first place. The question was admissible in the first instance.

Miss Lucky questions Dr. Rowley—Continued

- Q.** Dr. Rowley you referred us to several articles, many of them in which persons seem to have substantiated versions that were against you.
- A.** Based on the allegations that were made by my colleague.
- Q.** That's what I've just said. I haven't gone through the truth of them. What I am asking you is: Did you give any releases to the press denying the claims that were made?
- A.** From the very first moment the matter was raised with me, as I said in my opening statement, I was called at home by elements of the print and electronic media raising with me this matter of physical interaction with Mr. Sharma in the form of cuffs and other assault, as it may be put, from the very first moment it was raised with me, I categorically denied the matter and I went further to tell the first reporter, so untrue is the matter as raised, that I advised her that she was being misled by whoever would have told her something like that and I continued to deny it throughout and I deny it now.

Miss Lucky: Those are all the questions for now, Mr. Chairman.

Mr. Panday questions Dr. Rowley:

- A.** Dr. Rowley, from your knowledge, what is the use of a teacup?
- A.** Well my grandmother used to use a teacup to keep oil, to keep . . .
- Q.** What is the use of a television—
- A.** You asked me a question; if I may be permitted to answer it. I am sure you would like me to give you my answer. A teacup can be used to contain any liquid or solid and, in fact, even some gas.
- Q.** What is the use of a remote control?
- A.** A remote control is used to send electronic signals from one location to another without wires.
- Q.** You use your remote control in your home for that purpose?

Mr. Chairman: I'm not sure I'm following your line of questioning.

- Q.** You use a remote control for the purpose for which it is made at all times, including your home?

Dr. Rowley: Mr. Chairman, before I answer the question I want to refer to my opening statement. When I came to this committee, I made it abundantly clear that I have come here to cooperate fully with this committee. I enquired as to whether I was an accused; the ruling was that I am accused of nothing. I enquired as to whether I would sit in against accusations made by other persons; you said I was a witness before the committee; I enquired as to whether I would be cross-examined and whether I could cross-examine other persons who may have made allegations against me, you ruled that it was not so. It is my observation, at this point, that it may be that I am being cross-examined in an adversarial way. If that is the case, I would like ask you to reopen the matter so that I can press my rights a little further, because I do have counsel with me.

Mr. Chairman: No, the committee does not propose to change its opinion at this point in time.

Dr. Rowley: I would answer any question that you deem appropriate.

Mr. Panday questions Dr. Rowley—Continued

Q. Is it your practice to throw these things about on people or towards people?

A. No, Sir; I've only done it when I was call a racist.

Q. So, therefore, having been called a racist, you became agitated?

A. I was annoyed, but not uncontrollably agitated.

Q. But annoyed enough to throw things?

A. I did not throw things.

Q. To slide things?

A. I was assisting someone who wanted to buss a head and had no implements to buss a head with.

Q. Put it this way, you were helping somebody who wanted to buss your head?

A. No, Sir, if you listen to my opening statement; before I did that I said to you, I viewed Mr. Sharma's statement and his behaviour as purely bluffing and talking, so I never expected him to carry out an illegal act, and he did not.

Mr. Chairman: In other words, you were equally bluffing? By sliding the instruments or the objects, would you say you also were bluffing?

Dr. Rowley: Well, in that context I would say, yes, because I did not expect—it was not my intention, and it didn't happen, that I committed a violent act. As I said, Mr. Sharma's obscene behaviour, I understood it to mean that he was being verbally obscene, but with respect to inflicting physical damage on me, I made the assessment that he was bluffing and I was in no danger of being struck by these items.

Q. That was after you had eyeball to eyeball contact?

A. Yes, Sir and I ended by saying that as far as I was concerned the matter was over.

Q. The property which you had thrown at him belongs to the Parliament?

A. I want to go on record again—

Q. The objects which you slide, didn't belong to you?

A. I want to go on record again: I did not throw those items at him; they were slid on the table towards him.

Q. Those items didn't belong to you?

A. No, Sir, but I had access to them.

Mr. Panday questions Dr. Rowley—Continued

- Q.** Property of the Trinidad and Tobago—it did not belong to you, it belonged to the Parliament?
- A.** I don't know who they belonged to; they were available in the Parliament.
- Q.** They were available and having been available you used them to do what you did?
- A.** I volunteered that information.
- Q.** Now, do you think as a senior Member, as they indicated, that the more appropriate thing to have done was to walk out, walk away from anything?

Miss Beckles: He could be implicating himself.

Mr. Chairman: Yes, yes, yes.

- Q.** Put it this way: Did you ever think about walking out from the purported altercation?
- A.** Yes and I did.
- Q.** That's after the incident?
- A.** When I thought it was appropriate to walk out I did walk out.
- Q.** When you thought it was appropriate to walk out you did walk out and when you thought to stand up and eyeball you did that?
- A.** I volunteer that information in my opening statement.
- Q.** Sharma never move his hands towards you?
- A.** Yes, he did.
- Q.** At what stage did he do it, may I kindly ask?
- A.** At the earlier point when he called me an F-ing racist and he stood up and I stood up and we moved towards each other, his arm was pointed towards me.
- Q.** His arm was pointed towards you?
- A.** At close quarter.
- Q.** And you point your hands towards him?
- A.** Yes.
- Q.** And it caught him you say somewhere on his shoulder or some part of his body?
- A.** I didn't say that.
- Q.** Where did it touch him?
- A.** It was not a question of my arm catching him anywhere.

Mr. Panday questions Dr. Rowley—Continued

Q. The heel of your hand?

A. It was a measuring action where I touched him on his shoulder with no force impacting.

Q. Up to that time you did not think it was appropriate to walk away?

A. That judgment is always mine and remains mine.

Q. As far as you are aware, did you know whether any other members of your party made statements to the press, in particular Mr. Fitzgerald Hinds, Member for Laventille?

Mr. Chairman: That is not arising out of the testimony.

Q. You went on to give a plethora of allegations made in the press against you, which you say have disturbed you and prevented you from performing your functions as a Member of Parliament. You have made a number of allegations, a number of statements which you quoted from newspapers, indicating they have damaged your reputation. Is that so?

A. Yes, I made those allegations.

Q. Let me read a little thing for you and tell me if this is so much different and if you ever heard this before: "Members of this August House should not lose sight of the fact that as Members we are expected to set the pre-eminent example for the wider society which takes its cue from its leaders. This is especially important and most urgent in the context of a break down in the social order, the polarization of the major ethnic groups and the brutality which is permeating so many layers of the society. Members of Parliament should seek to unite the country for the greater good of all, rather than to divide for some unknown ill-conceived, misplaced objective." You ever hear that statement before?

Mr. Breaux: There is one point, let me make it, please. Where does that arise out of . . .

Mr. Panday: He has indicated that they have made many newspapers articles and statements to the press, which have hurt him so badly and which have affected his ability to perform efficiently.

Mr. Breaux: The reason I asked that, if I understand it, that statement was made in Parliament.

Mr. Panday: Yes.

Mr. Breaux: That is the point, it is privileged.

Mr. Panday questions Dr. Rowley—Continued

Q. The point I am making is: Did you hear that statement before?

A. Could the Member indicate what he is quoting from?

Q. I am quoting from the ruling by the Speaker in response to a request by both you and Mr. Sharma to invoke the Privileges Committee.

Mr. Chairman: Again, perhaps, you should ask him the question without referring to that; ask him whether from what he quoted in newspapers articles whether, in his opinion, his reputation was injured.

Mr. Panday: I have to put a basis for him to measure. *[Crosstalk]*

Mr. Chairman: Let me clarify that. My statement there did not necessarily refer to any one person's behaviour; that was a generalization.

Mr. Panday: That's my point. When my friend Roger Gaspard went to ASJA, is the same thing he said. He didn't say anything much different to that; that exemplars must set the example.

Mr. Chairman: It is two different things. What is said in Parliament is privileged communication; what is said outside is different.

Mr. Panday: With the greatest respect, Sir, this was reported in the papers.

Mr. Speaker: That is a matter for the committee to decide.

Mr. Panday: I am saying that this was reported in the papers and what Roger Gaspard said wasn't much different to this.

Mr. Chairman: That is a matter that the committee will come to a conclusion on.

Q. It is the Member who brought it up. I am just asking him if things like this was said in Parliament, he hear it outside and it upsetting him like this, and aggravate you so much, one would expect when Sharma told you directly, it would aggravate you much more.

A. Is there a question somewhere there?

Q. The question I am asking you: You heard the statement before?

Dr. Rowley: Before I answer, Mr. Chairman, can I make an observation?

Mr. Chairman: Sure

Dr. Rowley: As you, yourself, quite correctly said a moment ago, your privileged statement in the House referred to no one individual. Whereas in the case that I referred to of Mr. Gaspard's, that has been reported, was specific to me and the incident in the tea room. I see a difference.

Mr. Panday questions Dr. Rowley—Continued

Mr. Chairman: Mr. Panday, could you move on?

- Q.** Did you speak to anybody downstairs, any member of the staff any-time after the alleged incident?
- A.** No, Sir.
- Q.** You were sitting when the verbal exchange was taking place.
- A.** I was sitting when it began with my observation to Mr. Sharma about the Grenada issue; it started with that.
- Q.** While you were sitting—how far did you move forward from your chair?
- A.** After I got up?
- Q.** Yes, Sir.
- A.** Probably, I would say a stride or two.
- Q.** The two chairs were about how far apart?
- A.** They were a few feet apart we were separated by the coffee table.
- Q.** And you would have reach beyond the coffee table?
- A.** If I did, it wouldn't have been much beyond the coffee table, because the coffee table was pretty close still.
- Q.** This incident happened very quickly?
- A.** Yes it was a very short-lived incident
- Q.** During that time while you would have been facing south or north?
- A.** During which time?
- Q.** During the time you stood up.
- A.** Yes, I was sitting north and I'd be facing roughly facing south.
- Q.** So is it true to say that from the time you were sitting until the time you sat again, until Moonilal moved you out, you were facing south?
- A.** Except when I thought that there might be someone else in the room or other staff in the room and I turned around and I saw, at least, one member of staff behind us in the other end, beyond that I think I was focussed southwards.
- Q.** Exactly where was that person during that time?
- A.** Somewhere off my left shoulder.

Mr. Panday questions Dr. Rowley—Continued

Q. What distance from you?

A. A few feet.

Q. So that would have been in the television area?

A. No, no; there is a big opening between the television area and the dining area and where I was located with my back to the north, if I turned my shoulder left I could see into most of the dining area.

Mr. Panday: Sir, so far, up to this time—after I see those articles I may need to ask a few more questions?

Mr. Bereaux questions Dr. Rowley:

A. Do you recall the name of the member of staff whom you saw over your shoulder?

A. Yes, I know the person; I think the person I saw—well, I know the person I saw.

Q. What is the name of the person?

A. I think it was Prabha Singh.

Mr. Chairman questions Dr. Rowley:

Q. Dr. Rowley, did you at any time during this alleged incident curse Mr. Sharma?

A. No, Sir.

Q. Now earlier on you described, I think, to the committee two different—for want of a better word—confrontations, one was when you were sitting and there was some verbal exchange and afterwards there was the other incident when you both stood up and there was this eye to eye contact. Is that correct?

A. Could I have that again?

Q. I got the impression that you spoke about two confrontations . . .

A. Two episodes to the event.

Q. That's a better word; one when both Mr. Sharma and yourself were sitting . . .

A. That was the first episode, the verbal exchange.

Q. And then, secondly, at some point in time you stood up and Mr. Sharma stood up when you had this eyeballing, I think you said?

Mr. Chairman questions Dr. Rowley—Continued

- A.** No, no, no. What I call the first episode—after the first set of words we were sitting across from each other; it was when Mr. Sharma called me an offensive racist that I left my seat, he left his seat and we had the eyeballing. That is what I called the first episode. Then on the urging of MP Moonilal and my better judgment I resumed my seat and so did Mr. Sharma. I thought the matter had ended, so I would say that was the end of the first episode. It was then that Mr. Sharma in his still agitated state started making the threats against me, with respect to bussing my head and making reference to my circumstances and so on and that and the following is what I call the second episode.
- Q.** So when the second episode took place, the coffee table virtually separated both of you.
- A.** Yes.
- Q.** The TV remote, the teacup and the telephone were on the table?
- A.** Yes.
- Q.** I want you to be very careful. You said you slid those objects across?
- A.** In response to his threats.
- Q.** You didn't throw it?
- A.** No, no, they were slid along the table.
- Q.** Did you pelt it?
- A.** No, Sir.
- Q.** Did any of those objects come into contact with Mr. Sharma's body?
- A.** No, Sir.
- Q.** Did all the objects slide off the table?
- A.** The electronic items, including the telephone, slid off the table, the teacup was knocked off the table by Mr. Sharma, because when it was slid towards him, in his rage he knocked it off the table.
- Q.** With his right hand?
- A.** I'm not sure which hand, but I know he knocked it across the table, so it went from west to east.
- Q.** Was there a saucer under the teacup?
- A.** No, Sir
- Q.** Did you at any time come into physical contact with Mr. Sharma?
- A.** Except as I described in my measuring action when he was close to my face, when I touched him on his right shoulder with the palm of my left hand.

Mr. Chairman questions Dr. Rowley—Continued

- Q.** Now, there is a difference between touch and push. Touch I interpret to mean this—[*Mr. Chairman gestures*—and push I interpret to mean that.
- A.** I did not push him, because the action that I made was one of a measuring nature, as against a striking nature; there was no pushing and there was no striking; there was no hitting; there was no beating; there was no chucking.

Mr. Bereaux questions Dr. Rowley:

- Q.** I would like to find out what is this measuring nature, what is that? I want to get it; not to show me, but to say—if I measure you, what am I doing?
- A.** I was extending my hand in such a way that the person could not get closer to me than the length of my extended arm.

Mr. Chairman questions Dr. Rowley:

- Q.** Are you right-handed or left-handed?
- A.** I am very much right-handed, Sir.
- Q.** Which arm did you extend in this measure?
- A.** My left arm.
- Q.** How come the left arm and not the right arm since you are right-handed?
- A.** Well it's an instinctive reaction; if I'm threatened or if I'm too close to someone, one instinctive reaction is to use your left arm. It is an instinctive reaction. My instinctive reaction in that case would be to use my left arm when my right arm is always in reserve, Sir.
- Q.** Now, during this altercation or the two episodes that you've described what, if anything, did Mr. Callender, Mr. Ramnath or Dr. Moonilal—perhaps, talk about the first episode, what if anything did Mr. Callender, Mr. Ramnath or Dr. Moonilal during the first episode? Did they do anything? Did they say anything
- A.** Mr. Callender throughout the entire proceedings said or did nothing. Dr. Moonilal did as I described in my text.
- Q.** For the first episode.
- A.** In the first episode when Sharma and I got very close, as I described, Dr. Moonilal is the one who called on us to cool it, "Fellas," and Mr. Ramnath did nothing except he said—in fact, "I thought you fellas were joking."

Mr. Chairman questions Dr. Rowley—Continued

- Q.** So the only person who, perhaps, had contact with you would have been Dr. Moonilal. Did he put his hand on your shoulder and said, "Keith boy let's go outside."
- A.** Just, probably, very gently. He was very gentle—by way of indication.
- Q.** You said one other person was in the tea room, that is Prabha Singh? Was she there during what you described as the first and second episode?
- A.** Mr. Chairman, I could not say how long she was there, because I only saw her when I turned momentarily, so I don't know how long she was there.
- Q.** Did you at any time call Mr. Sharma a racist?
- A.** No, Sir.

Mr. Chairman: Any other questions, members of the committee?

Mrs. Beckles Questions Dr. Rowley:

- Q.** I just want to get the distance when you were initially sitting between yourself and Mr. Sharma.
- A.** If I can demonstrate it with—in terms of where the chairs were, I would say the chairs themselves would have been from mike to mike and we are sitting as you sit on a couch, pretty much in front of it, leaning forward, it will be a little closer than that and we were separated by the coffee table.
- Q.** Do you have an idea as to what's the length of that table, the length or width?
- A.** I haven't seen it for a long time; it is not a very large table. It's a standard sized coffee table, I think. It's a metre and a half, something like that.

Mr. Chairman: Well, Dr. Rowley, do you want to add anything further before we excuse you?

Dr. Rowley: Except, Mr. Chairman, to confirm that I want to continue assisting the committee and, in so doing, by tomorrow I will make available to you the documents that I promised, which are the articles from the print media and I also will be available for any further assistance which the committee would like, providing I am given adequate notice. I will make every effort to appear before the committee and assist as much as I could.

Mr. Chairman: Thank you very much for attending and, as I said, let me apologize for holding you back for a couple minutes. I thank your advisors for attending. Let me emphasize that the proceedings just completed were in camera proceedings; they are very private and confidential and, again, it is not to be published, that is, no one must talk about it and no one must refer to the press about it. So that when you leave here, as far as you are all concerned, that is the end of your involvement here. If we have need to call either of you back, we will so inform you. Thank you very much.

Dr. Rowley: Mr. Chairman, on a point of clarification, with respect to the other persons whom you may call before this committee, am I allowed to sit in on their testimony?

Mr. Chairman: Yes.

Dr. Rowley: With my counsel?

Mr. Chairman: I do not think so, you would be allowed to sit in.

Dr. Rowley: Is that a ruling or a thinking?

Mr. Chairman: It might be a bit of both.

Dr. Rowley: Bearing in mind that the counsel is only going to be looking on.

Mr. Chairman: We are in what I call virgin territory at the moment.

Mr. Panday: Out of an abundance of caution, is it possible that we reserve that decision for, probably, after we discuss a few minutes, instead of it being a ruling.

Mr. Chairman: Yes.

Dr. Rowley: All I am asking for is the opportunity to sit in.

Mr. Chairman: We have decided that already, you can sit in. The question you are asking is whether you would be able to sit in with counsel. We will get back to you on that.

Dr. Rowley: Thank you Mr. Chairman, members and staff.

Mr. Chairman: I do not think that we had informed Mr. Sharma that his testimony would be sent to him for perusal and corrections, in accordance with Standing Orders 80(13). What you have said in your submission today will be forwarded to you for review and if there are any errors, you can then send it back to us.

**ORAL EVIDENCE OF DR. ROODAL MOONILAL GIVEN ON
NOVEMBER 02, 2004**

Mr. Chairman: Dr. Moonilal, good afternoon. Welcome to the Committee of Privileges. Thank you very much for coming. May I remind you that this is the Committee of Privileges which meets in private and the work of the committee cannot be published before the committee reports to the House.

You will recall that on Friday, September 17, 2004, matters were raised in the House relating to an incident which took place in the Members' Lounge on Wednesday 15, September, which may have infringed parliamentary privileges. Based on submissions made by two Members, I referred the matter to the Committee of Privileges. This committee has been advised that you were present in the Members' Lounge, at the time this incident occurred and it is against this background I now invite you to tell the committee, in your own words, exactly what transpired in the Members' Lounge on Wednesday 15, September.

Dr. Moonilal: On the day, at around 1.00 p.m., more or less, I was sitting in the tea room in the lounge area in the company of Members of Parliament Kelvin Ramnath, Stanford Callender and Dr. Keith Rowley. We were looking at television; I think there was some sports on; we were talking about sports and so on. That is in the enclosure where the television is, in the tea room downstairs.

Around that time, MP Chandresh Sharma entered the area; an argument developed. MP Sharma said good afternoon to everyone and an argument soon developed between Mr. Sharma and Dr. Rowley concerning matters of politics and housing and so on. MP Sharma had raised matters of a lack of housing in his constituency and so on; so an argument developed. I said nothing, because I didn't wish to participate in the argument. The television was on; I think there was a cricket match taking place, if I am not mistaken, and we were watching that.

The argument got increasingly intense between Dr. Rowley and Mr. Sharma and they were in a heated argument on politics and so on and I got the impression that it was not a normal argument that Members would have. We all have, at times, arguments, and we tell each other things sternly, but this was very heated. Dr. Rowley was seated next to me on a sofa on the northern side, if you picture the room and Mr. Sharma was on an armchair on the southern side. Dr. Rowley, during the argument, got up and asked Mr. Sharma if he wanted to hit him and he started to tell Mr. Sharma, "You could hit me; you could hit me," and he went over to Mr. Sharma and violently chucked him on the chest, on more than one occasion; on two or three occasions and he poked Mr. Sharma on the face, on one occasion, in a very menacing way. Dr. Rowley, himself, was extremely charged and heated with the discussion.

Then I realized that it was more than just what I call a “usual quarrel” among Members that sometimes develop, and I got up and told Dr. Rowley I didn’t mind they talk and they argue, but he should really not be striking or hitting Mr. Sharma. Somehow I couldn’t see this happening. It is only then that I intervened, telling Dr. Rowley to resist from hitting Mr. Sharma, because they can argue and so on, but they really should not be striking each other. On the first occasion I held Dr. Rowley by his right arm and encouraged him to take his seat; he did take his seat and settled down, but the argument continued between Dr. Rowley and Mr. Sharma. I even asked both parties to end the argument, to stop the talk, because it was clear that that talk was going to lead us nowhere, but they continued arguing.

Dr. Rowley, again, asked Mr. Sharma if he wanted to hit him or if he could beat him or if he could “lik” him up and so on and Dr. Rowley flung several items: two remote control devices, the cordless phone and a teacup, in the direction of Mr. Sharma, telling Mr. Sharma, “Well if you want to hit me, hit me with this,” and he flung it at him. When he flung the teacup, Mr. Sharma fended it off his wrist and it fell and broke on the ground. At that point, I felt that Dr. Rowley was extremely agitated and he was on the verge of inflicting a very serious and grievous blow to Mr. Sharma. I got up again and firmly asked him and encouraged him to join me and leave the Chamber. He said no, at first, and then I continued to tell him that I am going upstairs, the sitting was going to begin in a few minutes and let us go together, because I felt it would have been dangerous to leave Dr. Rowley and Mr. Sharma together there. In the circumstances, I even thought it would have been risky to take the time to go to the police booth, which is situated on the ground floor. I even calculated that if I took the time to go and call the police and left the situation as it was, then it could have been even much, much worse. So I felt that the only way to deal with it, in a conclusive way, was to invite Dr. Rowley firmly to come with me and go to the Chamber where we all had to be in a few minutes.

He agreed and left the tea room. We came on the back porch here, outside of the parliamentary Chamber and I sought to have a discussion with Dr. Rowley to cool him down more, to tell him that it is really unfortunate; he is a Minister of Government and so on and it really does not reflect well that he would lose his temper this way and react in the way he did. We had a long conversation and he, of course, said that he felt that Mr. Sharma—he had his own view on Mr. Sharma and what Mr. Sharma was saying in the press and what Mr. Sharma is always saying in the Parliament, his political campaign and his tendency to talk a lot about discrimination and race. I told Dr. Rowley that Mr. Sharma is Mr. Sharma; he has his views, he has his position and he will not change and whether you beat him up or you don't beat him up, that will not change him. Dr Rowley said sometimes people like Mr. Sharma that is the only thing they could understand.

I told him that it was not necessary to have that type of violent confrontation, and we spoke for quite a while and he gave me a lot of information on his own political career and his work and constituency office and who was working for him at the constituency office, and sought to combat, in the discussion, charges that

Mr. Sharma or others may make about him, so we talked a long time. When we were both very cool, we left and went to the parliamentary Chamber for the session. Well the matter developed later in the evening with reports and so on. That is my recollection as far as the incident in the tea room goes and as far as the aftermath, the discussion with Dr. Rowley.

Mr. Chairman: Thank you, Dr. Moonilal. Any questions members for Dr. Moonilal?

Mr. Rahael questions Dr. Moonilal:

- Q.** Dr. Moonilal, when, as you alleged, Dr. Rowley chucked Mr. Sharma many times, maybe two or three times, no one intervened to try and stop Dr. Rowley? You did not try to intervene to stop him at that time? Did Mr. Sharma just receive the chucks and the poke wherever without retaliating?
- A.** Well, Mr. Sharma did not retaliate physically he did not hit him back. I verily believed that both Mr. Ramnath and Mr. Callender were in shock. These things happened within a few seconds; you're talking about 10 seconds, 15 seconds. When he made contact with Mr. Sharma once, I spoke; during the time when they were making contact I was talking, asking Dr. Rowley to restrain himself and so on; you couldn't spring to do anything so quickly, but once it happened once, it happened twice, then I realized that it was going nowhere. The next thing is a blow, a grievous blow was imminent and that is when I said, "We cyar have that," but it happened very quickly.
- Q.** You said he violently chucked him?
- A.** I'm willing to demonstrate if you permit me.
- Q.** No, no, you said violently chuck him, I take it for what it is. I found that under normal circumstances if someone were to chuck you once and chuck you twice, you would not stay to be chucked a third time; that is the only point I am trying to make.
- A.** Well Mr. Sharma didn't respond physically. I saw what was happening and I responded to really restrain Dr. Rowley, because it was once, it was twice and he sat down after.
- Q.** That is good enough. May I ask you another question, please. You said that you tried to get Dr. Rowley to leave the room on the first occasion and then again the second time, but this time you were more firm with him. Do you think that if Dr. Rowley did not want to leave the room that he would not have left the room? I'm trying to understand.
- A.** They were both engaged in a very heated talk and they were not looking like you could separate them during the talk and then when I saw the cup leave and the two cordless and the phone, I mean, how much more?

Mr. Rahael questions Dr. Moonilal—Continued:

- Q.** Yes, but all of that was after the hitting, according to you, after the chucking, the poking and so on?
- A.** Yes, when Dr. Rowley returned to his seat, he looked at the table, he saw a couple devices as the discussion continued.
- Q.** Why did you not make an attempt to ask Mr. Sharma, your colleague, and try to escort Mr. Sharma out of the room instead of Dr. Rowley?
- A.** Okay, two things: one, I told Mr. Sharma, I told both gentlemen, "Allyuh end the conversation," because the conversation was creating the problem, but Mr. Sharma did not retaliate or do anything. Dr. Rowley got up, went to the side of Mr. Sharma, he chucked him, poked him, then he flung the objects; I felt that the person to really escort out was the person who was more prone to animation, more prone to hitting
- Q.** I find that surprising . . .
- A.** . . . than the person who was sitting.
- Q.** I find that very strange, because I would have thought that, in fact, the person that you could have easily assist in trying to leave the room was the person who may have been more calm, more collective and not agitated and that that would have been the person that would have been more amicable to leaving the room, instead of someone who was over-agitated and was out of control, than someone who was in control and someone who was much more calm, based on what you are saying, but that is my observation.
- A.** I was also thinking that if I encourage Mr. Sharma to leave, maybe Dr. Rowley will follow him.
- Q.** You didn't encourage Mr. Sharma, you encouraged Dr. Rowley? That's what you said.
- A.** Yes, because I thought this was the partner who was making the contact. And he listened, for all intents and purposes.
- Q.** The other thing is, you said when you left the tea room with Dr. Rowley and you all came up here on the balcony and you all chatted for some time, but before that you didn't want to leave the room to go to the police booth because you think it would not have been the right thing to do, because you don't know what may have happened; that's what I gathered. Correct?
- A.** That's correct.
- Q.** So you eventually got Dr. Rowley out of the room and you brought him up here and he went into the Chamber. You didn't see it proper to then go and report it to the police in the police booth? At that time, I suspect everything had calmed down and you would have had the time to do that?

Mr. Rahael questions Dr. Moonilal—Continued:

- A.** I escorted Dr. Rowley out of the tea room. As I said, this was the person who was the agitated and physical one, so once you keep him in focus there could be no other problem, because no people would have any problem outside of the person who is the one involved physically. When we came we spoke for a long while. Even at that time I felt that it is really for Mr. Sharma and Dr. Rowley to report whatever matter they want to report. I had in my mind that the sitting was going to start. I had in my mind to raise the matter at a later time with the Speaker, if it was necessary, but to that time I felt that these are two Members of Parliament, they had an exchange, it led, regrettably, to physical confrontation and I was not going to go to the police to report anything; that was not my role.
- Q.** But you said in your opening statement that you thought about going to the police?
- A.** I thought about going to the police, not to report, but to get the two policemen to come and restrain someone; not to report, really, to get them to use their powers to restrain.
- Q.** Even after the fact when you had the time, you didn't think . . .
- A.** I could have run a risk, maybe I could have been struck myself.
- Q.** I was referring to when you all left the tea room?
- A.** Yes.
- Q.** The other thing is, that same evening, I think on a radio station, when you were interviewed, they asked you whether or not anyone was struck?
- A.** I was not interviewed on any radio station.
- Q.** Did you call in?
- A.** I called no radio station.
- Q.** No radio station called you?
- A.** Reporters call me, I told them I had no comment to make on the matter.
- Q.** Why you had no comment to make?
- A.** It is a very difficult matter; it involves both colleagues, Members of Parliament, whatever avenue the matter had to go I was prepared, let it go. When you talk too much in the press, Member, you can create more problems than arise in the first place. I felt that I should not go in the press and be talking about these issues and creating further—because the press in this country like bacchanal and scandal.
- Q.** But did the press ask you directly if you witnessed Dr. Rowley hitting Mr. Sharma?
- A.** I can't recall now whether they asked directly or indirectly.

Mr. Rahael questions Dr. Moonilal—Continued:

Q. You don't remember them asking you that question?

A. The press or any particular person? The radio, TV?

Q. The press.

A. I would have said in the hours after that there was an altercation, a confrontation between two Members; that was all I was prepared to say at the time. I am not one to go and start talking about this and that and so on.

Mr. Bereaux: You're fuzzing around some time and I'm not catching you too well.

Mr. Panday: I am objecting to you saying the witness fuzzed.

Mr. Bereaux: I want you to be clear.

Dr. Moonilal: Well I will seek not to fuzz.

Mr. Bereaux questions Dr. Moonilal:

Q. You alleged that Dr. Rowley hit Mr. Sharma. Where was Mr. Sharma at the time, was he standing or sitting?

A. He was sitting. On one occasion he was sitting, I think, and on the other occasion he stood.

Q. You said he hit him. Was he sitting or standing?

A. Well he didn't hit him once. You want the first, the second, the third?

Q. I want you to relate to me whether he was sitting or standing and the occasions when it happened.

A. When Dr. Rowley first approached Mr. Sharma and chucked him for the first time, Mr. Sharma was sitting. They continued and Mr. Sharma got up from his chair, so that he would have been standing then and Dr. Rowley would have chucked him in the chest and, I think, in the face, a second or third time when he was standing. So the first time I think sitting and the other time standing.

Q. You mean the first chuck sitting and then . . .

A. He stood up. Is it clear?

Q. Yes, I got what you said. The next thing, you kept saying they were talking backwards and forwards; you could recall any of the words said?

A. I recall they were arguing about housing policy.

Q. I am asking you if you recall any of the words?

A. Housing.

Mr. Bereaux questions Dr. Moonilal—Continued:

- Q. Only housing?
- A. Fyzabad.
- Q. Did you hear “racist”?
- A. I did not hear “racist”.
- Q. Did you hear, “PNM is racists”?
- A. I did not hear PNM is racists.
- Q. Did you hear Dr. Rowley say, “You calling me a racist?”
- A. Yes.
- Q. I thought you did not hear racist? What did Dr. Rowley do with the remote control?
- A. As the argument developed, Dr. Rowley asked Mr. Chandresh Sharma if he could do him something, you meaning Mr. Sharma, if he could do him something, “You could do me something?” “You could hit me; you could do me something?” “Do me something,” and he took up the remote control—the two devices, the teacup and the cordless phone and said, “You want to hit me, hit me with this,” and violently flung it to Mr. Sharma, towards his body.
- Q. Where did it end up?
- A. The phone struck him and fell around by his lap.
- Q. Struck him where?
- A. In the mid area, because we were sitting at that time as well.
- Q. That is one remote control?
- A. One remote control, two remote controls . . .
- Q. He sent one and one struck him in the mid section, and Mr. Sharma kept sitting?
- A. Yes, he kept sitting.
- Q. And he sent another one?
- A. Yes, he said, “You want to hit me, hit me with this.”
- Q. No, no; I did not ask you what he said. I am concerned about having sent it, what happened.
- A. Mr. Sharma remained sitting.
- Q. He did not get up at all?
- A. No.

Mr. Bereaux questions Dr. Moonilal—Continued:

- Q.** For the second remote too?
- A.** He may have missed with one.
- Q.** So you're really not sure?
- A.** He may have missed with one; he sent about two remotes, the phone and the cup.
- Q.** We're dealing with facts here.
- A.** He struck him with one remote control and then the teacup.
- Q.** Don't get to the teacup yet. Did Mr. Sharma keep sitting or did he stand or what?
- A.** He kept sitting.
- Q.** When Dr. Rowley—
- A.** Yes, when he was flinging the instruments.
- Q.** Where were the instruments before?
- A.** They were on the coffee table in front of us.
- Q.** In front of you?
- A.** In front both Dr. Rowley and myself.
- Q.** How far from the coffee table was Mr. Sharma?
- A.** About four or five feet.
- Q.** And Dr. Rowley was sitting next to you?
- A.** Yes.
- Q.** The coffee table was in the centre?
- A.** Yes.
- Q.** You were sitting closer to the TV or further away from the TV?
- A.** In relation to Dr. Rowley?
- Q.** Cardinal points wise, where were you sitting on the sofa, east, west, north or south?
- A.** That is northwest.
- Q.** The sofa was at north, so you were sitting in the northwest—the TV is to the west and Dr. Rowley was to the east?
- A.** Yes, yes, on my left side.
- Q.** Mr. Sharma was sitting?
- A.** South.
- Q.** And the table was between them both?

A. The table was between them both.

Mr. Bereaux questions Dr. Moonilal—Continued:

Q. Where was the teacup? Who was using the teacup before?

A. I had no idea who would have been using the teacup.

Q. Excepting Dr. Rowley . . .

A. Dr. Rowley had tea and biscuits; I think I also had some tea and biscuits.

Q. You answered me and I have gone on. You said Dr. Rowley, yourself, Mr. Sharma, Mr. Callender, Mr. Ramnath were there. Was anybody else in the immediate vicinity of what was happening?

A. No.

Q. Nobody?

A. Mr. Ramnath, Mr. Callender, myself, Dr. Rowley, Mr. Sharma; nobody else.

Q. Did you see any of the pantry staff anywhere around?

A. Not during the activity.

Q. None?

A. No.

Q. Did you see them before?

A. Yes.

Q. Did you see them before while the talking was going on?

A. Did I see them before while the talking was going on?

Q. All I'm saying is—you said there were discussions going on from one to the other, and you also said that then the striking came about?

A. Yes.

Q. Was any of the pantry staff around during the argument?

A. During the argument?

Q. Yes.

A. No.

Q. During the striking?

A. No.

Q. Immediately after the striking?

A. That is when I would have left with Dr. Rowley, so I would not have been in a position to see.

Mr. Bereaux questions Dr. Moonilal:—Continued:

- Q.** Then you said about the teacup—so all this time when Dr. Rowley was throwing teacup, throwing the various devices, where was he standing or sitting?
- A.** He was sitting.
- Q.** He was sitting?
- A.** Yes.
- Q.** What he did with the teacup?
- A.** In a rage, he said, “You wanted to hit me,” to the effect of, “You could do me something, do me something?” and flung the teacup.
- Q.** One thing I hear you talking about “in a rage” and “violently” and all sorts of things, you are expressing opinions, I suppose. How did he throw the teacup?
- A.** The same way he threw the remote devices. He took the teacup up with his right hand, looked at Mr. Sharma, asked Mr. Sharma if he could do him something and said to Mr. Sharma, “You want to do me something; do me something; hit meh with this,” and he flung it at Mr. Sharma.
- Q.** Did the teacup hit Mr. Sharma at all?
- A.** When it was airborne and in the direction of Mr. Sharma's abdomen and chest area, Mr. Sharma used his right hand to fend it off and it struck him around his wrist and fell to the ground and broke.
- Q.** At that time, was Mr. Sharma standing or sitting?
- A.** Sitting.
- Q.** You say it fell to the ground and broke?
- A.** Yes.
- Q.** Do you know reporter Sean Douglas? Do you know of a reporter by that name?
- A.** I know of him.
- Q.** Ria Taitt?
- A.** I know of her.
- Q.** You recall talking to them at all.
- A.** About this incident.
- Q.** Yes.
- A.** I may have spoken to them.

Mr. Bereaux questions Dr. Moonilal—Continued:

- Q.** You may have spoken to them. What would you have told them?
- A.** When reporters called me—whether it is the two reporters you asked about or whatever—I told them there was an incident in the tea room; I was there and I have no comment to make on the matter.
- Q.** So if you are reported as making a comment?
- A.** It would be that there was an altercation.
- Q.** That was the only comment?
- A.** As I recall that was the only comment on that day and the day after, that I would have made.
- Q.** In front of whom did the teacup fall?
- A.** When Mr. Sharma fended the teacup, the teacup fell on the ground in front of Dr. Rowley and Mr. Sharma, in the middle between the two of them it broke.
- Q.** Between Rowley . . .
- A.** And Mr. Sharma, obliquely between.

Mr. Rahael questions Dr. Moonilal:

- Q.** Dr. Moonilal, tell me something, the day of the incident you told no one that Dr. Rowley had chucked or pushed Mr. Sharma?
- A.** No one meaning the press, no one meaning my mother, father?
- Q.** Anyone not related to you?
- A.** Anyone not related to me? If I told no one not related to me?
- Q.** You told someone?
- A.** If I told someone not related to me?
- Q.** Not your family.
- A.** Not my family, not my friend and I told someone not my family, not my friend . . .
- Q.** I did not say not your friend, not your family.
- A.** I told someone, not my family.
- Q.** Did you tell anyone?
- A.** All I could recall, and I could share with the committee, is that on the evening and the day after the incident, I would have told members of the press and colleagues, not my family—colleagues, who I would have spoken to or called on the phone, there was a big issue in the press that there was an incident in the tea room between Dr. Rowley and Mr. Sharma. There was an altercation, but I did not get into details to tell anybody the nature, what happened and so on.

Mr. Rahael questions Dr. Moonilal—Continued:

- Q.** I am not talking about the details, chucking Dr. Rowley—chucking Mr. Sharma violently, more than once, throwing remote control at him, the other remote control, the radio, the teacup?
- A.** Not a radio.
- Q.** The remote control. Especially him, as you alleged that Dr. Rowley chucked him violently and you told no one; you did not tell the Speaker of the House, the Clerk of the House, no police officer, no one. Did you go to the hospital with Mr. Sharma?
- A.** No.
- Q.** So you told no one, that's what you're saying?
- A.** I told no one of great detail of what happened.
- Q.** The question is . . .
- A.** I would have confirmed that there was an incident.
- Q.** Yes, I know that. Did you tell anyone that Dr. Rowley chucked, hit, pushed Mr. Sharma?
- A.** You mean not the press.
- Q.** Yes not to press?
- A.** I spoke to my parliamentary colleagues and gave them an appraisal of what I saw.

Mr. Bereaux questions Dr. Moonilal:

- Q.** Let me just ask you bluntly, you are reported here in the Newsday in an article by Nalini Seelal, Shaun Douglas and Ria Taitt saying, 'They had an altercation; there was a confrontation,' asked if Rowley hit Sharma, Moonilal said, 'His arms were making movements, both men were animated.'" It is in inverted commas here.
- A.** His arms were making movements; both men were animated.
- Q.** I'm just asking: Do you recall saying that?
- A.** Yes.
- Q.** That's all I asked you.

Mr. Chairman: Anybody else?

Mr. Panday Questions Dr. Moonilal:

- Q.** You said that there were four men in the tea room, could you kindly indicate to us as to the seating arrangements of the four men?
- A.** Mr. Sharma was on the southern side on an armchair. On the northern side there was a sofa there; both Dr. Rowley and myself sat there and what would then be the eastern side, there was another sofa; Mr. Ramnath and Mr. Stanford Callender were seated there.

Mr. Panday Questions Dr. Moonilal—Continued:

- Q.** How long were you in the room before the alleged incident commenced?
- A.** About 15 to 20 minutes or so.
- Q.** And you said you were sitting facing south?
- A.** I was sitting facing south, yes, correct.
- Q.** In relation to where you were sitting, what is the direction of door of the pantry?
- A.** The door of the pantry would have been behind my back.
- Q.** Will you agree with me, first of all, that there was general dining area at the time?
- A.** Repeat, please.
- Q.** The area down there was divided into two areas?
- A.** Two areas, correct.
- Q.** The pantry door would have been behind your back?
- A.** Yes.
- Q.** So, therefore, as one enters into the room you enter into the general eating area?
- A.** Yes.
- Q.** And then there is a curved entrance?
- A.** To go into another enclave.
- Q.** Do you remember which member of the staff gave you all the biscuits and the tea?
- A.** I can't recall.
- Q.** But they would have come from the pantry area?
- A.** Certainly.
- Q.** At that time was there any food in the eating area?
- A.** I can't recall.
- Q.** When the incident was alleged to have started, did you see any of the pantry staff around?
- A.** No.
- Q.** Which position was Mr. Callender sitting?
- A.** Mr. Callender was sitting on the eastern side facing west, looking at the television.

Mr. Panday Questions Dr. Moonilal—Continued:

- Q.** When he was there did he do anything? Did you see him doing anything?
- A.** He did nothing; he said nothing.
- Q.** Thank you very much.

Mr. Rahael Questions Dr. Moonilal:

- Q.** Dr. Moonilal, after all these incidents were you concerned about Mr. Sharma with respect to all that had transpired: the violent chucking two three times, the poking, all these objects being thrown at him? Were you concerned that he was hurt?
- A.** Yes, I was concerned for his physical condition and his emotional and psychological condition as well.
- Q.** But you didn't make any suggestions to him that he should, probably, report it to someone or report to maybe the police or call an ambulance or go and see a doctor?
- A.** Mr. Sharma was in the company of other parliamentary colleagues, including a medical doctor and senior colleagues to me and I assumed they would advise him accordingly. I generated a call to him immediately after the parliamentary sitting; his phone was off; I left a message on his voicemail that he should return my call. I was very concerned about his physical and emotional state?
- Q.** But before the Parliament sitting and during the Parliament sitting—Mr. Sharma participated and you as well and everyone else, but after all of these incidents had happened, I mean, if you were concerned about him you did not suggest to him before, at the end of the Parliament sitting, that he should really seek medical help?
- A.** He was in the company of colleagues who were medical doctors so I was under the impression that the medical doctors would advise him accordingly.
- Q.** But none of these medical doctors were in the tea room, were they?
- A.** I assume Mr. Sharma would inform them what took place. By that time in the parliamentary Chamber I think most Members knew that there was an incident.

Miss Beckles Questions Dr. Moonilal:

- Q.** In relation to the lengthy discussion you had with Dr. Rowley, after you all left the tea room, how long did that last?
- A.** About 20 minutes or so, maybe less, but about 20 minutes.

Miss Beckles Questions Dr. Moonilal—Continued

- Q.** You were in the tea room you said 15 minutes or so before this incident started?
- A.** Correct.
- Q.** Could you give us an idea as to how long the incident in the tea room lasted?
- A.** Lasted? For about seven to 10 minutes.
- Q.** Could you tell us exactly how many lashes that Mr. Sharma got that you saw?
- A.** Three to four.
- Q.** All right. You said that he was violently chucked three times in his chest?
- A.** Once on his face.
- Q.** I am repeating your evidence. You said he was violently chucked three times in his chest. You want to check that? You said he was violently chucked three times in his chest; you said he was poked once in his face.
- A.** Yes.
- Q.** And you then said that the remote control and the telephone hit him somewhere in the middle?
- A.** Correct.
- Q.** So that would amount to, at least, six times, according to your information?
- A.** With an intermission between the first three and the second three.
- Q.** Fine, six. Mr. Ramnath, he remained seated throughout all of this?
- A.** Yes.
- Q.** And he said nothing?
- A.** He spoke.
- Q.** Do you recall what he said?
- A.** He asked both Dr. Rowley and Mr. Sharma to restrain themselves and end the argument and, probably, to talk about something else.
- Q.** But he remained seated?
- A.** He remained seated.
- Q.** Throughout this entire incident Mr. Sharma remained seated?
- A.** Mr. Sharma got up once.

Miss Beckles questions Dr. Moonilal—Continued

Q. When would that have been?

A. When Dr. Rowley approached him the first time and poked him in his face, he got up; then Dr. Rowley chucked him on the chest. When I asked Dr. Rowley to return to his seat and sit then Mr. Sharma took his seat as well.

Mr. Chairman: That is the first time?

Dr. Moonilal: Yes. Then he threw the objects and then we left.

Mr. Chairman: That is the second time?

Dr. Moonilal: Yes.

Q. Of course, the flinging of the teacup and the connecting with Mr. Sharma's hand would also amount to some other form of contact?

A. Using a missile.

Q. I just want to go back to the issue of the newspapers dated the 16th of September at which they were reporting that they spoke to you not too long after the incident itself, the same evening. Do you recall that you spoke with the newspapers on the same day of the incident?

A. I did receive calls from newspaper reporters.

Q. The same day?

A. The same evening, yes.

Q. Now, the newspapers, if I could just recall—because this is important—said that you were specifically asked whether you had seen the two men exchange blows physically and your response was that they had an altercation and there was a confrontation. His arms were making movements, both men were animated. Could you indicate what you meant by animated?

A. They were both in a heated argument.

Mr. Chairman: What is meant by animated?

Dr. Moonilal: There were movements; strong body movements culminating in physical contact.

Q. That refers to both men?

A. It did not refer to both men.

Q. I just asked you if both men were animated and I asked you what is your definition of animated.

A. My definition of animated is that both men were involved in a heated discussion and one, in particular, made physical contact with the other.

Miss Beckles questions Dr. Moonilal—Continued

- Q.** So when you say both men were animated, that is not what you meant on the day in question?
- A.** When I said they were in an animated discussion and there was a movement of arms and so on . . .
- Q.** No, this doesn't refer to an animated discussion, this refers to both men were animated. I just want to be clear what you meant when you said animated?
- A.** Both men were animated in a discussion.
- Q.** So that your first definition of "animated" is not the definition you want to go by?
- A.** I understand animated to mean that someone is moving their body. I don't know if there is another definition you would like to appraise me of, but I have to tell you what I understand by "animated".
- Q.** That is why I am happy what your definition is so it can help me to clarify what you meant when you said . . .
- A.** I understand it to mean one person or both persons are physically moving their body, their arms, their foot, and so on, to be animation; as opposed to be being static, as opposed to doing nothing.
- Q.** When you say that his arms were making movements in answer to whether the both men exchanged blows physically, what you meant by that?
- A.** To answer the press—because this is a statement to the press, this is not a statement to the Privileges Committee; this is a statement to the press.
- Q.** I am just asking you.
- A.** And I'd like to clarify for your benefit. This is a statement to the press. When I spoke to the press I did not see a need to get into a forensic detail as to what transpired in the tearoom. I did not see a need to explain to any reporter to be published who hit who, who struck who, who fling what. There was a need, to me, to confirm that an incident took place, so I chose not to develop and to explain and to elaborate and to detail the nature of the incident; deliberately I did that.
- Q.** Did you have a television interview some time later on in relation to this incident?
- A.** There was a press conference hosted at the Opposition leader's office.
- Q.** Do you recall what you said at that press conference?
- A.** I can't recall the date now, but at that press conference, a few days after, I confirmed what Mr. Ramnath had said to the press.

Miss Beckles questions Dr. Moonilal—Continued

- Q.** I am asking you what you said.
- A.** I said I endorse fully what Mr. Ramnath said.
- Q.** What did Mr. Ramnath say?
- A.** Mr. Ramnath stated that he was in the room when Dr. Rowley struck Mr. Sharma.
- Q.** At that time you were willing to give more specifics?
- A.** Yes.
- Q.** To the press?
- A.** Yes. The issue was already in the press; there was some misinformation about what happened. *[Interruption]* All I'm saying is, at that time, statements were being made in the press that I believe were wrong and there was a need to state the truth.
- Q.** But you are aware that, at that particular time, Mr. Ramnath said that Dr. Rowley had struck Mr. Sharma three times?
- A.** Yes.
- Q.** And you endorsed that?
- A.** Yes.
- Q.** Having left the tea room, you did not then consider going either to the police post or to the Speaker?
- A.** I considered going to the Speaker.
- Q.** Did your consideration materialize into doing so?
- A.** In the aftermath of the sitting of the day, the caucus, my parliamentary colleagues, held a meeting at which it was resolved to approach the Speaker and report the matter.
- Q.** I am just talking about you.
- A.** I felt no need to go to the Speaker.
- Q.** I am speaking about having left the tea room.
- A.** Yes.
- Q.** I am speaking about immediately after the incident occurred, did you then go to the Speaker or then go to the police post?
- A.** Immediately after the incident occurred I went to speak to Dr. Rowley for 20 minutes. When that time was over, the Speaker was on his way out with the Marshal to attend the sitting; it would not have been possible then to speak to him.

Miss Beckles questions Dr. Moonilal—Continued

Q. You didn't think of sending a little note to the Speaker?

A. No, I didn't think of sending a note to the Speaker to indicate that there was an incident downstairs. I thought I should speak to the Speaker myself.

Mr. Speaker: Any other questions?

Mr. Chairman questions Dr. Moonilal:

Q. You said you thought about coming to me to report it. Immediately after the sitting there was a caucus?

A. There was a caucus.

Q. Immediately after the sitting?

A. Yes.

Q. So you would have left the Chamber and gone into, probably, a committee room.

A. We went to a committee room for a meeting.

Q. You said the caucus took a decision to have somebody approach the Speaker?

A. The caucus took a decision to raise the matter with the Speaker and an avenue for doing that.

Q. What did the caucus decide?

A. You are asking me to say the meetings of the caucus?

Q. Yes.

A. It was resolved at the caucus that Mr. Sharma would raise the matter with the Speaker and alert the Speaker as to what took place; that was what was resolved at the caucus. At that time I left it to Mr. Sharma to raise the matter with the Speaker; I felt that there was no need, myself to approach nor write, because I was also careful . . .

Q. That's all right. All Members of the UNC, the Members of the House and the Senate were present in that caucus, do you recall?

A. I cannot recall the attendance list at the meeting.

Q. Was Mr. Montano in that caucus?

A. I cannot recall if Mr. Montano was there or not.

Q. Did you at any time, when this alleged incident took place, consider whether that was a breach of parliamentary privilege?

A. Consider what was a breach?

Mr. Chairman questions Dr. Moonilal:—Continued

- Q.** The alleged incident. *[Interruption]* Watch me.
- A.** I am not watching anybody in particular, I am thinking. I certainly considered that there might have been a criminal act committed. I considered that because two Members of Parliament were involved, there was the issue of the breach of the code of conduct of Members and the matter would reach before the Speaker. I considered that as well.
- Q.** The question I am asking you is whether what allegedly took place in the tea room when you were there, did you, at any time before or when you left the room with Rowley and before entering the Chamber, did you at any time consider that to be a breach of parliamentary privilege?
- A.** Well those things were not in my mind . . .
- Q.** Yes or no?

Miss Beckles: He said it wasn't on his mind.

- Q.** It wasn't on your mind. I'll take it as no.
- A.** I knew it was a very serious incident that the Speaker would have to learn about and take whatever action necessary, but to plan that it is parliamentary privilege point 1, 2 and 3, I'm not thinking of that at that time.
- Q.** Apart from Mr. Ramnath saying—I'm paraphrasing now—"Fellas,"—what did he say again?
- A.** He called upon both Dr. Rowley and Mr. Sharma to end their argument and then he called on Dr. Rowley to resist from striking Mr. Sharma, to that effect, "Yuh doh have to get on so; yuh doh have to do dat."
- Q.** Where Mr. Ramnath was sitting could he have seen if Dr. Rowley was striking Mr. Sharma?
- A.** He would not have seen clearly because Dr. Rowley's back, at some time, was to Mr. Ramnath.
- Q.** Earlier on in your testimony you used the word "flung" several items at Mr. Sharma?
- A.** Yes.
- Q.** Demonstrate what you mean by that.
- [Dr. Moonilal demonstrates using a glasses case]*
- A.** You throw that to me, now I fling it to you.

Mr. Chairman questions Dr. Moonilal—Continued

- Q.** With that same force?
- A.** More force, you throw it to me; I fling it to you.
- Q.** That is what you are interpreting to be the flinging?
- A.** Yes, with three or four missiles coming rapidly at you it constitutes a danger.
- Q.** Dr. Rowley was to your right or left?
- A.** My left.
- Q.** So in relation to where Mr. Sharma was, you would have been nearer to Mr. Sharma?
- A.** No, he was to my left on the same sofa, so he would have been next to me. Mr. Sharma would have been opposite.
- Q.** Did Mr. Sharma call Dr. Rowley a racist, at any time?
- A.** No.
- Q.** Did Dr. Rowley curse Mr. Sharma at any time?
- A.** No. when you say "curse" you mean obscene language?
- Q.** Yes.
- A.** No.
- Q.** Did Mr. Sharma curse Dr. Rowley at any time?
- A.** Using obscene language?
- Q.** Yes.
- A.** No. I did not curse anybody. *[Laughter]*
- Q.** Now, you spoke about the afternoon of the incident and the following day, so we talking Wednesday and Thursday. Those were the only two days you had any interaction with the press, i.e. they call you—You didn't call them at all?
- A.** I don't recall calling members of the press.
- Q.** You don't recall. They called you?
- A.** Members of the press called me.
- Q.** On Wednesday?
- A.** Wednesday evening.
- Q.** Thursday?
- A.** During the course of the day.

Mr. Chairman questions Dr. Moonilal—Continued

- Q. What about Friday?
- A. Members of the press did not call me on Friday.
- Q. Any other day after that concerning this incident?
- A. I can't recall. Members of the press call me all the time.
- Q. About this incident?
- A. I am saying that members of the press call me all the time; I cannot recall if members of the press spoke to me specifically about this incident on Saturday, Sunday, Monday, Tuesday, Wednesday, but I talk to members of the press almost everyday.
- Q. I think you used the words "beat him up" somewhere in your testimony?
- A. Yes.
- Q. What you mean by that?
- A. I used the words, as I recall, in the discussion with Dr. Rowley in the aftermath of the incident while speaking to Dr. Rowley on the verandah. Dr. Rowley was giving me his view of Mr. Sharma.
- Q. What do you mean by "beating him up"? Who beat up who?
- A. I told Dr. Rowley that you cannot change Mr. Sharma's mind on a particular issue by beating him up. So that if you think you can beat up somebody and change their mind, you can't do that.
- Q. All right. You told him that on the balcony?
- A. Yes.
- Q. Not in the tea room?
- A. No, in the tea room I told him he should not hit Mr. Sharma.
- Q. Was there a table between where Dr. Rowley was sitting and where Mr. Sharma was sitting?
- A. A glass coffee table, about two or three feet off the ground.
- Q. When the teacup was flung—demonstrate in your own way how Mr. Sharma fend it off. Did it strike him at all? How did he fend it off?
- A. It was flung to him.
- Q. It was coming to him. What did Mr. Sharma do?
- A. Mr. Sharma saw it coming raised his hand in front of him so that the teacup would not make contact with his chest or abdomen and when he made contact the teacup struck him on or about his wrist there and then fell forward and crashed into the ground.

Mr. Chairman questions Dr. Moonilal—Continued

Q. Mr. Sharma was sitting at that time?

A. He was sitting.

Q. So too was Dr. Rowley?

A. Yes.

Q. And the table was between them?

A. The table was between them.

Q. As far as you are aware, did Mr. Sharma relate this incident to anybody other than the caucus, on that day?

A. Mr. Sharma related the incident to the caucus; I left Port-of-Spain and was outside of the company of Mr. Sharma for the rest of the day, so I cannot say who he did or did not relate it to.

Q. All right. You said earlier on Dr. Rowley hit Mr. Sharma six times?

A. I said six times?

Q. Yes.

A. Did I say six times?

Miss Beckles: I went through it with you; the two and three and one.

Dr. Moonilal: He chucked him on the chest; once on his face, three times on his chest and then the objects he started to fling at him. So if you call the objects also hitting, in that sense, then it will be about six.

Q. Did you at any time between the alleged incident and the time you left Parliament observe Mr. Sharma, physically? Did you look at him?

A. When I left with Dr. Rowley, I went to the Chamber; the next time I saw him was . . .

Q. Well, you would have seen him first in the Chamber?

A. Yes.

Q. Then in the caucus?

A. Yes.

Q. After the caucus you went home, you left?

A. Yes.

Q. So during the time he was in the Chamber and in the caucus, that is Mr. Sharma, did you observe him?

A. No, I did not observe him. I glanced him, but I did not peer and get a good close up look at him, if that is what you mean.

Mr. Chairman questions Dr. Moonilal—Continued

- Q.** You would not have seen any sort of swelling?
- A.** Where I sit in the House it would have been difficult for me to say.
- Q.** In the caucus?
- A.** In the caucus—first I didn't sit next to Mr. Sharma in the caucus either.
- Q.** Opposite him?
- A.** On two opposite sides of the committee room.
- Q.** Did you see whether his face was red or swollen?
- A.** This is my judgment, I'm not that type of doctor. His face looked a bit swollen and he was, clearly, emotionally shaken, that much you can see without being close up, but as to any other evidence, I don't have . . .
- Q.** Did you hear Mr. Sharma accuse the PNM and Dr. Rowley—Did you hear him accuse the PNM of practising racist policies with respect to the housing programme of the Government?
- A.** I heard Mr. Sharma and Dr. Rowley; when they were arguing Mr. Sharma said that the PNM was discriminating against his constituents, meaning Fyzabad.
- Q.** So you left after the caucus and went your way; what time did the caucus finish?
- A.** It depends on what time the Sitting finished.
- Q.** The caucus?
- A.** I can't recall what time the caucus finished.
- Q.** You recall what time you left the Parliament?
- A.** I left as soon as the caucus finished.
- Q.** Do you recall the time?
- A.** I don't recall as to what time I left the caucus.
- Q.** Did you recall if Mr. Sharma had gone back to the tea room after the caucus?
- A.** I have no recollection of that; I left to go to San Fernando.
- Q.** So you don't know if he went back to the tea room?
- A.** No.
- Q.** You would not have known whether he would have come to my office or had gone to the police?
- A.** I became aware . . .

Mr. Chairman questions Dr. Moonilal—Continued

Q. When you were in the precincts of the Parliament?

A. No, I left the caucus and headed towards my vehicle to go San Fernando.

Mr. Chairman: Any questions any other Members?

Mr. Bereaux questions Dr. Moonilal:

Q. Where did Dr. Rowley hit Mr. Sharma? You said he hit him in his face or poke him or something?

A. In the face.

Q. Yes.

A. On the side of his face, on the cheek jaw.

Q. Which side, that's what I'm trying to find out? Left, right or directly in front?

A. I think it's the right side.

Q. You did not see which hand he hit him with?

A. I can't say for sure which hand, but one of them. *[Laughter]*

Mr. Rahael questions Dr. Moonilal:

Q. Dr. Moonilal, I have a concern: Your colleague was chucked violently three times; he was poked; two remote controls fling at him; a teacup flinged at him, hit him; the remote controls hit him, and you seem to be more concerned about Dr. Rowley than Mr. Sharma and Dr. Rowley was just agitated, according to you, but here it is Mr. Sharma being violently chucked, at least three times and poked, and remote controls threw at him, teacup thrown at him and you did not go to his assistance, other than trying to get Dr. Rowley out of the room?

The second thing is that you went into the Parliament, your colleague Mr. Sharma was in the Parliament, you were not concerned about whether or not he was emotionally disturbed or emotional about anything, that he needed some kind of assistance, and the only time you found him to be emotionally shaken was at the caucus? You didn't think to check him out while he was in the Parliament to see if he was okay and that he wasn't red in the face?

Dr. Moonilal: Could I respond?

Mr. Chairman: Yes.

Dr. Moonilal: Chairman and members of the committee, I have spent a good portion of my life working in trade union movements. I have worked in environments where people got agitated and they have problems and that type of thing. Now, my . . .

Mr. Rahael questions Dr. Moonilal—Continued:

Mr. Chairman: If you could just give us a little yes or no.

Dr. Moonilal: I want to tell you something. I am responding to his question.

Mr. Chairman: Do not go into too long an explanation.

Dr. Moonilal: What I want to say to the hon. Member is that when you have two persons involved in that type of incident, the person who is the one who is prone to violence, unless that person does not have a sharp object or you can ascertain that he does not have a firearm on him, you can move towards him to remove him, restrain him. Dr. Rowley was the one who was menacing.

Q. I wasn't asking you about Dr. Rowley .

A. You do not want me to finish; you made a statement and I'm making a comment and you don't want me to continue. Surely, that can't be the procedure.

Mr. Chairman: You had asked that question earlier on and I think he had given an answer.

Dr. Moonilal: He raised a second issue. There are two issues he raised.

Miss Lucky: Chairman, with the greatest respect to my colleague, there were two issues that he raised. I think Dr. Moonilal was getting to that, even if the member disagrees with what Dr. Moonilal is saying, let Dr. Moonilal finish what he is stating.

Dr. Moonilal: There was a risk that if you go to take Mr. Sharma out that Dr. Rowley remaining there could be violent and could have chased Mr. Sharma and myself out of the room and attacked either Mr. Sharma or attack both Mr. Sharma and Dr. Moonilal. I chose to speak to Dr. Rowley to encourage him to leave the room, and not Mr. Sharma, because I sensed that if Mr. Sharma was even leaving that the mood Dr. Rowley was in he could have struck him a grievous blow; so it was more important to curtail, in that sense, to disarm Dr. Rowley and leave the room than it was to disarm Mr. Sharma.

The second issue: When we went to the Chamber I looked to Mr. Sharma's side where he was sitting down and at all times he was in the company of colleagues and so on there who, by that time, they found out what had happened. Mr. Ganga Singh, Dr. Hamza Rafeeq, Mr. Partap and so on, they were there in the vicinity of Mr. Sharma talking to him. I assumed they were discussing the incident and looking after his welfare.

Mr. Chairman: In the Chamber?

Dr. Moonilal: In the Chamber. I saw no need during the sitting to approach Mr. Sharma and to seek to talk to him while the sitting was going on. I don't think there was any seat available around him to sit, in the first place, so during the session there was no opportunity and, to me, there was no need to approach Mr. Sharma during the session.

Mr. Chairman Questions Dr. Moonilal:

- Q.** Who would have told your colleagues about this incident in the Chamber?
- A.** Before the sitting began I mentioned to the Chief Whip that there was an incident and I described a bit of it and, I think, the Whip went to ascertain the facts from Mr. Sharma and as the session continued I think other colleagues heard of the incident and would have themselves approached Mr. Sharma to ascertain his mental and physical health and to get from him his view of what transpired.
- Q.** Are you aware that Mr. Sharma is a diabetic?
- A.** I was not aware of that.
- Q.** You are not aware that he's a diabetic?
- A.** Until the aftermath of the incident I learned that.
- Q.** What about other Members of Parliament on the PNM Government Benches, did you tell any of them about this incident, that day or the following day or any day at all?
- A.** Did I tell any members of the PNM . . .
- Q.** Did you talk about it?
- A.** . . . about the incident the same day or the following day or any other day?
- Q.** Or any day subsequent.
- A.** Any other day meaning from that incident to now?
- Q.** Correct. Did you tell anybody about it on the Wednesday?
- A.** I had no discussion with any member of the PNM that I could recall, on Wednesday. I would not have seen anybody on Thursday. On Friday—I cannot say for certain that I did not discuss the matter with any member of the PNM, but I don't recall the discussion and the detail and who and what time and so.
- Q.** In the tea room where you were, you would have been able to see anybody coming in and going out?
- A.** Coming in and going out from where?
- Q.** The main entrance?
- A.** The main entrance—it would have been difficult where I was sitting to see the main door where Members were coming in or leaving.
- Q.** At one stage you were standing up?
- A.** That is when I went to hold Dr. Rowley's hand.

Mr. Rahael Questions Dr. Moonilal—Continued

Q. To take him out?

A. When he struck Mr. Sharma during the first round of blows.

Q. So your back would have been towards the main entrance door?

A. I would not have seen the main entrance at all and my back was to the pantry door.

Q. Let me rephrase it. Did you see anybody entering the tea room during this incident?

A. No.

Q. No one at all?

A. I saw no one except the key people who were there that we all know.

Q. Other than Mr. Callender, Dr. Rowley, Mr. Ramnath, Mr. Sharma, you saw no one else?

A. No.

Q. Thank you.

Mr. Chairman: Any other questions for Dr. Moonilal? Dr. Moonilal, let me thank you for attending. Let me remind you that our proceedings, as you are aware, are *in camera*. They are confidential; it is not to be repeated to friend or foe, to anyone, until the committee has an opportunity to report to the House. In the course of time, you will be given a copy of your testimony to peruse and make sure that it is in order.

Dr. Moonilal: Thank you very much. Good afternoon.

**ORAL EVIDENCE OF MR. STANFORD CALLENDER GIVEN ON
NOVEMBER 02, 2004**

Mr. Chairman: Welcome Mr. Callender. Thank you for coming. I am to remind you that this is a Committee of Privileges and what we say inside here is very private. The work of the committee and the submissions you are making today cannot be published to no one, in the widest possible sense; that includes the press.

Mr. Chairman Questions Mr. Callender:

- Q.** On Friday, September 17 you would recall that two Members raised an issue of privilege in the Parliament, relating to an alleged incident in the tea room. I heard the submissions of both Members and I referred the matter to the Committee of Privileges. This committee has been advised that you were present in the tea room on that occasion; the occasion of this alleged incident, on September 15. I would like you now, in your own words, to tell us as, far as you know and recall, what happened in the tea room on that day.
- A.** Thank you, Mr. Chairman. On Wednesday, September 15, I got to the Parliament building about 12:30 p.m. I came upstairs to the main Chamber. I left my bags and went to the bathroom and then I went downstairs to the tea room. When I entered the little area where the television is in the tea room, I met Dr. Rowley and MP Moonilal. They were looking at cricket so I joined them. They were chatting and looking at cricket. A few minutes after the lady who served the tea came around and asked me if I was okay. I asked for a cup of tea I got that then MP Ramnath entered the tea room. He said hi and sat on the same couch I was sitting on. That is the couch east facing west. We were facing the television. Dr. Rowley and Dr. Moonilal were sitting on my right, so that is the northern side. Maybe about 5—10 minutes after, MP Sharma entered the room. He said hello and passed at the side of me, going at the back of Dr. Rowley. He might have tapped him on his head, jokingly and proceed. When he came back and took his seat on the southern side—he was facing Dr. Rowley and Dr. Moonilal, in a sense—I heard Dr. Rowley say: “I was not here during the hurricane, but I read some of the comments you made. I do not know why every time you have to talk you have to introduce politics and race into the issue. Then he said: “But you know that is race and politics. You all are building houses for Grenadians and PNM.

Mr. Rahael: Who said that? *[Interruption]*

- A.** Mr. Sharma . . . said “You are racist”. Dr. Rowley said: “What have I said since I started talking to you in this discussion that gives you any indication. “What have I said to you that gives you any indication that I am a racist?” He said: “You know the PNM and all of you is race. You will never build a house for an Indian. Why you all don’t build a house for an Indian? You are a so and so racist.” Dr. Rowley said: “You calling me a racist?”

Mr. Chairman questions Mr. Callender—Continued:

Miss Lucky: Mr. Chairman, could I just ask? When Mr. Callender says: “so and so”, I am sorry to have to ask you this say, but are we saying so and so or f...ing?

Mr. Chairman: We can note it and ask it later.

Miss Lucky: Sorry.

Mr. Chairman: I have noted it myself.

[Mr. Callender continued]

A. He said: “Yes. You are a racist.” Dr. Rowley got up, Sharma got up and they moved towards each other. Sharma continued to say: “You are a so and so racist.” As they advanced closer to each other, I saw Dr. Rowley push out his hand so as to stop Mr. Sharma. They were both advancing to one another. Shortly after, MP. Moonilal got up and said: “No gentlemen all yuh cool it.” Both of them took their seats.

Q. Both of them, meaning?

A. Dr. Rowley and Sharma took their seats. Dr. Moonilal sat down. Dr. Rowley sat where he was before; facing Sharma. I heard Sharma say: “Yuh think ah ‘fraid yuh. I will buss yuh so and so head. See your head, it shape as though it could take a buss.” Dr. Rowley say: “Yuh want to buss my head? If yuh want to buss my head well use this.” The remote and the cordless phone were on the coffee table so he pushed the remote towards Sharma. Sharma continued. He said: “Yuh want to buss meh well use this” and he pushed the telephone towards Sharma. Sharma continued. He said: “Well if you want to buss my head use this.” Then he pushed the teacup. In his agitation and thing, Sharma’s hand is what hit the teacup. The teacup came across to my direction where I was sitting. It fell close to my foot and break.

Q. When you say it came across in your direction?

A. Straight across the table. He batted it. The teacup came and fell by my foot and broke. Both men got up again; both Dr. Rowley and Sharma. Again, Moonilal intervened. He said something to Dr. Rowley and they left the tea room.

A few minutes after, the tea lady came in and she rearranged the coffee table and swept up the teacup. I remember Mr. Ramnath saying: “Yuh know all this time I sitting down here I thought is joke all yuh making.” They both left the tea room. A few minutes after, the first person entered the tea room was MP Bereaux. He entered the tea room and joined us to look at cricket. He was not aware because one said anything about what transpired prior. So another type of conversation ensued. MP Bereaux said to Ramnath . . .

Mr. Chairman questions Mr. Callender—Continued:

Ms. Beckles: Mr. Chairman, should we take this evidence.

Mr. Chairman: Not necessarily, just how it related to the incident.

[Mr. Callender continued]

A. As far as my recollection, that was the incident, basically.

Mr. Chairman: Any questions members?

Ms. Lucky questions Mr. Callender:

Q. Mr. Callender, I know when you are giving evidence maybe, when you say: “so and so” out of respect, did the “so and so” actually have an actual obscenity? You do not have to say the whole obscenity, was it is f...ing?

A. Yes. F...ing and mother so . . .

Q. F...ing and other extensions?

A. Yes.

Mr. Chairman: Like MC?

A. Yes.

Q. Based on your observation of the incident, did you feel it warranted your intervention?

A. No, I did not. I also feel that it did not warrant—Ramnath and I never got involved up to that point. The only thing Ramnath said is: “I thought is joke all yuh making all the time I am sitting down here.”

Q. You did not give statements to the press or anything about the incident?

A. No, no. I haven't spoken to the press at all.

Q. Through the Chairman, I want to commend you for that.

Mr. Chairman: I may wish to say the same and commend you for your not speaking to anybody about this matter, as far as I am aware.

Mr. Rahael questions Mr. Callender:

Q. Mr. Callender, when Dr. Rowley and Mr. Sharma were approaching each other, after Dr. Rowley put out his arm to stop Mr. Sharma from advancing towards him and him towards Mr. Sharma, what happened after that, they both took their seats?

A. No, Moonilal intervened.

Q. Moonilal intervened and then they both took their seats?

A. Yes.

Mr. Rahael questions Mr. Callender—Continued

Q. Was there any further chucking or poking that took place?

A. I did not witness anything like that.

Q. Was there any chucking, sorry?

A. I never witnessed anything like that.

Mr. Chairman: Mr. Bereaux any questions?

Ms. Beckles questions Mr. Callender:

Q. Can you give us a little idea as to how long this incident lasted?

A. I got to the tea room about 12.40 p.m. My guess is that Sharma might have gotten there about 10 minutes after. He might have taken about five minutes. The agitation might have taken about five minutes or a little more.

Q. You said these things: the remote and something else was flung.

A. The cordless phone.

Q. Could you say where did that end up?

A. Which one?

Q. Both of them.

A. Straight across the coffee table. They might have fallen somewhere on the floor by Sharma. I was not sure. I know the teacup came my way.

Q. During that entire five minutes, you never felt the need to get up?

A. No.

Q. And to say anything?

A. No.

Q. That is all. I do not have anything else.

Mr. Chairman questions Mr. Callender:

Q. When you say the teacup came by you, what you really mean by that? You are sitting there, who was next to you?

A. Mr. Ramnath.

Q. Dr. Rowley was sitting on that side, Sharma on this side and Moonilal on that side. If the teacup flew across, by his action . . .

Q. Flew across where?

A. On the coffee table.

Mr. Chairman questions Mr. Callender—Continued

- Q. Did the teacup fly across the coffee table in this way? Assume this is the teacup—I do not want to throw down anything here.
[Mr. Chairman demonstrates]
- A. Sliding across so.
- Q. Please demonstrate.
- A. Use this, that was the remote that went straight across the table. Use that, this is the cordless phone. A similar thing was the teacup, use this. *[Mr. Callender demonstrates]*
- Q. What was slid on the coffee table?
- A. The remote.
- Q. Firstly, the remote. Which remote, the TV remote?
- A. Yes.
- Q. What about the cordless phone?
- A. Same thing.
- Q. There were two remotes.
- A. The television remote. Three items were slid across the table: the remote, the cordless phone and the teacup.
- Q. I see, okay. You earlier said that neither yourself nor Mr. Ramnath said anything while this alleged incident was taking place, nor did you all do anything. You all just sat and continued watching TV?
- A. Yes. I said, when Moonilal intervened the second time Ramnath said: "I sit down here all the time I say is joke all yuh making." That is the only thing Ramnath said. I said nothing.
- Q. Where you were during this incident, you would have been in a position to see anybody entering that tea room?
- A. The tea lady was—I mean she had brought tea for me earlier. She was moving in the area of dining.
- Q. She would have been in the dining room area during this incident?
- A. I saw her moving back and forth in the area. I do not know exactly if she was there for any length. I saw her because she served me tea.
- Q. Was she at any time in the TV area where this incident took place?
- A. Before?
- Q. During this incident.
- A. During the major incident?
- Q. Yes.
- A. I did not see her where we sat during that major incident, but she was there before and she came back thereafter to clean up what was on the floor.

Mr. Chairman questions Mr. Callender—Continued

- Q.** When the incident was taking place, did you notice whether she was in the tea room?
- A.** I did notice where she was. My back was at the dining area from where I sat. I did not know if she was there. I would not have seen her.
- Q.** Were there two incidents we are talking about here: one is the flinging of the objects on the coffee table. That was one part of it; am I right?
- A.** That was the second part.
- Q.** Which was first part?
- A.** The first part is when they got out up and square off at one another and Moonilal intervened and said: "Gentlemen cool it."
- Q.** So it is after that. It was during the first part that Dr. Rowley is alleged to have said: "If yuh want to buss meh head . . ."
- A.** That is the second part. After the first part when I felt everything was over, they sat down and Sharma said: "Yuh think ah 'fraid yuh? I will buss yuh so and so" That is what triggered the second part.

Mr. Chairman: Any other questions?

Mr. Bereaux questions Mr. Callender:

- Q.** Just for the records, who was tea lady?
- A.** The little Indian lady. I am not so sure of her name She has a kind of funny name.
- Q.** Describe her, short?

Mr. Chairman: An Indian lady, an African lady, a Chinese lady?

Mr. Callender: I would say she is an Indian lady.

Mr. Bereaux: He said that.

Mr. Chairman: I did not think that I heard short. If there are no other questions.

Mr. Panday Questions Mr. Callender:

- Q.** How far apart were the two men sitting?
- A.** At what point? If you recall how that area was set up, there is a couch as soon as you go in, that is back to the thing, Ramnath and I were sitting there. The one on the northern end, Dr. Rowley and Moonilal were sitting there. The chair on the other end, Sharma was sitting there. The coffee table was between us.

Mr. Panday questions Mr. Callender—Continued:

- Q.** What distance apart were they sitting?
[Mr. Callender demonstrates sitting position]
About four or five feet apart?
- A.** At most, with the coffee table in the middle.
- Q.** One man was north and the other one was south. The table would have been between them. How far did each man walk before Dr. Rowley lifted his hand?
- A.** Dr. Rowley got up, came down to the side of the coffee table. Sharma got up so they met. Their backs were at that point to myself and Ramnath. When Moonilal intervened, he came this way.
- Q.** You spoke about words being used and a movement. Did any further movement of any further movement of any man took place there that evening? Dr. Rowley came and Sharma came. You said Rowley *[Mr. Panday demonstrates hand movement]*. That was all that happened at that time?
- A.** Yes, as far as I know.
- Q.** Sharma did not lift his hand?
- A.** No. Sharma's hands were pointing. There was no physical contact.
- Q.** Sharma did not push him.
- A.** I did not see that.
- Q.** How long this incident lasted?
- A.** About five minutes.
- Q.** Did you speak to Dr. Rowley in the Parliament that day?
- A.** After the session.
- Q.** During session?
- A.** After the session.
- Q.** You did not speak to him during the session?
- A.** No Sir.
- Q.** Did you give a statement to anyone whomsoever?
- A.** I gave a statement to the police.
- Q.** You said you did not speak to Dr. Rowley during the sitting?
- A.** No. I spoke to him after the sitting.

- Q.** When these things were slid along, according to you, the surface of the table, how fast were they being flung?
- A.** When Keith said: "If you want to buss my head use that" Mr. Sharma continued. He said: "Yuh want to buss my head use this. At interval sessions they were not rapid.
- Q.** He was north facing south. Sharma was south facing north, agree? You were east facing west. The cup would have being travelling in a direction north to south and ended up east and it fell and broke.

Mr. Chairman: Did you, at any time hear Dr. Rowley curse Mr. Sharma?

Mr. Callender: No Sir.

Mr. Chairman: Any further questions.

Mr. Bereaux: Yes, I just have one. How did a cup sent from north to south end up east?

Mr. Callender: As I indicated, Mr. Sharma was sitting facing so. When the cup came down this way. *[Mr. Callender demonstrates]*

Mr. Chairman: There being no further questions, I want to thank you very much for your attendance. I know we kept you a bit, but that is your duty to come here and await us. Let me repeat that your testimony before this committee is strictly confidential. It is not to be repeated to anyone outside of this room or even to anyone in this room and certainly not to the press. Thank you very much.

**ORAL EVIDENCE OF MISS PRABHA SINGH GIVEN ON
NOVEMBER 02, 2004**

Mr. Chairman: Thank you for coming Miss Singh. On Friday, September 17, 2004 matters were raised in the House by two Members concerning an incident that took place in the tea room on Wednesday, September 15. Based on the submissions of both Members, as Speaker, I referred the matter to the Committee of Privileges. This committee has been advised that you were present in the tea room at some point in time prior to the sitting of the Parliament at 1.30 p.m.

Mr. Chairman questions Miss Singh:

- Q.** First of all, before you go on, in our own words, I would like you to describe what you observed, what did you see and what did you hear on that day, when you were in the tea room up to the point when the Members would have left the tea room; Members meaning Dr. Rowley and Mr. Sharma.

Let me tell you, Miss Singh, this is not a court of law; it is a Committee of Privileges and what is expected is that you give a true account of what happened that day. For the records you would state your name, your address and your occupation within the precincts of the Parliament.

- A.** My name is Prabha Singh. I reside at *[address stated]* My occupation is Food and Beverage Hostess in the Members Dining Room.

As far as I could remember, on the incident which took place in the tea room, I was there serving the Members. The Members who were present were Dr. Rowley, Dr. Moonilal, Mr. Ramnath, Mr. Callender. I served them tea. After that I continued to do my work. However, Mr. Sharma came in.

I served him. Everybody was speaking cordially. Then there were raised voices. What I heard is Mr. Sharma telling Dr. Rowley that the PNM is racist and he is racist. Dr. Rowley replied. He said: "Are you calling me a racist?" Mr. Sharma replied: "Yes." At that point Dr. Rowley walked up to Mr. Sharma and Mr. Sharma stood up. Dr. Rowley turned around, look at me because I was doing my work right by the bain-marie there. I just took my stuff up after that, put it on the coffee station.

While I was putting the glasses on the coffee station I heard a noise. I can't say that I can identify it, but at that point I heard Dr. Moonilal telling Mr. Sharma to be quiet. He said: "Keith, walk away." With that I left and I walked out of the dining room, came out of the pantry and Carter asked me—at that point she said: "Did something break?" That is Ms. Carter. She asked me if something break. I said: "No" because I did not hear anything like that.

We continued to do whatever. A little while after, I went back to clear the tea room. There was a teacup that was broken. I cleared that. The remote was on the sofa and the cordless phone was on the ground close to the television. I picked up what I was supposed to pick up, put it back where it was supposed to be. I cleared it. Mr. Callender and Mr. Ramnath was sitting on the sofa and I left.

Mr. Chairman: Any questions?

Ms. Beckles questions Miss Singh:

- Q.** Up until the time that you left the room, did you hear Mr. Ramnath say anything?
- A.** I can't recall. All I remember is—what I was feeling was very uncomfortable and I just wanted to leave the room. I can't recall.
- Q.** Up until the time that you felt uncomfortable?
- A.** By the time the raised voices started, it was very uncomfortable.
- Q.** Exactly where were you?
- A.** I was standing in front of the bain-marie.
- Q.** In front of the?
- A.** The bain-marie. That is the food station where we put the food. But I was facing the television set. My body was facing, but my head was down and I was seeing about putting the straws into the glasses. It is only when the raised voices started then I really lifted my head and started to listen to what was happening.
- Q.** You said at some point in time you saw Dr. Rowley and Mr. Sharma standing. Were they close to each other?
- A.** Yes they were facing each other.
- Q.** At that time you were still hearing— were you hearing any talk when they were standing?
- A.** They were speaking loudly to each other but I cannot recall the words they were saying.
- Q.** They were speaking loudly?
- A.** Yes, both of them.
- Q.** That is all for me. Just one minute. Could you tell us in between the time that you started hearing—when you were looking after the straws—until the time that you left? Do you have an idea as to how long that might be?
- A.** About two minutes. It was very quickly. Two minutes, I feel might have been long. How long would it take me? Not even two minutes just to walk from the bain-marie to the coffee station, rest that and leave. Two minutes is probably a little too much time.

Mr. Chairman questions Miss Singh:

- Q.** Miss Singh, just refresh my memory. When this exchange was taking place between Dr. Rowley and Mr. Sharma, the raised voices that you speak of, where were you?
- A.** At first I was in front the coffee station, so I was not seeing anyone.
- Q.** So if you were in front of the coffee station you would not be able to see anybody?
- A.** Not at first, no. But then I moved to the bain-marie, where I had all my glasses. The raised voices really did not start until I was standing. It would not be until I am at the bain-marie because I was doing what I was supposed to be doing. I was not paying attention to them and the voices is what made me lift my head. No, actually I was not in front the coffee station, sorry, I was in front the bain-marie and it was the raised voices that caused me to lift my head and start to pay attention to what was happening. That is when I looked up and heard these things and I saw what I saw: both gentlemen one walk to the other and they both facing each other.
- Q.** When you first noticed them, were they sitting or standing?
- A.** Everyone was sitting you know at first. I remember Dr. Moonilal was at the back of the couch getting his papers to leave. He was getting his stuff, whatever, to leave. Everybody was cordial at first.
- Q.** When you were at the bain-marie you would have then been able to see Mr. Ramnath and Mr. Callender?
- A.** No. The only time I would see them is if I were to go into the TV room area.
- Q.** When you were at the bain-marie and you heard these raised voices, how long you stood up at the bain-marie looking at these two gentlemen?
- A.** I would say a matter of seconds
- Q.** Did you hear Dr. Rowley curse Mr. Sharma?
- A.** To tell you the truth, no. I can't recall hearing anything like that.
- Q.** When you were at the bain-marie, did you recall hearing Mr. Sharma curse Dr. Rowley?
- A.** No, I can't.
- Q.** Did you see Dr. Rowley make any physical contact with Mr. Sharma?
- A.** No, I didn't.

Mr. Chairman questions Miss Singh: Continued

- Q.** Do not forget the only time that you say you would have observed them together was when you were at the bain-marie.
- A.** That is right, yes.
- Q.** There may have been other occasions when you would have been perhaps in the dining area while they were still in that TV area, am I correct?
- A.** Yes.
- Q.** Did you hear these raised voices when you were in the dining area?
- A.** The voices continued to be loud when I moved from the bain-marie to the coffee station.
- Q.** What is the distance between the bain-marie and the coffee station?
- A.** From where Ms. Sampson is to about where I am.

Mr. Panday: Ten to 12 feet.

- Q.** Did you see Dr. Rowley slide, throw, pelt anything?
- A.** No, I didn't.
- Q.** You heard Mr. Sharma call Dr. Rowley a racist, you said?
- A.** Yes, I did.
- Q.** How many times, could you recall?
- A.** I only remember it once. I cannot remember if it is twice or more than once. I remember hearing that once.
- Q.** Did you see when this alleged incident happen, Mr. Callender or Mr. Ramnath do anything at all?
- A.** No.
- Q.** You heard them say anything?
- A.** I cannot recall.
- Q.** Are you saying that things may have been said that you did not hear?
- A.** It is a possibility.
- Q.** That is it. Anything further questions, Mr. Panday?

Mr. Panday questions Miss Singh:

- Q.** You said, about this racist talk, one walked towards the other.
- A.** That is right.
- Q.** Was it Mr. Rowley walking to Mr. Sharma?
- A.** Yes.
- Q.** How far did he walk?
- A.** About 2 feet from one couch to the other to where Mr. Sharma was seated, but then he stood up where he was seated.
- Q.** No further questions Sir.

Mr. Chairman questions Miss Singh:

- Q.** The last time. You said you heard Mr. Sharma call Dr. Rowley a racist?
- A.** That's right.
- Q.** You did not hear Dr. Rowley curse Mr. Sharma?
- A.** No. I cannot recall hearing that.
- Q.** What about Mr. Sharma, did you hear him curse Dr. Rowley?
- A.** No, I can't recall hearing that.

Mr. Chairman: That being no further questions, Prabha Singh, let me thank you for your attendance. Before you go, let me caution you that your submission/testimony this afternoon is strictly private and strictly confidential. It is not to be related to any person, meaning anybody at all, no member of the press, you must disclose this to; no person, family, friend nobody not even members here. That is the end of your involvement here. It is not to be disclosed.

Miss Singh: Okay, thank you. Have a pleasant evening.

**ORAL EVIDENCE OF MR. KELVIN RAMNATH GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Thank you very much for coming Mr. Ramnath. You would recall that on Friday 17, September, matters were raised in the House of Representatives with respect to an alleged incident taking place in the Members' Lounge of the Parliament on Wednesday 15, September. Based on the submissions of the two Members concerned, I referred the matter to the Committee of Privileges. Our understanding is that you were in the lounge when this alleged incident occurred and it is against this background the committee has invited you to indicate to us what, if anything, did you see and hear.

Mr. Ramnath: Thank you very much. I do not know if I was fortunate or unfortunate to be present. I was, in fact, present when the incident occurred. Would you like me to state what I saw?

Mr. Chairman: What you saw and what you heard.

Mr. Ramnath: I was sitting next to Minister Callender and Dr. Rowley was present; he was sitting to our right. We were watching cricket.

Mr. Chairman: If you can give us some directional north, south, east, west.

Mr. Ramnath: I was facing west. I think Callender and I were sitting in a two or three-seater chair and we were looking at television, which was faced on the western side of the hall. There was a coffee table and then there were chairs on either side of the coffee table, so that Dr. Rowley would have been facing south and we were looking at the game between Bangladesh and the West Indies. We were talking cricket, of course, lamenting the poor performance of the West Indies and wondering whether we were going to be victims of Bangladesh.

Then Mr. Sharma walked into the room. He sat across the table from Dr. Rowley. Immediately upon arrival, the contents of a newspaper article relating to the hurricane in Grenada came into the discussion. The contents had to do with Mr. Sharma's concern of some statement in the article which had to do with building homes in Grenada, as well as inviting Grenadians to come to Trinidad. I, myself, did not read the article.

At that point, Dr. Rowley turned to Mr. Sharma, just as he walked in, and made a remark to the effect—and I am paraphrasing—“What is it you have with Grenadians coming or us doing something in Grenada?” or something to that effect. Sharma's response was, “You don't do anything for the people in Fyzabad or for the rural areas and your focus is on Grenada.” There would have been some intervening comments, at that point. At that stage Rowley got up, walked across to the table, “So you calling me a racist?” That was his remark, “So you calling me a racist?” At that point Chandresh was standing; some heated argument—very quickly this occurred; it was not too much of a pause—and Chandresh repeated his statement of, “You're not doing anything for the people in the rural constituencies; you're not doing anything for the people of Fyzabad.”

At that point Dr. Rowley's left hand landed on the right side of Chandresh's face. Chandresh's remark was, "Keith, look what you have allowed yourself to become," to the effect that what you have allowed yourself to descend to. There were some pushes to the chest at that point. Chandresh's remark was, "If I were not in this tea room," to the effect, "If I was not here, I will have dealt with you." At that stage, he got a slap to the left side of his face with Dr. Rowley's right hand. Dr. Moonilal kept pleading to put an end to it. I, myself, said, "Keith, what are you doing?" I really thought when it started that this was really a joke. I could not believe this would happen in the Parliament, where arguments would result in physical violence. All of this occurred in a very short period of time.

At that point, when Mr. Sharma indicated that if he were not in the tea room he would have responded, that is when the right hand or the right push to the face occurred. Roodal Moonilal sought to ask Dr. Rowley to move away. At that point, his response was, "You want to hit me," and he began to throw objects: television control, there was a portable phone. I think his hand struck the teacup and went—he flung the teacup that was in front of him and I think it hit Chandresh on one of the hands, his right hand, at that point. A few things started to fly across the room. He left the room at that point. I do not know if it was on the insistence of Dr. Moonilal, who subtly intervened, at that point, asking him to cool down. Dr. Rowley was in a terrible state of anger at that time.

That is my recollection, Mr. Chairman.

Mr. Chairman: Questions for Mr. Ramnath, members of the committee?

Mr. Bereaux questions Mr. Ramnath:

- Q.** Mr. Ramnath, I want you to go over this question of striking You said that Dr. Rowley got up and walked across to Sharma; that's the first time. Then he struck him with his left hand in his face or something like that?
- A.** Yes, that's the best of my recollection.
- Q.** And then Sharma said, "If I were not here, I would have dealt with you," and he got another strike on his face, another push with his right hand this time?
- A.** No, after the first one, Sharma response to him was, "Keith look what you have allowed yourself to come to," and at that stage, he got a push on his chest. Then Sharma said, "If I were not in this tea room, I would have responded or dealt with you."
- Q.** Then what happened?
- A.** Then he got a slap with his right hand to the left side of his face.
- Q.** So he got a slap, one with the left hand and one with the right?
- A.** One with the left or right. That's the best of my recollection.
- Q.** That was after that statement. When you say, "Things start to fling across the room," Sharma, tell me if I am wrong, was sitting to the south?
- A.** Yes.

Mr. Bereaux questions Mr. Ramnath:—*Continued*

- Q.** Was he sitting on a chair or sofa to the south and Dr. Rowley and Moonilal were sitting to the north?
- A.** That's correct.
- Q.** And there was a coffee table in between?
- A.** Yes.
- Q.** Do you have an idea where the remote control for the TV and . . .
- A.** They were on the coffee table.
- Q.** They were on the coffee table?
- A.** Yes.
- Q.** And the teacup?
- A.** Yes.
- Q.** Were all these items on the coffee table? Was Dr. Rowley sitting or standing when, as you said, he fling those things across?
- A.** He was sitting.
- Q.** Where was Sharma sitting or standing?
- A.** He was sitting.
- Q.** Could you see what Dr. Rowley did?
- A.** How he did it?
- Q.** Yes.
- A.** He threw it like that. [*Mr. Ramnath demonstrates*] He didn't pelt it, he threw it in anger.
- Q.** He said, "Yuh want to buss meh head?"
- A.** To that extent. "You want to hit me or something, hit me."
- Q.** With both of the items—what about the teacup, what he did with the teacup, same way or differently?
- A.** Let me be honest with you, as far as the teacup, I don't know if his hands hit the teacup, or if the teacup went into Mr. Sharma's hand or whether he threw it. I can't remember.
- Q.** You don't know if his hand hit it?
- A.** No.
- Q.** If you didn't know that, do you know if Mr. Sharma's hand hit it first?
- A.** No, no he did not. The teacup and the telephone and so on were really on that side of the table, closer to Dr. Rowley.

Mr. Bereaux: Okay.

Mr. Panday questions Mr. Ramnath:

- Q.** We have some information that you and Callender were sitting on the same couch?
- A.** Yes, that's correct.
- Q.** Therefore, Rowley's body would have been between you and Sharma?
- A.** His body?
- Q.** Yes.
- A.** I don't know what you mean.
- Q.** In between you and Sharma, at some point in time?
- A.** When he lounged forward, he went across, he would have been in front of me, at some point.
- Q.** You said that you thought it was a joke and eventually you thought it was serious. At what stage did you think it wasn't a joke any more?
- A.** When blows began to fly then I realized it was not joke, because I am aware of crosstalk even in the tea room between several members and I have come to understand that a lot of these remarks are not considered to be offensive. I also couldn't believe myself that Members get involved in physical violence. So when he rushed forward, I didn't really think that he was going to strike him; that's what I meant when I said I thought it was a joke.

Mr. Panday: That is all.

Mr. Rahael questions Mr. Ramnath:

- Q.** Mr. Ramnath, how many times did Dr. Rowley hit Mr. Sharma?
- A.** I would say on three occasions.
- Q.** And on all three occasions he was standing close to Mr. Sharma?
- A.** All three occasions was while he was standing.
- Q.** Did he not sit and stood back up again?
- A.** The only time he sat, I think, was during the intervention of Dr. Moonilal; he sat down and then the throwing took place.
- Q.** So the first time he hit him a left hand?
- A.** Well to the best of my recollection, yes, his left hand went to his face.
- Q.** And Mr. Sharma did not react?
- A.** Well I was very surprised that he did not react, but made a statement, as I said, "Look what you have allowed yourself to come to," or something like that.
- Q.** When he hit him the second time, was it with his right hand?
- A.** The second time was a push to the chest; I don't know whether it is both hands or one hand.

Mr. Rahael questions Mr. Ramnath—Continued

Q. But there was a push to the chest?

A. Yes.

Q. Again, were you surprised that he did not react?

A. Of course I was surprised; I would have pulled my blade. I don't walk with one in the Parliament, but I mean mentally, intellectually.

Q. After that push as you alleged, did Dr. Rowley hit him with the right hand?

A. Yes.

Q. Again, he did not respond?

A. His response was as I said, "If I were not in the tea room, I would have dealt with you."

Q. So each time that it was alleged that Dr. Rowley hit him, he responded verbally, and not physically?

A. Absolutely.

Q. Of course, you already said you were surprised. When Dr. Rowley threw the objects across to him and told him, "You want to hit me?" Why would Dr. Rowley . . .

Mr. Panday: In fairness to the witnesses we examine them, we do not cross-examine them. You are asking for an opinion which is in the mind of somebody else.

Mr. Ramnath: You would have to ask Dr. Rowley that.

Mr. Rahael: I am trying to establish what motivated Dr. Rowley to throw . . .

Mr. Panday: He cannot answer that.

Mr. Rahael: All right.

Q. But Dr. Rowley did say, "You want to hit me?"

A. Yes. "So you want to hit me," and he began.

Q. Mr. Sharma didn't say anything before that?

A. Yes, yes, I told you that he said, "If I were not in this tea room I would have dealt with you."

Q. That's when he was standing?

A. Well, you have to understand that this is not a play and there was not a lot of time in between the acts; this thing happened in a matter of a couple minutes, so the sitting took place during the throwing; both parties were sitting, because Moonilal was holding Dr. Rowley's hand very gently and trying to pull him away from it.

Mr. Rahael questions Mr. Ramnath—Continued

- Q.** Mr. Sharma didn't appear hurt or anything?
- A.** Appear what?
- Q.** Hurt, from these two lashes on his face? Did he appear hurt?
- A.** I don't recall looking at his—if anything had happened to him.
- Q.** All this time you did nothing?
- A.** I don't know what you expected me to do.
- Q.** I'm not expecting you to do anything; I'm just asking if you did anything?
- A.** You are speculating as to how I should behave.

Mr. Speaker: No, no, please. Just answer the question.

- A.** Why do you think I should have done something?
- Q.** I'm not saying you should have. I am asking did you do anything.
- A.** Would you repeat the question?
- Q.** While this was happening, you said nothing to either person?
- A.** I indicated earlier that I remarked to Rowley, "Keith, what are you doing?" That's all I said. Mr. Callender sat next to me; we both sat there. I didn't physically get up and restrain anybody. I want the committee to know that this thing happened in a very, very, short period of time.

Mr. Chairman questions Mr. Ramnath:

- Q.** You and Mr. Callender were seated throughout the incident?
- A.** Yes, Sir.
- Q.** You said something to Dr. Rowley, but both yourself and Mr. Callender virtually did nothing, in the sense as how Dr. Moonilal intervened? You all did not intervene, apart from the verbal, what did you tell Dr. Rowley?
- A.** No, no, there was no physical intervention by Callender or myself.
- Q.** Apart from Dr. Rowley, Mr. Sharma, Mr. Callender, Dr. Moonilal and yourself, was there anybody else in the tea room when this incident occurred?
- A.** I don't recall seeing anyone. I can only say that prior to the incident we were being served some biscuits.
- Q.** These objects you said they were on the coffee table that separated Mr. Sharma and Dr. Rowley and they were thrown?
- A.** [Mr. Ramnath nods head]

Mr. Chairman questions Mr. Ramnath—Continued

- Q.** You would have been in a position, sitting where you were sitting, to hear almost everything that went on?
- A.** Well I had a panoramic view. *[Laughter]*
- Q.** Did you at any time during the seconds or minutes—you said minutes or seconds?
- A.** It would have been a couple minutes, very quickly.
- Q.** Did you at any time hear Dr. Rowley curse Mr. Sharma?
- A.** I don't recall; I don't think I heard him curse.
- Q.** Did you hear, at any time, whether Mr. Sharma cursed Dr. Rowley?
- A.** No I didn't hear any obscene language.
- Q.** Did you hear Mr. Sharma call Dr. Rowley a racist?
- A.** No, Sir.
- Q.** Did you hear Dr. Rowley call Mr. Sharma a racist?
- A.** No, Sir.
- Q.** Did you actually see Dr. Rowley throw the teacup?
- A.** I don't know whether his hand struck the teacup—or picked up the teacup.
- Q.** No, no; that's not the question. The question is this: Did you see Dr. Rowley throw the teacup?
- A.** I saw the teacup flying towards Sharma; I don't recall him picking it up and throwing it towards Mr. Sharma.
- Q.** Let's assume that you did not see Dr. Rowley throw the teacup, but you saw the teacup coming towards Mr. Sharma?
- A.** Yes I did.
- Q.** What happened when this teacup was coming to Mr. Sharma? Did it hit Mr. Sharma? Did it fall on the table? Did Mr. Sharma fling it away? Did he catch it? What he did with it?
- A.** It struck him on his hand, fell on the table—this table was very close to where we were sitting. I think it broke on the table.
- Q.** So you didn't see Mr. Sharma sort of trying to break or get away from the teacup?
- A.** No, no I don't have that kind of vision.
- Q.** You said you had a panoramic view?
- A.** But I don't have the speed of that activity to determine whether it ricocheted and fell back or he pushed it back with an equal or opposing force. To calculate the force would have been . . .

Mr. Chairman questions Mr. Ramnath—Continued

- Q.** Okay, your answer is sufficient. You said you thought you saw Dr. Rowley—correct me if I'm wrong—rush towards Mr. Sharma?
- A.** Yes, Sir.
- Q.** This would be before or after these objects were thrown?
- A.** Before. This was the beginning of the . . .
- Q.** What you thought—Dr. Rowley rushing towards Mr. Sharma—what you thought he was going to do?
- A.** I thought that he was joking. The only time I became concerned with what was happening is when his left hand landed on his face, but during that movement across, honestly, I didn't think it was going to end up in violence.

Miss Beckles questions Mr. Ramnath:

- Q.** Mr. Ramnath, in terms of the two or three lashes that Dr. Rowley gave to Mr. Sharma, could you just describe whether they were violent or harsh pushes or slaps?
- A.** They were a combination of pushes and slaps. I don't think there were any cuffs.
- Q.** I didn't say cuffs. The contact, could you describe the force that you would have seen?
- A.** The force was mild to moderate.
- Q.** And these lashes to the face, was Mr. Sharma sitting or standing?
- A.** He was standing.
- Q.** During the incident with the teacup and so, was he standing or sitting?
- A.** Sitting, they were both sitting.
- Q.** Could you give us a time that you thought this incident lasted?
- A.** Probably a minute; it was very, very, very short.
- Q.** You gave a statement to the police?
- A.** I did.
- Q.** Was it a prepared statement or were you interviewed?
- A.** The police asked me to write a statement and send it to them?
- Q.** So you gave a prepared statement?
- A.** Yes.
- Q.** And your statement, more or less, is in sync with what you have said today?
- A.** Since I speak the truth I think it would reflect what I have said to you here today.

Miss Beckles questions Mr. Ramnath:—Continued

Miss Beckles: That is all for me.

Mr. Bereaux questions Mr. Ramnath:

Q. This came as a result of what you said. When Mr. Sharma came in to the room, that is before any altercations and so on, you noticed that he touched Dr. Rowley on his head?

A. No I didn't.

Mr. Bereaux: Okay.

Mr. Chairman: Any more questions for Mr. Ramnath? Mr. Ramnath let me thank you for appearing before the committee. Let me caution you that your attendance here and your evidence is strictly private. It is not to be repeated outside to friend or foe, press or anybody. It is very, very, extremely confidential. Let me again, on behalf of the committee thank you for coming.

Mr. Ramnath: Thank you for being able to assist you.

**ORAL EVIDENCE OF MRS. JOAN MARGOT DE SILVA GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Let me welcome you to this meeting of the Privileges Committee and tell you that what you say here is strictly private and confidential. It is not to be repeated outside to anyone, including the press.

Mr. Panday: Could we have her introduced, please?

Mr. Chairman: Could you state your name and occupation in the Parliament and your address?

Mrs. De Silva Margot: My name is Joan De Silva Margot and I am the Executive Secretary to the Speaker of the House. I live at *[address given]*

Mr. Chairman: Two members raised matters of privilege in the House on September 17th. As Speaker I referred the matters to this committee. On the evening of Wednesday 15th, could you indicate who came to your office, at what time and what was said? We are talking now in relation to this incident.

Mrs. De Silva Margot: At 3:41 p.m. on Wednesday 15th, both Sen. Robin Montano and MP Sharma came to the office and requested to see the Speaker. I informed them that the Speaker was not in office at this time. Sen. Robin Montano said that an incident occurred in the Members' Lounge today and he wanted me to relay this information to the Speaker, which I did. Sen. Robin Montano said Dr. Rowley cuffed down MP Sharma.

Mr. Chairman: Was there anything else said?

Mrs. De Silva Margot: He said there shall be no cover up and he wants appropriate action to be taken against Minister Rowley and that a letter will follow together with a statement.

Mr. Chairman: Anything else?

Mrs. De Silva Margot: He also left his contact numbers, which are his mobile phone number and office number, by which the Speaker could contact him.

Mr. Chairman: Anything else?

Mrs. De Silva Margot: He also stated May's Parliamentary Practice, that MPs must be disciplined in the United Kingdom.

Mr. Chairman: That is it?

Mrs. De Silva Margot: Yes.

Mr. Chairman: Members, any questions for Joan De Silva Margot?

Mr. Panday questions Mrs. De Silva Margot:

Q. Did you make a note of the time when they came in?

A. Yes I did.

Mr. Chairman questions Mrs. De Silva Margot:

Q. Did you have a good look at Mr. Sharma when he came in?

A. Yes, because he was facing me.

Q. How did he appear to you?

A. Well, calm, collective.

Mr. Panday questions Mrs. De Silva Margo:

Q. How long before that day did you see Sharma?

A. How long before that day?

Q. Before that evening you saw Sharma?

A. I didn't see him any time at all.

Q. So, therefore, you had no basis upon which to compare?

A. Basis in terms of what?

Mr. Breaux: That is cross examination.

Mr. Chairman: Again, you are questioning her based on a response that she has given to me.

Mr. Panday: You see what we are doing here; we are playing a game here.

Mr. Chairman: With due respect, I do not know what game you are talking about.

Mr. Panday: You asked her if she saw anything wrong with him. If we have a medical here, and the medical says tenderness or whatever, we do not expect somebody, in a cursory situation, to give that kind of observation.

Mr. Breaux: May I, Mr. Chairman? In that event, we could then take up that point. If you believe that we have a medical and we should follow the medical, then let us deal with that. That does not allow you to go on and reduce it to cross-examination.

Mr. Panday: Okay.

Mr. Panday questions Mrs. De Silva Margo—Continued

Miss Beckles: The fact is that this question was just asked of Mr. Ramnath; it was asked of Mr. Moonilal.

Mr. Panday: But they saw.

Miss Lucky: Members of the committee, can I just make the point that we have somebody here who we are asking questions and we are going into deliberations. I suggest if we want to do this, let us do it another time.

Mr. Chairman: Are there any other questions?

Members: No.

Mr. Chairman: Could you call Sergeant Ramrattan.

**ORAL EVIDENCE OF SGT. BALKISSOON RAMRATTAN GIVEN
ON NOVEMBER 09, 2004**

Mr. Chairman: Thank you for attending. Could you state your full name and occupation?

Sgt. Ramrattan: Yes, Sir. My name is Balkissoon Ramrattan; I am an Ag. Sgt. of Police, No. 8039. I am attached to the Central Police Station, St. Vincent Street, Port of Spain.

Mr. Chairman: Briefly, on Friday 17th, September, two Members of Parliament raised an issue concerning their privileges in the House, concerning an incident that took place on September 15th. My understanding is that one of the Members visited the Central Police Station and made a report. Our understanding is that you were one of the officers that took a report and visited the Parliament subsequently.

Sgt. Ramrattan: Yes, Sir.

Mr. Chairman: In relation to the report I would like you to indicate to this committee what was reported to you, what you did when it was reported and what did you do after it was reported and give us in terms of sequencing and time too.

Sgt. Ramrattan: At around 3:30 p.m. on Wednesday 15, September, 2004, I was on duty at the Central Police Station in company 10081, Cpl. Mohammed, and 16573 PC Mitchell and other Police officers, when MPs Chandresh Sharma, Kamla Persad-Bissessar, and Ganga Singh arrived at the charge room and made a report. As a result of that report, myself, Cpl. Mohammed and PC Mitchell interviewed MP Sharma in the presence of MPs Ganga Singh and Kamla Persad-Bissessar and a report was recorded from him. Based on that report, myself, Cpl. Mohammed and PC Mitchell accompanied Members of Parliament, Chandresh Sharma, Kamla Persad-Bissessar and Ganga Singh to the tea room lounge of the Parliament.

At the tea room lounge Mr. Sharma pointed out certain spots to us and told us something again. I made certain observations. I also interviewed one, Prabha Singh, who was the beverage hostess of the tea room lounge and she handed us a broken teacup and told us something about the teacup. I also interviewed Wilma Spence, who is in charge of that said tea room, and she told that the broken cup is valued \$30 and it belongs to the Parliament. She said she do not wish to give a statement. Miss Prabha Singh would give a statement at a later date. I, with the other officers, went in search of MP Keith Rowley and Stanford Callender, MPs Kelvin Ramnath and Roodal Moonilal, but they could not be found.

We then left and went back to the Central Police Station. I should further state that a medical report form was also given to Mr. Sharma to seek medical attention. He was also asked to give a statement on the said day and he said his pressure is high and he would not be able to give a statement at the present time.

Mr. Chairman: Is that it?

Sgt. Ramrattan: Yes, Sir.

Mr. Chairman: That is the end of your submission of what happened?

Sgt. Ramrattan: Yes, Sir, except if you want me to state what he told us.

Mr. Chairman: Yes, please.

Sgt. Ramrattan: Member of Parliament Chandresh Sharma told me that around 1:10 p.m. on the said date, he was sitting on a couch at the tea room in company with Roodal Moonilal, Kelvin Ramnath, Stanford Callender and Keith Rowley, where a conversation was taking place about housing in Trinidad and Grenada. As a result of that conversation, MP Rowley became annoyed and threw a teacup at him, which he breaks with his hands. The teacup fell on the glass table, broke and fell on the ground. After which MP Rowley took two remote controls and threw it at him, which struck him in his stomach. A cordless telephone was also taken up and thrown at him, which also struck him in his stomach.

On arrival at the tea room, I noticed two remote controls, which was on the western side of the tea room on the TV desk. I also observed a glass table about approximately three feet by about 16 inches in width, in front of the couch in which MP Sharma said he was sitting. I also noticed a cordless telephone on the northwestern side of the tea room lounge. We took note of the items and I think that is it, Sir.

Mr. Chairman: Thank you. Are there any questions for Ag. Sgt. Ramrattan?

Miss Lucky questions Ag. Sgt. Ramrattan:

Q. Sgt. Ramrattan, are you the complainant in the matter?

A. No, Ma'am, I'm not the complainant.

Q. Who is the complainant?

A. ASP Morrain. The enquiry was later handed over to a senior person to us, ASP Morrain, which is normal. He continued enquiries.

Q. So in terms of your role in the investigation, did your role end then when you would have come to the Parliament and made the observations you described to us in your evidence?

A. Yes, at that time I was the senior person in charge of the station; so enquiries of these sorts where Members of Parliament, senior police officers, doctors, lawyers are involved the senior person will accompany and guide the junior officers.

Q. Sir, what I'm asking about is in terms of your role, it would have ended then when you came to the tea room?

A. Yes.

Q. And you have given a statement in this matter?

A. No, I haven't given a statement in this matter.

Miss Lucky questions Ag. Sgt. Ramrattan—Continued

- Q.** Are you aware whether Miss Singh—you said in your evidence that she indicated that she would give a statement at a later date?
- A.** She indicated that she would give statement at a later date.
- Q.** That's what I just said; that she would give a statement at a later date. I'm just repeating what you said. I am asking: Are you aware whether she gave a statement?
- A.** No, Ma'am.
- Q.** So in terms of the matter, when you went back to the police station, you handed it over to someone more senior than you to conduct the enquiries?
- A.** We booked off accordingly and some time later we were instructed.
- Q.** I just can only ask you about you. I know you're using "we", I want to ask you about you.
- A.** Sorry, Ma'am. The enquiry was handed over to ASP Morraine.

Miss Lucky: Thank you.

Mr. Chairman questions Sgt. Ramrattan:

- Q.** Sgt. Ramrattan, how many reports were made to you by Mr. Sharma?
- A.** One report, Sir.
- Q.** That was at 3:30?
- A.** Yes, Sir.
- Q.** After that report you came to the tea room.
- A.** Yes, Sir.
- Q.** Did Mr. Sharma come back to you at the Central Police Station to make a report later on that day?
- A.** No, Sir.
- Q.** No?
- A.** No.

Mr. Bereaux questions Sgt. Ramrattan:

- Q.** Who took the report and signed the station diary?
- A.** You don't sign the station diary.
- Q.** Well whatever they did.
- A.** PC Mitchell took the report.
- Q.** When he is finished, that's all he would do?
- A.** Yes, Sir.

Mr. Bereaux questions Sgt. Ramrattan—Continued

- Q.** He just takes the report?
- A.** Yes, he takes the report and we conduct enquiries.
- Q.** There is one report, as I understand it, which appeared to have been taken at 3:30 p.m.

Mr. Chairman questions Ag. Sgt. Ramrattan:

- Q.** Ag. Sgt. Ramrattan, I have received your statement that you made, presumably, to—you gave a statement in this matter to ASP Morrain?
- A.** No, Sir.
- Q.** Did you make a statement to anybody at all, the Commissioner of Police or anybody?
- A.** Yes, Sir; I wrote a report to my seniors.
- Q.** In that report—let me refresh your memory, I'm quoting from the third paragraph of it you said:
- “It is alleged that Dr. Rowley became annoyed and poked his hand in his face . . .” meaning the face of Mr. Sharma?
- A.** Yes, Sir.
- Q.** Who alleged that?
- A.** Mr. Sharma.
- Q.** Mr. Sharma?
- A.** Yes, Sir; that was the first thing. I left out that part in error. That was the first thing he said, then the other things followed.

Mr. Chairman: Any other questions?

Mr. Bereaux questions Ag. Sgt. Ramrattan:

- Q.** You said that when you got to the tea room . . .
- A.** Yes, Sir.
- Q.** . . . you saw remote control and you saw a cordless telephone?
- A.** Yes, Sir.
- Q.** Where did you see these?
- A.** The two remote controls were by the TV and the telephone was on the telephone charger.

Mr. Chairman: Thank you very much Sgt. Ramrattan. Let me caution you that what just transpired here, your participation in this Committee of Privileges, is strictly private and confidential. It is not to be repeated to any of your seniors, your juniors or anybody else. To do so would constitute a breach of privilege and you, yourself, if you do that could be brought before this committee. So it is extremely confidential; it is not to be repeated outside.

Sgt. Ramrattan: Thank you very much.

**ORAL EVIDENCE OF CPL NIZAM MOHAMMED GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Thank you very much Corporal Nizam Mohammed for attending. Before you give us your name and rank, let me inform you that the proceedings before this committee are strictly private and confidential. It is not to be repeated outside to your seniors, your juniors or anybody else. If you do so, that in itself constitutes a contempt and you can be brought before this committee.

On Friday, September 17th two Members of the House of Representatives raised matters concerning their privileges with respect to an incident that took place on September 15th. My understanding and that of the committee is that a report was made to the Central Police Station and you were one of the investigating officers at that time; on September 15.

After giving your name and rank I would like you, in your own words, to tell us what transpired on that day, who came to see you, when they came to see you, what did you do and what did you say. Proceed.

Mr. Mohammed: My name is Nizam Mohammed. I am a Police Corporal attached to the Central Police Station. On the day in question; Wednesday, September 15, 2004, around 3.30 p.m. Mr. Chandresh Sharma, Mr. Ganga Singh and Mrs. Kamla Persad-Bissessar came to the Central Police Station. Mr. Sharma then made a report. Based on that report, I gave Mr. Sharma a medical report form. I then left on enquiries in company of Acting Sergeant Ramrattan and Constable Mitchell to the tea room of the Parliament. On my arrival there, Mr. Sharma pointed out an area in the tea room to me and I made certain observations about the tea room. Soon afterwards, an East Indian woman came to me and she handed me a broken teacup; one Miss Prabha Singh. She told me something about that tea cup. Soon afterwards, one Ms. Wilma Spence came and I interviewed her. She told me she did not see anything but she gave me the value of the teacup as \$30. I then made a search in the area for Dr. Rowley, Dr. Moonilal, Mr. Stanford Callender and Mr. Kelvin Ramnath, but they were not seen. I then returned to the station in the company of Acting Sergeant Ramrattan and Constable Mitchell and the broken teacup.

While at the station, in the presence of Mr. Ramrattan and Mr. Mitchell, I wrote the markings 15-9-04 on two pieces of masking tape, which I placed on each of the piece of teacup. Sometime later, I had a conversation with Acting Superintendent Morrain.

Mr. Chairman: The same day?

Cpl. Mohammed: Yes. Based on that information, I subsequently handed over that enquiry to Mr. Morrain.

Mr. Chairman: Are you finished?

Cpl Mohammed: Yes, Sir.

Mr. Chairman: Any questions for Corporal Mohammed?

Miss Lucky questions Cpl. Mohammed:

- Q.** Cpl. Mohammed, you indicated that you gave Mr. Sharma a medical report form. Did you or any other officer accompany Mr. Sharma to where he received medical attention?
- A.** No.
- Q.** Is it not usual in an investigation that a police officer involved in the investigation of an enquiry would accompany the person?
- A.** I would say so.
- Q.** But it was not done in the case?
- A.** It was not done in this case.
- Q.** You said that—the teacup, you put certain markings on it?
- A.** Yes, I put markings on it.
- Q.** That teacup, was it sent for any analysis or finger printing or anything?
- A.** Not to my knowledge.
- Q.** It is just being kept as an exhibit in the matter?
- A.** As I said I handed over that enquiry to Mr. Morrain. I don't know what . . .
- Q.** As far as you are aware you just handed it over and you have not seen it since?
- A.** Yes. No I have not seen it.
- Q.** Thank you.

Mr. Bereaux questions Cpl. Mohammed:

- Q.** Did you give a statement on this matter to anybody?
- A.** I gave a report to my senior.
- Q.** On what date was that?
- A.** I believe the said day.
- Q.** Then on the 27th September you gave another report?
- A.** Probably?
- Q.** I am asking you.
- A.** I cannot remember that.

Mr. Bereaux questions Cpl. Mohammed—Continued

- Q.** I will tell you. The fact is that we have received certain documents from the Commissioner of Police which suggest that you gave a report on the 19th of September and then again on September 27th you gave another report saying reference to report and paragraph 41, page 17 I am just reading the identical thing. Page 17, dated 15/09/04. Having read (i), the report made by Chandresh Sharma, together with No. 16573, PC Mitchell, observed that PC Mitchell had omitted where Mr. Sharma reported that Dr. Rowley pushed him in his face and chest several times and signed by yourself. Are those the proper dates of the report? This is what I have. I am not adding anything. What I want to clear up, I don't understand, having read one report made by Chandresh Sharma, together with No. 16573, PC Mitchell. When you came back to the station you read the report and said something was missing? Explain that to me.
- A.** Yes. That was omitted where Dr. Rowley pushed Mr. Sharma, but I heard him report that . . .
- Q.** Please. When you all came back to the station, who decided to look at the report again?
- A.** We all read it.
- Q.** I did not ask you that.
- A.** Sergeant Ramrattan, myself and Constable Mitchell.
- Q.** I asked who decided that you should go and read it again?
- A.** We all decide to go and read it.
- Q.** You all read it?
- A.** We read it.
- Q.** Who decided that something was left out?
- A.** We all made that observation.
- Q.** Who wrote it?
- A.** The report?
- Q.** Yes.
- A.** Constable Mitchell wrote that report.
- Q.** Simultaneously—I am just trying to get it because I keep hearing “we all” Nobody said that it looked like something missing here first, second, third or last? I am trying to find out you tell me “we all”. I am not saying you all may have agreed. Who identified it first if you could recall?
- A.** I cannot recall who identified.
- Q.** All right, no problem.

Mr. Chairman questions Cpl. Mohammed:

- Q.** You said earlier on in your testimony that you, Cpl. Mohammed gave Mr. Sharma a medical form.
- A.** Yes, Sir.
- Q.** Did you read your own report, or some other person read your report?
- A.** My report? I wrote the report.
- Q.** Did Sgt. Ramrattan read your report?
- A.** Yes, I think he read my report.
- Q.** What about Mitchell? Did he read your report?
- A.** I think we all read each other's report.
- Q.** You all read each other's report?
- A.** I believe so, yes.
- Q.** The first time Mr. Sharma came to the Central Police Station and made a report to you was about 3:30?
- A.** Around that time, Sir.
- Q.** Did he come back sometime later on that evening and made another report to you?
- A.** Well I . . .
- Q.** Yes or no?
- A.** Not to me, Sir I finished work 6:00 p.m. on that day.
- Q.** 6.00 p.m.?
- A.** Yes, Sir.
- Q.** Are you aware if he came back to make a report to somebody else?
- A.** I do not know. I had left work.
- Q.** You are saying categorically that Mr. Sharma only made one report to you, which was at 3. 30 in the afternoon?
- A.** Yes, he came about 3.30 p.m.
- Q.** He did not come back to the Central Police Station to see you or made any report subsequent to the first report that same day?
- A.** Not to my knowledge, Sir.
- Q.** See if you could remember in your exact words what Mr. Sharma told you on that day?
- A.** Mr. Sharma told me around 1.20 or 1.30 he was in company with Mr. Ramnath, Dr. Rowley and the person I mentioned there at the tea room when Mr. Sharma himself and Dr. Rowley had a conversation relative to the housing in Trinidad and Tobago and Grenada and something was said that angered Dr. Rowley.

Mr. Chairman questions Cpl. Mohammed—Continued

- Q.** Do not forget, I want you to try and recall what Mr. Sharma said to you; not what you hear, what he said to you?
- A.** Yes, this is the report he made. Dr. Rowley poked him on his face.
- Q.** Which part of his face?
- A.** I believe not only that he said poke him on his face; somewhere on his face, on his chin area and took up two cordless phones which were nearby and pelted him. He also pelted him with a teacup.
- Q.** Pelt him with a teacup? Pelt?
- A.** Yes.
- Q.** How? You say pelt?
- A.** Well, he tried to brakes it. It fell. It did not break when it hit his hand but it fell on a centre table made of glass and broke in two pieces and fell to the ground. Then he took up a cordless phone which was nearby and pelted it at him, which struck him in the stomach area. This is basically the report.

Miss Lucky questions Cpl. Mohammed:

- Q.** Officer, what is the difference between a report and a statement? I will tell you why I am asking you. You say you gave a report but . . .
- A.** Well . . .
- Q.** You are an officer for how many years?
- A.** 27 years Ma'am.
- Q.** Good, so you know the difference between a report and a statement? What is dated Sunday, September 19, 2004 are you calling that a report or you are calling that a statement?
- A.** Could you say it over again Ma'am?
- Q.** There is a document dated Sunday, September 19, 2004. If I am correct, Mr. Bereaux referred to it. Are you calling that a report or a statement?
- A.** I do not know what you are speaking about Ma'am. I did not . . .
- Q.** Mr. Chairman, could I just show him the document please? [*Document handed to Cpl. Mohammed*] Officer, look at that document, is it a report or a statement?
- A.** This is a statement.
- Q.** Right, so therefore you did give a statement on the matter?
- A.** Or, subsequently, okay.

Miss Lucky questions Cpl. Mohammed—Continued

- Q.** No, no, no. Officer, it is going to help you and this committee if you answer what I asked you.
- A.** Yeah.
- Q.** You gave two statements in this matter yes or no?
- A.** Well I can't. I, I . . .
- Q.** Help yourself. What are you looking at there?
- A.** A statement was given on September 19, Sunday.
- Q.** You gave that statement. Isn't it yours?
- A.** Yeah, this is mine.
- Q.** Because at the bottom there is an endorsement.
- A.** Yes, this is my statement.
- Q.** In which the senior officer is saying I do not have it in front of me, but I know it so well—that I have read this to the person and he has said it is true, so it is a statement.
- A.** Yes Correct.
- Q.** It is not a report.
- A.** Well, I was . . .
- Q.** That document, Sir is a statement.
- A.** Yes this is a statement.
- Q.** Now, flip the page. That is what you call a further statement. So you gave two statements.
- A.** Okay, okay.
- Q.** Doh go "okay", 27 years, you need to know the difference. I am sorry, Mr. Chairman, I am beginning to think I am in a courtroom, I am sorry, and I am not.
- Officer Mohammed, with respect to the oral report that was made by Mr. Sharma—you remember the Chairman of the committee had asked you to recount what that oral report was, do you have a pocket diary?
- A.** Yes Ma'am.
- Q.** In that pocket diary, you made a record of it?
- A.** Yes Ma'am.
- Q.** Mr. Chairman, could we see it please? *[Pocket diary handed to Miss Lucky]*
- A.** 15th September.
- Q.** Mr. Chairman, I ask the committee to look at it. *[Members of the committee look at pocket diary]*

Mr. Chairman: Any questions in the meantime? If I may? Cpl. Mohammed, apart from Mr. Sharma, did anybody else report to you about the incident that evening?

A. Yeah, well Mr. Ganga Singh also. He was there.

Q. Did he report to you about the incident?

A. Mr. Sharma?

Q. Mr. Ganga Singh, anybody else?

A. Yes, he told me something about the incident.

Q. Who is he?

A. Mr. Ganga Singh.

Q. What did he tell you?

A. He told what Mr. Sharma told him.

Miss Lucky questions Cpl. Mohammed:

Q. What did Mr. Ganga Singh tell you? You said Mr. Ganga Singh told you something. What did he tell you? Watch me.

A. He told me that he brought Mr. Sharma to make a report concerning an incident that happened in the tea room.

Q. Nothing else?

A. No, nothing else.

Q. Did anybody else tell you anything about that incident?

A. No, well—no.

Q. You said you saw Mr. Sharma at 3.30?

A. Around that time, Sir?

Q. How did he appear to you?

A. He appeared to be shaken up, intimidated, frightened.

Q. Frightened?

A. This is how I see it and speechless.

Q. Speechless?

A. Yeah, at certain times he was speechless.

Q. Intimidated?

A. Yes, I will say he looked frightened. He looked frightened. This is how he appeared to me.

Miss Lucky questions Cpl. Mohammed—Continued

- Q.** Officer Mohammed, I have just had an opportunity to look at your pocket diary. Contained in your pocket diary is reference to the report in which Mr. Sharma, according to your record, said that MP Rowley pushed him in his face. It is in your pocket diary.
- A.** Yes Ma'am. I made a . . .
- Q.** I am just trying to get that. I do not really understand your further statement. Mr. Chairman, I am sorry to have to belabour the committee, but I am just trying to understand it. In your further statement—you say: "reference to report and paragraph 41, page 70, dated September 15, 2004". I can understand that because I have it here. "Having read (*i*), the report made by Chandresh Sharma, together with No. 16573, PC Mitchell, observed that PC Mitchell had omitted when Mr. Sharma reported that Dr. Rowley pushed him in his chest several times with his hand." That is your further statement. What are you saying in the further statement?
- A.** I am saying that when Mr. Sharma pushed him was omitted in the original report.
- Q.** Who took this original report that was recorded on page 70 of the station diary?
- A.** Mitchell took the official report.
- Q.** Therefore, you gave this further statement about Mitchell's omission?
- A.** Yes.
- Q.** Would you agree with me, Officer Mohammed, that it would be more prudent for Officer Mitchell to talk about any omission in his own report because he took the report? Am I correct?
- A.** Correct.
- Q.** But, in any event, your pocket diary which is now being circulated does have what was allegedly omitted? Am I correct? Officer Mohammed, if you do not understand what I am saying you could say so because I think I am being more than clear. In other words what I am asking you . . .you gave us a statement on September 19, 2004, not so? Doh nod your head, you have to say yes or no. Is that so?
- A.** Yes, Ma'am.
- Q.** Good. In this statement you did not go into details about the report made by Chandresh Sharma. Am I correct? Mr. Mohammed, thank God you are not in a courtroom. Officer I would really like the opportunity then to show you your pocket diary. It is not going to take long, Mr. Chairman, just one page I am going show to his attention. Officer Mohammed, just look at your pocket diary. Were you shown the spot? The last line of the top page. Are you seeing it there? "Rowley pushed . . ." are you seeing something there?
- A.** Dr. Rowley pushed his hand in his face and chuck him off. Yes.

Miss Lucky questions Cpl. Mohammed—Continued

Q. I am saying to you, Sir that is contained in your pocket diary which, according to you, would have been recorded based on what MP Sharma told you. Am I correct?

A. Yes Ma'am.

Q. Thank you. I have no further questions.

Mr. Chairman: Can I see the pocket diary?

Miss Beckles: Can I ask a question?

Mr. Chairman: Yes, please.

Miss Beckles questions Cpl. Mohammed:

Q. Cpl. Mohaammed

A. Yes Ma'am.

Q. I am just trying to understand the sequence of events. When Mr. Sharma spoke to you, you wrote it in your pocket diary?

A. No, after I came off enquiries at the tea room.

Q. You immediately wrote from memory into your pocket diary.

A. Yes Ma'am.

Q. And what, you then transferred what you had taken from memory from the pocket diary into a statement?

A. Yes, you could say that.

Q. What you have in the pocket diary is not the same thing that is in your statement; in other words—let me ask you a different question. How long after you completed the statement in your pocket diary that you then did a statement?

A. Well I took off from the enquiry and I immediately inserted it in the pocket diary.

Q. Immediately. Good, when did you do the statement?

A. Sometime later.

Q. Sunday 19th, which is four days later?

A. Yes, Ma'am.

Q. Miss Lucky showed you both your diary and your statement and you will agree that it is not the same thing; in other words you did not copy what you wrote on September 17th in your statement on September 19th? You agree with me or you want to look and see? In other words, immediately from enquiries you . . .

A. Inserted it in the diary. Yes, Ma'am.

Miss Beckles questions Cpl. Mohammed:

- Q.** Four days later, you write a statement but that statement is not the same thing as what you have in your diary. What was the purpose of this that you took down in the pocket diary?
- A.** To state the facts of the incident.
- Q.** As far as you recalled, exactly what you have here is exactly what transpired?
- A.** Basically, yes.
- Q.** Why didn't you just simply put in your statement exactly what you have, any reason why?
- A.** I believe that is what was given in the statement.

Mr. Chairman: Can you read fast? I want you to read. All right we will copy it. We will copy the appropriate statement you took and we will give you back your station diary. I did not recall where you live. You did not say where you live.

Mr. Mohammed: I live at *[address given]*

Mr. Chairman: Any other questions for this witness?

- Q.** In your statement on Sunday September 19th you did not include in that statement that Dr. Rowley pushed Mr. Sharma in his face and hit him in his chest with his hands several times. You do not have that in the statement of September 19th?
- A.** I can't remember.

Ms. Beckles: Mr. Chairman, any particular reason why you did not accompany Mr. Sharma to the hospital having given him the medical?

Cpl. Mohammed: No particular reason.

Miss Beckles: You have no reason?

Cpl. Mohammed: No.

Mr. Rahael questions Cpl. Mohammed:

- Q.** When you gave Mr. Sharma the medical report form to seek medical attention, he did not go straight to the hospital, did he?
- A.** No, he accompanied me to the tea room of the Parliament.
- Q.** When was he in a state of fright?
- A.** When he came and made the report.

Mr. Rahael questions Cpl. Mohammed:

- Q.** You saw him in that state and gave him the medical report but he did not go straight to the hospital?
- A.** Not immediately.
- Q.** Where was that report made?
- A.** At the Central Police Station.
- Q.** Where is that located?
- A.** Right across the road there, Sir.
- Q.** Did he come back here?
- A.** He came back here.
- Q.** Instead of going to the hospital?
- A.** Instead of going to the hospital he came back here first.

Mr. Chairman questions Cpl. Mohammed:

- Q.** This is my final question. Think carefully before you answer it. Mr. Sharma came to you at 3:30 p.m. on the afternoon of Wednesday, September 15, 2004.
- A.** Yes, Sir.
- Q.** After you accompanied him back to the tea room, did Mr. Sharma come back and make a report to you that evening?
- A.** No, I don't think. Not to my knowledge.

Mr. Chairman: What you said here today is strictly private and confidential. It is not to be repeated to your juniors, your seniors or equivalent rank. If you were to do that, you yourself would be in breach of privilege and you would appear before us, where the sanctions are as the House decides. It is, extremely important that you do not, under no circumstances, talk to anybody about this. Your station diary will be given to you. It is being copied. You can wait in committee room five, which is the next room here. Thank you very much for your attendance.

**ORAL EVIDENCE OF CONSTABLE MITCHELL GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Thank you for coming Constable Mitchell. Your presence here is requested out of an alleged incident which took place in the tea room of the Parliament on September 15th, subsequent to which a report was made to me as Speaker, concerning an incident that took place in the tea room on that day. Two Members alleged that their privileges were breached. It is out of that incident and your involvement in a report that was made to you, that you are here before this committee.

What transpires in this committee is to remain strictly private and confidential. It is not to be repeated to friend, family, colleagues or anyone else. If you were to do that, you yourself would be in breach of privileges and would be reported to the House.

We are waiting on one member of the committee who would be here with us momentarily before you begin your testimony. You will begin by stating your name, your rank, where you live and where you are stationed. In your own words, we want you to say who came to see you, what time they came to see you, and what did they tell you and what did you do. are not in a court of law, so you could speak a little faster than you would speak in a court of law. Please begin.

Constable Mitchell: My name is Marlone Mitchell, Police Constable No. 16573 attached to the Central Police station. I live at *[address given]*.

On Wednesday September 15, 2004 I was on duty in police uniform at the Central Police Station, when around 3:30 Mr. Sharma, Mr. Singh and Mrs. Bissessar came to that said station, and said that he wanted to make a report concerning an incident that took place at the Parliament earlier. The report stated that around 1.10 p.m. the said day, himself, Mr. Sharma along with Dr. Rowley, Roodal Moonilal, Mr. Standord Callender were sitting in the tea room area of the Parliament, having a conversation relating to housing arrangements in Trinidad and Grenada. He further reported that as a result of the conversation, Dr. Rowley became annoyed as a result of something said and proceeded to push his hand in his face. He also reported that Dr. Rowley proceeded to pelt a teacup at him, which he brakes with his right hand, fell unto a glass table, unto the floor and broke. He also stated that Dr. Rowley pelt him with two remote controls which struck him on his stomach followed by a cordless phone. I brought it to the attention of the my corporal, Corporal Mohammed who gave Mr. Sharma a medical report form to seek medical attention at the Port of Spain General Hospital.

Myself, Corporal Mohammed, Acting Sergeant Ramrattan, Mrs. Bissessar, Mr. Ganga Singh and Mr. Chandresh Sharma left the station and came to the Parliament where Mr. Sharma took us to tea room area and pointed a particular area in the tea room where he reported that the incident happened. While at the tea room we made certain observations. Mr. Sharma then pointed to the chair in which he was sitting and explained to us how the incident happened.

Constable Mitchell—Continued

Miss Wilma Spence stated that she was in charge of tea room area. She stated that she was not in the there when the incident took place but that the broken cup was priced at about TT \$30. Mr. Mohammed asked her for a written statement. She declined to give same. Miss Prabha Singh then came up to us and handed a broken teacup —grey teacup, green lining— to Corporal Mohammed.

She told him that she was not there when anything happened but she found the broken teacup on the floor next to the chair where Mr. Sharma said he was sitting.

Mr. Mohammed asked her for a statement to which she agreed to give at a later date. Mr. Mohammed asked Mr. Chandresh Sharma for a written statement, to which he agreed to give at a later date. All three officers there made checks in the area, in the immediate vicinity for Dr. Rowley, Mr. Stanford Callender, Mr. Roodal Moonilal, Mr. Kelvin Ramnath, however, those checks proved futile. We left the Red House, tea room area and went back to the station, where we recorded the report.

Mr. Chairman: That is it?

Constable Mitchell: Yes, Sir.

Mr. Chairman: Thank you.

Mr. Bereaux questions Constable Mitchell:

Q. Mr. Mitchell.

A. Yes, Sir.

Q. When Mr. Sharma was making that report to you who else was there at the time while you were writing the report?

A. Corporal Mohammed.

Q. As soon as Mr. Sharma came and made the report Corporal Mohammed was right there?

A. Yes he was.

Q. How then you said you took it to your senior officer?

A. We operate in a charge room. The charge room is not a very big area. When Mr. Sharma came in I brought it to the attention of Mr. Mohammed who was standing close by. He was in the vicinity of the charge room at the time.

Q. You called him and say: "Look here is Mr. Sharma."

A. Yes, Sir.

Q. That is before Mr. Sharma told you what happened or after he told you what happened?

A. Before.

Mr. Bereaux questions Constable Mitchell—Continued

- Q.** Before he told you what happened?
- A.** Yes, Sir.
- Q.** What was reason for telling Mr. Sharma anything?
- A.** Sir, well I thought in my capacity as being a constable, if someone of that capacity, social standing comes in the station a senior police officer should deal with it.
- Q.** Did you give a statement at all? When did you give a statement?
- A.** Could you repeat please, Sir.
- Q.** I have here a statement allegedly given by you and signed by you on September 20th .
- A.** Yes, Sir.
- Q.** Then I have another statement allegedly signed and given by you on September 27th ?
- A.** Yes, Sir.
- Q.** In this other statement you added some things in and you said it was as a result of human error or something like that. Who recognized that something was missing?
- A.** After reviewing the report made.
- Q.** After who reviewed the report?
- A.** Mr. Mohammed and myself.
- Q.** Both of you sat down and read the report?
- A.** Yes.
- Q.** When?
- A.** When we returned from Parliament.
- Q.** What time was that?
- A.** About 4.30 p.m.
- Q.** What happened?
- A.** After reviewing the report written, the normal procedure is that normally when somebody comes into the station you do not make an entry in the station diary until you get the full facts. You make an entry in your personal diary.
When we came back and we were taking off, when we was reading over the report, Mr. Mohammed and myself . . .
- Q.** You said the normal situation when somebody comes in and make a report you do not put it in the station diary?
- A.** Not until you get all the facts.

Mr. Bereaux questions Constable Mitchell—Continued

- Q.** Not until you get all the facts. What did you do in this instance?
- A.** Wrote down the particulars in my personal diary.
- Q.** When you came back you wrote down the report?
- A.** Yes, Sir.
- Q.** So you wrote down the particulars in the station diary when you came back? Everything was written down when you came back?
- A.** Yes, Sir.
- Q.** But I see here—I have a day duty diary which says this was 3.30 p.m. and which shows another report made at 4.31. You say the one you wrote at 3.30 you did not write at 3.30; not in the station diary?
- A.** No, Sir.
- Q.** You wrote it in your pocket diary?
- A.** Not pocket diary, Sir, personal diary, Sir.
- Q.** Where is it? Do you have that?
- A.** No, Sir.
- Q.** Where is it?
- A.** Sir, I do not have it on me, Sir.
- Q.** Where is it? I did not ask you if you have it on you. Where is it?
- A.** Sir, it is at home.
- Q.** If we asked the Commissioner for it? You could have it available?
- A.** Yes, Sir. I guess if you asked the Commissioner for my—it is not normal procedure for the Commissioner to request—he could request a pocket diary not a personal diary, *per se*.
- Q.** What yuh telling me now? I am having a problem because you said you made a report at 3.30. You wrote a report and Mr. Mohammed was right there when you were writing the report. Then you suddenly tell me you did not write it here at all; you wrote it in a personal diary, which you did not have here and then you put it in this diary. When you came back and was reading the report that was not yet written, you realized that something was missing and you write another report. Why then didn't you, since you know something was missing, just fill it in, because you did not write the report yet? I am asking you.
- A.** I am not quite understanding what you are saying.

Mr. Bereaux questions Constable Mitchell—Continued

- Q.** Let me explain again. I will take my time maybe I was going too fast. You took a report from Mr. Sharma and whoever else, you and Corporal Mohammed. You said that report left out something. When you came back because you all were going over that report, you realized you left out something and you made another entry. When I asked you, you said you first wrote it in your personal diary?
- A.** The brief facts.
- Q.** The brief facts in your personal diary. When you came back, which was about 4:30 that was the time you put it in the diary. If that was so about 4:30; that was the time you made the report showing you also did not catch it properly, why didn't you just do one report at 4.30; one clean report and you put it in and just leave it?
- A.** Maybe I am not quite understanding what you are saying, but let me . . .
- Q.** I want to ask—maybe you could ask him for me. I kind of dunce in these things. Maybe the Member for Pointe-a-Pierre could ask you?

Miss Lucky questions Constable Mitchell:

- A.** Officer, are you familiar with Standing Order 16? It talks about pocket diaries?
- A.** Yes, Ma'am.
- Q.** Good. When you do not have a pocket diary, what you resort to is a personal diary? Am I correct or wrong?
- A.** When you do not have a pocket diary you resort to a personal diary?
- Q.** Sir, did you have a pocket diary on September 15, 2004?
- A.** Yes, I did Ma'am.
- Q.** You had a pocket diary?
- A.** Yes, Ma'am.
- Q.** Did you make any entries, regarding this incident, in your pocket diary?
- A.** No Ma'am?
- Q.** Where did you make entries regarding this incident?
- A.** In the station diary.
- Q.** Are you aware of Standing Order 16?
- A.** Yes, Ma'am.
- Q.** Are you aware in Standing Order 16 it talks about the use of pocket diaries?
- A.** Yes, Ma'am.

Miss Lucky questions Constable Mitchell—Continued

- Q.** Are you aware that you are also supposed to have your pocket diary?
- A.** Yes, Ma'am.
- Q.** More specifically, Standing Order 16, clause 9.
- A.** Yes, Ma'am.
- Q.** Are you aware that one of the reasons you are supposed to have a pocket diary is that when you are being tested, based on your memory and credibility, you can refer to your pocket diary?
- A.** Yes, Ma'am.
- Q.** Why did you not make entries in your pocket diary concerning this incident? Wasn't an oral statement given to you by Mr. Sharma?
- A.** Yes, Ma'am.
- Q.** Do you recognize that you forgot part of that oral statement and that is why you had to give a second statement?
- A.** Yes, Ma'am.
- Q.** On page 70, 3:30 p.m. there is an entry in the station diary. Correct?
- A.** Yes, Ma'am.
- Q.** Who made that station diary entry?
- A.** I did Ma'am.
- Q.** Okay, good. Then on page 71 of the station diary; almost an hour later, at 4.31 p.m. there is what you call an additional entry.
- A.** Yes, Ma'am.
- Q.** In which it is stated, amongst other things; I am just giving the gist, there is reference to something that was omitted and what was omitted was that Keith Rowley pushed him, that is Mr. Sharma, in his face and chest several times?
- A.** Yes Ma'am.
- Q.** What the committee member was asking therefore, is that 4:31 p.m. on September 15, 2004, by 4.31 p.m. you would have had, according to you in the report, what was entire—based on the station diary—the report?
- A.** After coming back from the Red House. Yes, Ma'am.
- Q.** Well yes, 4.31 p.m. is the entry time. By 4.31 p.m. there is the entire report now?
- A.** Yes, Ma'am.

Miss Lucky questions Constable Mitchell—Continued

- Q.** You gave two statements: one on September 20, 2004, correct?
- A.** Yes, Ma'am.
- Q.** When you are giving a statement you are supposed to make reference to either contemporaneous notes in your pocket diary or in your personal diary, or in the station, diary yes or no?
- A.** Yes, Ma'am.
- Q.** But according to you, you did not make any notes in the pocket diary, correct?
- A.** Yes, Ma'am.
- Q.** In breach of your Standing Orders?
- A.** Yes, Ma'am.
- Q.** You did not have a personal diary that you would use, therefore, you would have had to rely on the station diary, not so?
- A.** Yes, Ma'am.
- Q.** Or from memory?
- A.** Station diary, Ma'am.
- Q.** When you were writing your statement you only pulled page 70, 3.30 p.m.? The point Mr. Bereaux was making was by the time you wrote your statement on September 20th, you would have already made a record in the station diary?
- A.** Yes, Ma'am.
- Q.** Correcting your omission?
- A.** Yes, Ma'am.
- Q.** Therefore, on September 20, you would have access to both pages: the one with the report and the one where you left out that part about Mr. Sharma being pushed in the face, the report that is, and the chest by Dr. Rowley?
- A.** Yes, Ma'am.
- Q.** That is what Mr. Bereaux was asking. You could have availed yourself to both pages?
- A.** Yes, Ma'am.
- Q.** But, according to your further—*[Interruption]* On September 20th, Mr. Chairman. Because the entries are dated 15th; the date of the alleged incident, to be legally and politically correct. Officer Mitchell, you gave a further statement on September 27?
- A.** Yes Ma'am.

Miss Lucky questions Constable Mitchell—Continued

- Q.** In which you made reference to that second entry that dealt with the omission?
- A.** Yes Ma'am.
- Q.** Are you following me so far?
- A.** Yes, Ma'am.
- Q.** What I would like to know is who brought it to your attention, or what were the circumstances that made you write this further statement?
- A.** After I submitted the first statement to ASP Morraine he came back to me a couple of days later and asked me why it is the additional entry was made, I was told it was in human error. He told he will need a further statement from me stating that it was made because of a human error, hence the reason I submitted a further statement.
- Q.** You understand now the prudence in the having entries in a personal and/or pocket diary?
- A.** Yes, Ma'am.

Mr. Chairman questions Constable Mitchell:

- Q.** In your statement of September 20, you said: "It is alleged that Dr. Rowley then threw a tea cup at Mr. Sharma which he blocked with his hands." That is September 20. Do not forget, this report is made to you on September 15th. On September 27th you have a different record of that. Did Mr. Sharma tell you Dr. Rowley "pelt" him with a teacup?
- A.** Yes, Sir I remember that, Sir.
- Q.** What you remember him telling you?
- A.** That Dr. Rowley "pelt" him with a teacup and it hit him on his hands.
- Q.** He did not say throw?
- A.** No, he said he "pelt" him with a teacup and hit him on his hand.
- Q.** You sure he did not say "throw"?
- A.** He said he "pelt" him with a tea cup.
- Q.** In the tea room you interviewed Prabha Singh and Wilma Spencer. Who said they were not in the tea room? Did Prabha Singh say she was not in the tea room?
- A.** She said she was not there at the time Sir.
- Q.** Prabha Singh told you what?
- A.** She was not there at the time of the incident.
- Q.** Really? She told you that?
- A.** Yes, Sir.

Mr. Chairman questions Constable Mitchell—Continued

- Q.** What about Wilma Spencer?
- A.** She said she was not there at the time of incident either.
- Q.** In your statement here she was not there at the time of incident?
- A.** Yes, Sir,
- Q.** What incident was that?
- A.** Sir, when we spoke to her about having any knowledge about the report made by Mr. Sharma she said she was not there at the time of the incident, this is Prabha Singh, but she picked up a teacup when she was cleaning and hand it over to Mr. Mohammed.
- Q.** Tell me something, I am not familiar with your station diary. What I gather it is mandatory, according to some Standing Orders, that you must have your pocket diary with you, is that is correct?
- A.** Yes, Sir.
- Q.** On that day you did not have your pocket diary with you?
- A.** Yes, Sir, I had my pocket diary with me, Sir.
- Q.** Why didn't you make the entry in the pocket diary then?
- A.** At the point in time it was not practicable to make that entry at that point in time.
- Q.** Why?
- A.** When the MPs came into the station we recorded the report and we left . . .
- Q.** No, hold on. You are supposed to have your pocket diary on your person did you have your pocket diary?
- A.** Yes, Sir.
- Q.** The question I am asking you is this: is it not normal practice according to the Standing Orders that you make a report in your pocket diary, yes or no?
- A.** Yes, Sir.
- Q.** You had your pocket diary on your person. Where was your personal diary?
- A.** My personal diary was on top the station desk.
- Q.** You made the report in the personal diary?
- A.** Yes, Sir.
- Q.** Up today there is no report in your pocket diary about this incident?
- A.** No, Sir.

Mr. Chairman questions Constable Mitchell—Continued

Q. It is all in your personal diary?

A. Yes, Sir.

Q. That is a breach of your Standing Orders?

A. Yes, Sir.

Q. One other question. We are talking September 15th, you said Mr. Sharma came to see you at 3.30 p.m.?

A. Approximately that time, Sir.

Q. When next did he come to see you? What time?

Mr. Panday: Object! You cannot ask him that question.

Mr. Chairman: Why?

Mr. Panday: You could ask him when he came back. You cannot ask him. You are assuming he came back!

Mr. Chairman: One second, we are not in a court of law.

Mr. Panday: But you see, you must be fair to the witness!

Q. Did Sharma come back that evening to see you?

Mr. Panday: That is a trap question.

A. At the station?

Q. Yes.

A. No, Sir. The last I saw of Mr. Sharma was when we walked out of the tea room.

Q. What you are saying is Mr. Sharma came to you at 3.30. You came across with him accompanied with other people and then you went back to the station?

A. Yes, Sir.

Q. And at no time that evening, after you left the tea room, did Mr. Sharma come back to see you in the station?

A. No, Sir.

Q. Very good. Who gave Mr. Sharma the medical form?

A. Corporal Mohammed, Sir.

Q. Any further questions?

Miss Beckles questions Constable Mitchell:

- Q.** Prabha Singh told you that she was there when the incident took place?
- A.** Yes, Ma'am.
- Q.** Did you write that down anywhere?
- A.** Ma'am, I did not personally write that down anywhere.
- Q.** When Mr. Sharma spoke to you originally at the station did you write anything down then?
- A.** Yes Ma'am.
- Q.** That was where, in your personal diary or in the station diary?
- A.** First in my personal diary, the brief facts, then in the station diary.
- Q.** When you came back, did Mr. Sharma tell you anything further on the compound of the Red House? Did he tell you anything else? You accompanied him to the tea room?
- A.** Yes Ma'am.
- Q.** At the tea room, did he tell you anything?
- A.** Yes Ma'am.
- Q.** What did he tell you?
- A.** He told us about where he was sitting . . .
- Q.** You.

Mr. Chairman: What he told you, not us. What he told you?

- A.** Nothing Ma'am.
- Q.** He did not tell you anything? But did you ask him anything? He made the report to you. You took the report.
- A.** On instructions, yes Ma'am.
- Q.** Having gone there, you asked him nothing?
- A.** No, Ma'am.
- Q.** Did anyone speak with him in your presence in the tea room?
- A.** Yes Ma'am.
- Q.** Who was that?
- A.** Acting Sergeant Ramrattan and Corporal Mohammed.
- Q.** Okay. No further questions.

Mr. Chairman: Any other questions?

Mr. Panday: You were the most junior officer?

Constable Mitchell: Yes, Sir.

Mr. Rahael questions Constable Mitchell:

- Q.** I am trying to bring you back to when Mr. Sharma first came to report the incident. Could you tell me, based on your memory, exactly what he told you?
- A.** Mr. Sharma said that himself, Dr. Rowley, Mr. Stanford Callender, Mr. Roodal Moonilal they were sitting in the tea room discussing. While in the tea room himself and Dr. Rowley was discussing housing in Trinidad and Grenada.
- Q.** May I ask, did he indicate that he was pushed at that time? Did he tell you that?
- A.** Yes, Sir.
- Q.** Did he tell you how many times?
- A.** I cannot recall if he said how much times.

Mr. Chairman questions Constable Mitchell:

- Q.** One final question before we relieve you. You said Sharma came at the station at 3.30 and you saw him there. In company with who? Who was he with when he came to the station?
- A.** Mr. Ganga Singh and Miss Kamla Persad-Bissessar.
- Q.** How did he appear to you?
- A.** In my opinion, he appeared a little bit shaken.
- Q.** Describe that. *[Pause]* Shaken in what sense, frightened, timid? When he spoke to you, did he speak to you?
- A.** Yes, Sir.
- Q.** His voice was quivering, or?
- Q.** Shaking, Sir.
- Q.** This is at 3.30?
- A.** Yes, Sir.
- Q.** His voice was shaking?
- A.** Yes, Sir.
- Q.** Stammering like?
- A.** Yes, Sir.

Mr. Bereaux questions Constable Mitchell:

- Q.** When did he tell you this incident occur?
- A.** Some time after one, earlier that day.
- Q.** Some time could be 1.51. What time did he tell you?
- A.** Approximately 1.10 p.m.
- Q.** Okay, that is what I ask.
- Q.** Did you have a good look at Mr. Sharma when he came to the station at 3:30?
- A.** Reasonable look at him, Sir.

Mr. Chairman: Thank you very much for your attendance. No other questions. Let me remind you that your testimony here this afternoon, before this committee is extremely private and confidential. It is not to be repeated to your seniors, your juniors or officers of equivalent rank, neither to your family nor the press. If you were to do that then you would be in breach of privilege before this House? Okay.

Constable Mitchell: Thank you very much, Sir.

Mr. Chairman: You are relieved. Thank you for your attendance.

**ORAL EVIDENCE OF ASP MARTIN MORRAIN GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: We are waiting one member the committee to come back. In the mean time, before she comes back, let me just take you through some preliminaries. Your attendance at this meeting today is as a result of an alleged incident reported to me by two Members of the House on Friday, September 17, of an incident that took place on Wednesday, September 15. I have heard the submissions of both Members and the matter was referred to this committee.

What you say here is extremely private and confidential. It is not to be repeated to your seniors, your juniors, your equivalent rank, neither to your family. If you were to do so then you yourself would be in breach of the privilege of this House.

Asp Morrain: Yes, Sir.

Mr. Chairman: You will start by stating your name, address, rank and where you are stationed. Before you do so, as I said, we are awaiting one member of the committee who will be with us momentarily.

ASP Morrain: I am Martin Morrain. I am an Assistant Superintendent of Police.

Mr. Breaux: We are moving much faster than we normally would at court. You can speak as fast as you can?

ASP Morrain: All right. I have given my name. I have given my rank.

Mr. Chairman: You are stationed where?

ASP Morrain: At present, I am attached to the Criminal Investigations Department, Port of Spain. On September 15, 2004 I was then attached to Port of Spain Division. I was detailed to investigate a report made by the Mr. Chandresh Sharma. I conducted enquiries into that report. During which time I obtained statements. I obtained a medical report. I submitted a report to my senior.

Mr. Chairman: Questions? Is that it?

A. Well, yes, Sir.

Mr. Chairman questions ASP Morrain:

Q. These statements were given to you by whom?

A. Mr. Sharma gave me his and I obtained one the Dr. Moonilal and another from Mr. Kelvin Ramnath at the office of the Leader of the Opposition. It was given to me—I cannot recall the name of the person but on that statement there is a certificate indicating the date and time and from whom I received it.

Mr. Chairman questions ASP Morrain—Continued

I also received a statement from Dr. Rowley. It was a statement under caution. I told him about the report which I was investing, cautioned him and he decided to give a statement which I recorded in a manner and in accordance with the established procedure; the Judges Rules.

I also saw and spoke with Mr. Callender and from him I obtained a statement. I also spoke with Prabha Singh and I obtained a statement, not directly from her but her statement.

I think I mentioned, did I—I cannot recall whether I mentioned a medical report was also given to me by Mr. Sharma.

Q. When?

A. That was given to me on the same day I obtained—he gave he a statement—that was Tuesday, September 21, 2004.

Miss Beckles questions ASP Morrain:

Q. I need to ask a question please. Did you take statements from anybody?

A. Yes.

Q. How many persons did you actually take statements from?

A. I took a statement from Dr. Rowley.

Q. No one else?

A. No and I obtained—when you say “take” whether or not I wrote?

Q. Yes.

A. The only person whose statement I wrote was Dr. Rowley's.

Q. All the other persons gave you prepared statements?

A. Yes. When you say “gave”, in some cases the persons did not hand me personally.

Q. Okay, so how many statements did you receive that were not written by you?

A. I think it is five.

Q. Could you tell me those five again please in the event that I might not have been here?

A. From Mr. Sharma, Dr. Moonilal.

Q. Did Mr. Sharma give you his personally?

A. Yes, he did.

Q. Dr. Moonilal, he gave you personally?

A. No, he did not.

Q. Who gave you his statement?

A. I cannot recall the name of the person now, but there is a certificate on that statement indicating the person from who I received that statement. In the case of Mr. Ramnath, likewise.

Miss Beckles questions ASP Morraine—Continued

Q. Somebody gave you on his behalf.

A. Yes, the same person who gave me Dr. Moonilal's, that is the same person.

Q. Okay, that is all.

Mr. Chairman: Thank you very much Acting Superintendent Morraine. You would recall my caution to you.

ASP Morraine: Yes, Sir.

Mr. Chairman: Thank you.

**ORAL EVIDENCE OF MR. PRIOR BEHARRY GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Good afternoon. Thank you for attending. Let us apologize for keeping you waiting for a little while.

You would recall that there was an alleged incident in the tea room that occurred on September 15th last. A report was made to me, as Speaker, by both Members concerning breaches of their privilege on September 17th. I did then refer the matter to the Committee of Privileges, which is what you see before you. Arising out of that incident, you wrote certain articles in the press. You write for the Express and you may have interviewed a person or persons concerning this alleged incident.

Mr. Beharry: Yes.

Mr. Chairman: What you say here this evening is extremely confidential. It is not to be repeated outside to your fellow journalists, family, friends or foes.

Mr. Beharry: Yes, Sir.

Mr. Chairman: If you were to do that you would be in breach of privileges of this Parliament. So you would keep it under wraps, as they say. Would you give your name, the newspaper house you work for and your address, please?

Mr. Beharry: Prior Beharry. I am a senior reporter with the *Express* newspaper. [address given].

Mr. Chairman questions Mr. Prior Beharry:

Q. In your own words, tell us concerning this alleged incident if you spoke to any body. Did you speak to anybody or did anybody speak to you about it? What if anything, did they say to you?

A. On the day of the alleged incident I spoke to Mr. Sharma and Dr. Rowley. As a result of speaking to them, I would have written a news report on that. I cannot really recall the details of the news report but it would have been the daily story in the *Express* that appeared the day after the alleged incident.

Q. You are referring to an article on Thursday, September 16th; an article under your name?

A. Yes.

Q. Before we get to the article, do you recall asking Dr. Rowley or Mr. Sharma any questions and if so, what were those questions. If you did ask either of them questions, what did they tell you?

A. I would not be able to recall that. I usually have a notebook but for those interviews I recorded it on a digital tape recorder.

Mr. Chairman questions Mr. Prior Beharry—Continued

- Q.** You have tape recorder of that?
- A.** No. Because it is a digital tape recorder and it only stores 105 minutes of recording time. I use it often so I would erase quite frequently.
- Q.** On that tape recorder there is recorded about that?
- A.** No.
- Q.** Okay.
- A.** It was recorded but I erased it to make room for other stuff.
- Q.** We have before us your article. Is it one article you wrote about this incident or several?
- A.** I cannot recall but I think most likely—at least one or two possibly.
- Q.** What we going to refer you to is your article of 16th September. You do not have a copy before you. Do we have an extra copy? We will make a copy available to you so you can refresh your memory as we go along.

[Copy of document handed to Mr. Beharry]

If you look at the second paragraph it starts with: "Sharma is claiming . . ." I will read it for you:

"Sharma is claiming he was slapped and 'chucked' by Rowley who, though denying the allegations, has admitted that a 'heated argument' took place and that Oropouche MP, Dr. Roodal Moonilal had to restrain him (Dr. Rowley) 'from responding to Sharma himself. That is truth' "

You have the word "chuck" in inverted commas. Why is that word in inverted commas?

- A.** Because it would have been a direct quotation from Mr. Sharma.
- Q.** Then you have the word "slapped" later on; first word in the second line of the second paragraph. Why is that not inverted commas?
- A.** I guess because I would have seen "chuck" as colloquial and I would have put "chuck" in inverted commas.
- Q.** When you say: "Sharma is claiming he was slapped and 'chucked' " did Mr. Sharma tell you that?
- A.** If I reported that, it would have been because Mr. Sharma told me that.

Mr. Chairman questions Mr. Prior Beharry—Continued

- Q.** If go you to second column, the fifth paragraph starts:
“Sharma alleged that Rowley threw a tea-cup at him, which broke the tea-cup in his own hand, . . .”
From that are you saying—follow me carefully—that—do you gather from that you are saying that Mr. Sharma had a tea cup and another tea cup was thrown at him and broke the teacup in Mr. Sharma’s hand?
- A.** That is what I attributed to Mr. Sharma telling me.
- Q.** What you have attributed Mr. Sharma to be telling you is that he, Mr. Sharma had a teacup in his hand, Dr. Rowley threw another tea cup at him, which broke the teacup in Mr. Sharma’s hand?
- A.** I would have quoted Mr. Sharma verbatim, so he would said: “that he threw a tea cup at me, which broke on my hand.”
- Q.** Do you recall Mr. Sharma also telling you, in the same paragraph: “and also pelted a cordless phone . . .” Did he use the word “pelt”?
- A.** I cannot recall.
- Q.** Why did you put it here then? This is the 16th. This is the day after.
- A.** I have written so many stories since the 16th Everyday I write . . .
- Q.** You cannot recall whether he said “pelt”?
- A.** Yes, I cannot recall. But I would have quoted that from the interview I got from Mr. Sharma.
- Q.** It is quite likely that he said that? For you use the word “pelted” . . .
- A.** Sometimes, as a news reporter we would use a word that would convey the same meaning or make it easier for the public to understand, but I can not recall at this point in time if Mr. Sharma said “pelted”.

Mr. Chairman: Any questions other members?

Mr. Rahael questions Mr. Beharry:

- Q.** I have one question. In the second column where you have:
“The UNC MP alleged that Rowley ‘chucked’ him, slapped him in his face and pushed him by the head.”
That is what Mr. Sharma would have said to you.
- A.** Would have, yes.
- Q.** Make sure I have it right. You are saying that Mr. Sharma would have told you that Dr. Rowley chucked him, slapped him in his face and push him by the head.
- A.** Yes.

Mr. Rahael questions Mr. Beharry—Continued

Q. That is quite right.

A. Yes.

Miss Beckles questions Mr. Beharry:

Q. You report in your last paragraph that Mr. Ganga Singh told you that Mr. Sharma was being treated in hospital for high blood pressure. That is what you were told?

A. Yes.

Mr. Chairman Questions Mr. Beharry:

Q. Did you see Mr. Sharma at any time during that evening of the 15th?

A. Yes I did.

Q. What time?

A. It would have been—cannot recall exactly, but—after Parliament had ended because I think I covered Parliament on that day.

Q. Parliament ended that day at about 2. 30.

A. It would have been some time after that.

Q. When you say some time after that, some time—how long after that?

A. Might have been an hour or more after that but I am not certain at this point in time.

Q. How did he appear to you?

A. I cannot recall but he appeared—I recalled that he was talking very softly, but then Mr. Sharma has a sort of husky voice, if I may, so I would not be able to . . .

Q. He was talking softly? Did he appear to be frightened or scared or anything like that?

A. What I would say is that he appeared to be a bit shaken.

Mr. Chairman: Any further questions?

Mr. Bereaux questions Mr. Beharry:

Q. All I want to find out is I look at your article and I see things, words and sentences in inverted commas. I take it that anything I see in inverted commas would be the direct words of the speaker?

A. Yes, Sir.

Mr. Rahael questions Mr. Beharry:

Q. Did you speak with Dr. Rowley?

A. Yes, Sir I spoke to Dr. Rowley via telephone. It was a telephone interview

Mr. Rahael questions Mr. Beharry—Continued

- Q.** You are quoted here as saying that Dr. Rowley said that he did not hit him; did he say that?
- A.** Sorry, where?
- Q.** You say here that Dr. Rowley said: "at that stage a heated argument ensued but he stressed that he did not assault Sharma".
- A.** Yes, well Dr. Rowley would have told me that. I quoted him verbatim because this is a news story. In a news story you should be devoid of any opinion. Therefore, I would write basically what is called "he said, she said reporting." I quoted Mr. Sharma and I quoted Dr. Rowley. Basically this is a news report, write devoid of any opinion, which is how a news report should be, as I have learnt.
- Q.** Okay, thank you.

Mr. Chairman: There are no other questions but before you go let me just tell you this, you cannot write in the press about what went on here.

Mr. Beharry: I know. I am quite aware of that.

Mr. Chairman: Thank you for your attendance.

**ORAL EVIDENCE OF MISS GAIL ALEXANDER GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Thank you very much and welcome to this Committee of Privileges. What you say here this afternoon is extremely private and confidential. It is not to be repeated outside to your fellow press colleagues, friends, family, foes, anybody. If you were to do that it would be in breach of the privileges of the House. Your attendance here today is as a result of an incident reportedly taking place on September 15th. A report was made to me by the two Members concerned, on September 17th. I referred the matter to this Committee of Privileges and as a result of an article that you have written in the paper and as a result of persons who you may have spoken to about this incident, hence the reason we have asked you to come today.

You would tell us as briefly as possible in your own words, if you spoke to anybody about this incident and if so to whom did you speak; if you asked anybody a question, could you recall that question and their reply to you. Specifically, we are referring you to an article in the Guardian of Thursday, September 16; I will make a copy available to you so that you can refresh your memory.

[Document handed to Miss Alexander]

Mr. Chairman: Tell us in your own words if on September 15th or anytime after that if you spoke to anybody, what you asked them and what did they told you.

Miss Alexander: You mean from the story?

Mr. Chairman: Firstly, give us your name, your address and the newspaper house you work for.

Miss Alexander: Gail Alexander, *Trinidad Guardian*. Do you want the full address?

Mr. Chairman: Home address.

Miss Alexander: *[Address given]*

Mr. Chairman questions Miss Alexander:

- Q.** The question I am asking you is: Did you speak to anybody about this alleged incident and, if so, to whom did you speak and what did they tell you?
- A.** The people quoted in the article, one of which is, Mrs. Kamla Persad-Bissessar, she's a UNC MP was the main person I spoke with. I also spoke with Mr. Ganga Singh, he's also quoted in the story and we have a piece from the TV.

Mr. Chairman questions Miss Alexander—Continued

- Q.** Did you ask Mrs. Persad-Bissessar or Mr. Ganga Singh anything at all?
- A.** Yes.
- Q.** What did you ask?
- A.** What happened exactly and what is the whole issue we were hearing about. This is what she related in the sequence here. I also spoke to Mr. Chandresh Sharma's wife. I called at his home address and she's quoted here.

Mr. Chairman: Any questions, members?

Mr. Rahael questions Miss Alexander:

- Q.** Miss Alexander, I just want to be certain that this is what Mrs. Persad-Bissessar told you. You said:
- “Persad-Bissessar said Sharma was on drips and having tests done. She said she was uncertain when he would leave.”
- Indicating that he was in the hospital, because earlier on you talked about the General Hospital.
- A.** “Had to be taken to the Port of Spain General Hospital where one Dr. Valdez”?
- Q.** You went on to say:
- “Persad-Bissessar said . . .”
- Do you have that line? It's in the third column.
- A.** Yes, yes.
- Q.** “Sharma was on drips”.
- A.** “having tests done.”
- Q.** She told you that?
- A.** Um hm.
- Q.** “She said she was uncertain when he would leave.” Leave where?
- A.** I guess the hospital.
- Q.** That's what I'm asking. Okay?
- A.** Yes.

Mr. Chairman questions Miss Alexander:

Q. You said here, second column first paragraph:

“Our report is that a heated argument broke out between Dr. Rowley and Mr. Sharma and Dr. Rowley allegedly shoved Mr. Sharma in his face and his chest. Mr. Sharma was who was sitting in a chair was allegedly also pelted with a cordless phone, a teacup, which broke, and a remote control.” Who gave you that report?

A. Mrs. Bissessar.

Q. Did she use the word “pelt”?

A. Yes, pelt.

Q. She didn't say, “throw”?

A. Throw, no.

Q. She said pelt?

A. Pelt.

Miss Beckles questions Miss Alexander:

Q. Miss Alexander, those statements that you have in quotation marks, are those . . .

A. Which ones?

Q. Well, many parts.

A. The quotes?

Q. Those quotes are direct from the persons?

A. Yes, that's how you write when you're attributing to somebody.

Mr. Chairman questions Miss Alexander:

Q. You said this one in the first paragraph, second column would be a direct quote from Mrs. Bissessar?

A. Which one? The first paragraph?

Q. Yes.

A. Our report?

Q. Yes.

A. “That a heated argument . . .”

Q. Yes?

A. Yes, once it's in quotation.

Q. Who gave you that report?

A. Which one?

Mr. Chairman questions Miss Alexander—Continued

- Q.** The same one?
- A.** Our report?
- Q.** Yes.
- A.** Mrs. Bissessar.
- Q.** Thanks.
- A.** If you read how it goes, she is basically the person quoted in the majority of the story.
- Q.** If you go down in the second column, the penultimate paragraph:
“but Mr. Sharma had to be taken to the Port of Spain General Hospital where one Dr. Valdez instructed that he be warded since his blood pressure became very high as did his blood sugar.” Who are you quoting there?
- A.** The same Mrs. Bissessar; like the paragraph above it.
- Q.** Around what time did she give you this report?
- A.** In the afternoon, evening, sometime, because we had Caricom as well that day.
- Q.** You could recall? Give us the time as best as you can recall.
- A.** I can't recall exactly what time, because that would have been—
- Q.** Let's get some time lines. *TTT News* starts about quarter to seven. You think it was before that?
- A.** Yes, yes, it was before that.

Miss Beckles Questions Miss Alexander:

- Q.** Did you attend Parliament on that day?
- A.** No I was in Caricom that day. We had Caricom in the morning.
- Q.** So you didn't come to Parliament at all?
- A.** Wasn't it a closed meeting?

Mr. Chairman: Yes.

- Q.** But you could have been somewhere in the precincts. This interview was done direct or by phone?
- A.** Phone. I was trying to phone everybody to try to find out what happened.

Mr. Chairman: Any further questions?**Members:** No.

Mr. Chairman: Thank you Miss Alexander for attending and you would remember my caution to you.

Miss Alexander: Um hm.

Mr. Chairman: Let me apologize for having you waiting a little. Just as an aside, you cannot, obviously, write about this in the press.

Miss Alexander: Okay, I hope you tell the other newspapers that.

**ORAL EVIDENCE OF MR. COREY CONNELLY GIVEN ON
NOVEMBER 09, 2004**

Mr. Chairman: Thank you for attending. What you are about to say to us is extremely private and confidential. It is not to be repeated to your fellow journalists, your family, your friends or anybody else. If you were to do that you would be in breach of privilege of this House. Your attendance here is as a result of an alleged incident that took place on September 15th in the tea room of the Parliament. A report was made to me as Speaker on the 17th. Having listened to the Members who have alleged that their privileges were breached, I caused the matter to be referred to the Committee of Privileges, which is this committee before you.

You have written an article, maybe one or two, I do not know how many. You would tell this committee, in your own words, if out of this incident you spoke to anybody, who you spoke to, what you asked them and what they said to you. In particular, thereafter, we will refer you to an article in the *Trinidad Guardian* dated September 18th under your name. Could you give us your name, your home address and your occupation and, for the record, the House that you work for.

Mr. Connelly: Corey Connelly; I live at *[address given]* I am a reporter with the *Trinidad Guardian* for the past seven years.

Mr. Chairman questions Mr. Connelly:

- Q.** Tell us, from this alleged incident, did you speak to anybody, if you did, what did you ask them, and what did they say to you.
- A.** I spoke to Dr. Rowley the evening of the incident. We had heard news about the alleged incident and I had called him via his cell phone asking him what had transpired and he mentioned to me—because we heard news that there was some altercation between Dr. Rowley and Mr. Sharma in the tea room and that somebody had hit somebody, that kind of thing and I had asked him if he had hit him. I asked him if he had specifically hit Mr. Sharma and Dr. Rowley told me if I had hit Mr. Sharma you would have known about it. That was the extent of our conversation at that time.
- Q.** Did you speak to anybody else concerning this incident?
- A.** No I tried to get Mr. Sharma that night, but no.
- Q.** Subsequent to that day, did you speak to anybody else, subsequent to September 15th?
- A.** No.
- Q.** You have before you your article of September 18th. Members of the committee are now invited to pose any questions they may wish of Mr. Connelly.

Miss Beckles questions Mr. Connelly:

- Q.** That article before you, that's your article?
- A.** Um hm.

Miss Beckles questions Mr. Connelly—Continued

- Q.** The statements that you have in quotation marks, are those direct statements to you?
- A.** This was what was spoken at the conference *via* the previous speakers.
- Q.** You are simply reporting what was said?
- A.** Yes.

Mr. Chairman questions Mr. Connelly:

- Q.** You were present at the conference? What conference are you talking about?
- A.** This was the UNC's conference at the Charles Street office.
- Q.** This quote here in the third paragraph is attributable to Mr. Ramnath?
- A.** Yes.
- Q.** "I was present and I saw..."
- A.** Um hm.
- Q.** The same thing in the second column, first paragraph, "Clearly he had become"?
- A.** Yes.
- Q.** Who are you quoting there?
- A.** "Clearly he had become very uncontrollable"?
- Q.** Yes.
- A.** Mr. Ramnath.
- Q.** Did he actually use the word—because you have it here in inverted commas, second line?
"Dr. Moonilal had to physically escort him out of the tea room"?
- A.** Yes.
- Q.** He used the words, "physically escort him out of the tea room"?
- A.** Yes.
- Q.** Could you tell us what you thought he meant by that?
- A.** Well, he's saying by that time, after alleging that Dr. Rowley had hit him three times.
- Q.** The point I'm getting at is this, to accompany somebody out, it has to be—the word "physically" has a connotation about it.
- A.** I didn't get that impression; just that he sort of just carried him out.

Mr. Breaux: I do not think he can say that.

Mr. Chairman: Any further questions?

Members: No.

Mr. Chairman: Thank you very much for your attendance. Remember what I have told you before you cannot write about it.

**ORAL EVIDENCE OF MISS NALINEE SEELAL GIVEN ON
NOVEMBER 09, 2004**

(Accompanied by Ms. Susan Mills, Editor Daily News Limited)

Mr. Chairman: Miss Seelal, you want to introduce your advisor to us.

Miss Seelal: This is Susan Mills she is the Editor of the *Daily News Ltd.*

Mr. Chairman: That is the *Newsday*?

Miss Seelal: Yes.

Mr. Chairman: What you are about to say before this committee is extremely private and confidential. I am addressing both of you. It is not to be reported to your fellow journalists, friends, family, foes, *et cetera*. If you were to do that you would be in breach of privileges of this committee. Your presence here is as a result of an alleged altercation that took place in the Parliament tea room on September 15th. A report was made to me, as Speaker, on September 17th. As a result of that report by the Members concerned, I referred the matter to the Committee of Privileges. This is the Committee of Privileges.

You may or may not have, arising out of this incident, spoken to person or persons; I want you in your own words to tell us—we are concentrating only on this alleged incident that happened on September 15th—if you spoke to anybody, who did you speak to; if you did speak to somebody, if you asked them any questions, if you recall what the questions were and what answers, if any, you were given. Please identify yourself, your name, and address and the house that you work for?

Miss Seelal: Naline Seelal, senior crime reporter at *Daily News Ltd.*

Mr. Chairman: Before you proceed, let me just address Susan Mills a bit. You may confer with your colleague. You are not permitted to ask questions concerning these proceedings, but you can confer. I did not tell you before.

Miss Seelal: My home address is *[address given]*.

Mr. Chairman: And you work for?

Miss Seelal: I work for *Daily News Ltd.*

Mr. Chairman questions Miss Seelal:

Q. Tell us, arising out of that incident, did you speak to anybody and if you did speak to somebody, who did you speak to, what questions, if any, did you ask of them, what, if any, did they reply to you.

A. I am a crime reporter. I don't cover Parliament, but as a crime reporter I depend on my sources to get information and on that particular day I received a telephone call from one of my reliable sources who gave me some information. I passed it on to Miss Mills, who is the Editor, and we had a discussion and I was instructed by my Editor to pursue the matter to get the relevant information, based on the information provided to me by my source.

Mr. Chairman questions Miss Seelal—Continued

- Q.** Did you speak to anybody else concerning this matter?
- A.** I spoke with my reliable source.
- Q.** No, apart from your reliable source, anybody else?
- A.** Yes I did.
- Q.** Who?
- A.** I do not wish to divulge that. *[Interruption]*
- Q.** Did you speak to anybody else other than your source?
- A.** Yes I did.
- Q.** Who was that person?
- A.** I don't think I could name my source.

Mr. Bereaux questions Miss Seelal:

- Q.** On Thursday September 16th, 2004, an article appears in the *Newsday* with the byline, Naline Seelal, Sean Douglas and Ria Taitt. In that article several statements were made in quotations. I'm just going to name one or two:
- “Sharma responded, ‘Yes, I calling you a racist.’” Another one says:
- “They had an altercation; there was a confrontation. Asked if Rowley hit Sharma, Moonilal said, His arms were making movements, both men were animated.”
- In each instance I'm only referring to those instances in which you have them in inverted commas and saying referring to persons having said that. As far as I'm concerned, you could get it from Heaven; the point is, are you saying that the words there that you attribute to the persons to whom they are attributed, are the direct words of those speakers?
- A.** I can tell you that, as I said earlier on, I am a senior crime reporter and this article was written by three reporters, as you can see; three bylines and in this article I wrote, specifically, what my police source told me.
- Q.** I don't care what source it is. We are to investigate, not to find out who your source is; all we are trying to find out is whether the words in the articles—and which kind of reporter you are is really irrelevant—if you say Bereaux say this, if it is Rahael tell you, I want to find out whether the words are really what Bereaux said. *[Interruption]*
- A.** I only wrote certain parts of this article. The article was put together by my Editor, Miss Mills. In this particular article only specific sections I wrote, which I can account for. Like the section you were referring to, I cannot account for that, because I did not write that.

Mr. Bereaux questions Miss Seelal—Continued

Q. Do you know who wrote those so we can ask those persons?

A. Those persons are appearing later, I think.

Q. I don't understand what you mean, but we only want to determine, I think, where you have quotations did Tom say that. So if you have no quotations we may be able to tell you to go quick.

A. I think I quoted Commissioner Paul in my article, where I contacted him. He said that that he was not officially informed of the alleged incident and could not comment on the matter. I think it's clear here that I spoke to him; I wrote this and can account for this.

“Officers from the Central Police Station confirmed late yesterday that Diego Martin West MP Keith Rowley could face two charges, assault by beating and throwing . . .” I think they missed out a word there.

“They added that there may be another offence of criminal damage to Government property, the teacup. He could face sentences of a fine and/or imprisonment.”

Q. Is that all you are responsible for?

A. Yes.

Mr. Chairman: Let me tell you something: If members of the committee ask you a question, if you refuse to answer the question, it is also a contempt, so you have to be careful. [Interruption]

Miss Beckles questions Miss Seelal:

Q. Is there anything here that is attributable to you as a direct answer from anyone?

A. Could you repeat that question?

Q. Is there anything in this article here that is attributable to you as a direct answer? In other words, anything here resulted from you interviewing anyone and putting it in quotation marks?

A. No, not at all.

Q. So that a lot of what is expressed here from you would be based on information for which you have not put in quotation marks? In other words, any of these things in quotation marks is not from you?

A. I am not responsible for any of those quotations.

Mr. Chairman questions Miss Seelal:

Q. Are you responsible for anything in this article?

A. I wrote specific articles.

Q. We're referring to the one on the 16th of September. Just the one about the Police Commissioner?

A. Yes.

Mr. Chairman questions Miss Seelal—Continued

- Q.** The question is this: Did you speak to anyone else other than—you said you spoke to Mr. Sharma, did you?
- A.** No.
- Q.** You spoke to whom?
- A.** I spoke with the police.
- Q.** Your source?
- A.** My source.
- Q.** And you indicated to us your source was some police officer or whatever. Did you speak to anyone else other than your source about this incident?
- A.** When I got the information from my police source I sought to confirm whether this information was correct or not and I remember I called Mr. Sharma on his cell phone and he told me, "I could not speak to you now, I am with the police." I called Mr. Ganga Singh, he said to me, "I cannot speak to you now, I'm with the police." I called Kamla Persad-Bissessar, she said, "We are with the police; I cannot speak with you now, call back later." Those are the three persons I spoke with.
- Q.** What time did you call?
- A.** I cannot remember. I think it might have been between 5.00 and 5.30.
- Q.** You are a crime reporter so you would not have been in the Parliament that day at all?
- A.** No.
- Q.** Your source would have told you this at what time?
- A.** Around 4:30.
- Q.** And you spoke to the three MPs you referred to about 5.30 you said?
- A.** I really can't remember the time.
- Q.** Let's take it by the news: 4 o'clock news, five clock news—that would jog your memory a bit?
- A.** It was before the 7:00 o'clock news.
- Q.** Was it before the 6:00 o'clock news?
- A.** Yes it was.
- Q.** Was it before the 5:00 o'clock news?
- A.** I don't think so.
- Q.** Basically you're talking between five and half five, that's what you said?
- A.** Yes.

Mr. Chairman: Any further questions? Thank you very much for your attendance. You would remember my caution to you, so it is not to be repeated to anybody else. We apologize for keeping you waiting a bit; thank you for coming.

**ORAL EVIDENCE OF MISS RIA TAITT GIVEN ON
NOVEMBER 09, 2004**

(Accompanied by Ms. Susan Mills, Editor Daily News Limited)

Mr. Chairman: Thank you for attending. What you are about to say here is extremely private and confidential. It is not to be reported to your fellow colleagues, friends, and family, anybody at all. If you do that, you will be in contempt of the Parliament. An incident allegedly took place on September 15th in the tea room of the Parliament. A report was made to me, as Speaker. On the 17th, as a result of reports made to me both by Mr. Sharma and Dr. Rowley, I caused the matter referred to me, as Speaker, to the Privileges Committee.

As a result of that alleged incident you may have had contact with person or persons concerning this particular incident. Firstly, I would ask you to tell us if you had spoken to anybody concerning this incident, anybody being anybody, Member of Parliament or anybody else, if you asked those persons questions, what were the questions, what, if any, were the replies. You can start off by giving us your full name, address and the house with which you work?

Miss Taitt: Ria Taitt, *[address given]*, I work with the *Newsday*.

Mr. Chairman questions Miss Taitt:

- Q.** The first question I asked was whether you spoke to anybody concerning this alleged incident occurring on the 15th. If you did speak to anybody concerning it, who did you speak to, did you ask those persons any questions, if so, what were the questions and what were the replies, if any, did you receive?
- A.** Well, I spoke to several people.
- Q.** Who were they?
- A.** Well, the persons that I spoke to made one thing abundantly clear and that is that what they said was not for attribution.
- Q.** Who did you speak to?
- A.** The basis on which I spoke with them . . .
- Q.** No, no, who did you speak to?
- A.** Well, I can't give the names.
- Q.** Let me caution you, if you refuse to answer a question here, that, in itself, is a contempt.
- A.** I am not really refusing to answer question; I am saying that the condition on which the conversations took place was that the identities or the names were not to be given and I cannot violate that commitment.

Miss Beckles: Miss Taitt, there is an article dated the 16th of September in which . . .

Mr. Chairman: Before you get there . . .

Q. You did speak to somebody, some person or persons about the incident, you're saying you can't divulge the names of those you spoke to?

A. Yes.

Q. Could you divulge the question, that you asked them, what did they say to you? Yes, what did you ask them?

A. Well, I asked what happened, if there was, in fact, an altercation; if there was any physical assault. I asked how it began and the details on the various stages.

Q. What did they say to you?

A. Basically . . .

Q. If you want to break it down, say you spoke to A and A told you this; you spoke to B, B told you this. *[Interruption]*

Mr. Bereaux: Mr. Chairman, no, we cannot condone— Could we ask them to leave for a minute? We must have a discussion on this.

[6.38 p.m.: *Miss Taitt, Miss Mills, Mr. Sharma and Dr. Rowley exit committee room]*

[Off the record]

[Miss Taitt, Miss Mills, Mr. Sharma and Dr. Rowley enter committee room]

Mr. Bereaux questions Miss Taitt:

Q. Miss Taitt, I am referring in particular to an article in the *Newsday*, Thursday, September 16, 2004, by the byline being Naline Seelal, Sean Douglas and yourself. Naline Seelal told us that she is a crime reporter and she indicated the areas for which she was responsible. We are interested to find out in the instances in this article where we have words, sentences or otherwise in inverted commas, first, I take it from simple English that those are the direct words of the speaker, that's what you reported in here. Is that correct?

A. Yes.

Q. Where, for instance, the article says, "Yesterday Moonilal confirmed the duo had an altercation" and it puts in inverted commas, "I escorted Dr. Rowley out of the room; they were having a very heated discussion," does that mean that those words were said by Mr. Moonilal?

A. Well, this part of the story I didn't write.

Q. Would you please indicate, if you may, which part of the story you wrote and particularly in reference to the quotation marks?

A. I wrote the part of the story that gave an eyewitness.

Mr. Chairman: Give us column and paragraph.

A. From "reports from other witnesses, however . . ."

Q. Where is that?

A. First column, last paragraph.

Q. And you are responsible for?

A. Yes, basically, Yes, the first two paragraphs of the story and then from "reports from eye witnesses" and the part that ends with "he"—okay, the part that ends with Dr. Rowley speaking, responding to reports that Sharma made an assault complaint, stated, "if he is accusing me of assaulting him . . ."

Mr. Chairman questions Miss Taitt:

Q. Could you just give us items and columns and paragraphs for which you are responsible, take it from the first column. First paragraph, second paragraph?

A. Yes.

Q. Then the penultimate paragraph, "reports"?

A. Yes.

Q. Now we go to the second column. Give us by paragraphs. Which one were you responsible for? Second column, paragraphs. What were you responsible for?

A. Up to, "I did not assault him . . ."

Q. Okay, good.

Miss Lucky: The whole thing then? [*Crosstalk*] Mr. Chairman, If I might just get some clarification.

Mr. Chairman: Yes, please.

Miss Lucky questions Miss Taitt:

Q. Miss Taitt, attributed to you would be "Reports from other witnesses," that is the last paragraph, first column. Am I correct?

A. Yes.

Q. That goes until when, attributed to you? In other words, we finished that first column now, we are into the second column that says "Trinidad and Tobago".

A. Sorry, I didn't hear you.

Q. I'll start again. First column, last paragraph, begins, "Reports from other witnesses," you said that was attributed to you?

A. Yes.

Q. You're with me?

A. Yes.

Miss Lucky questions Miss Taitt—Continued

- Q.** Good. Let's go now to the second column that starts "Trinidad and Tobago." Could you take us to where else, continuing and stopping where? Trace us; in other words you're tracing it for us.
- A.** To up to where it has—the last paragraph is "Rowley responding to reports".
- Q.** So it's everything from "Reports from other witnesses" then I go to "Trinidad and Tobago" which starts the second column, I go to the next paragraph which is "Sharma's replied" I then go, "Rowley reportedly asked"—I just want to make sure.
- A.** [Witness nods]
- Q.** We end with "leading Rowley away" and then "but I did not assault him" that's the end?
- A.** Yes.
- Q.** So everything contained therein is attributable to you?
- A.** Yes.
- Q.** Thank you.

Mr. Panday questions Miss Taitt:

- Q.** You said that "Reports from other witnesses, however" that part, but how many other witnesses you spoke to?
- A.** This first part "Reports from other witnesses, however" that was the Editor's. I wrote from "He reportedly accused", the first line in that paragraph is not really mine.

Mr. Chairman: So you're starting from "He reportedly accused . . ."?

Miss Taitt: Yes.

Mr. Rahael: Who is the he reportedly accused?

Miss Taitt: An eyewitness. *[Interruption]* No, no, that's he, Sharma.

Mr. Chairman: He refers to Mr. Sharma?

Miss Taitt: Yes.

Miss Beckles questions Miss Taitt:

- Q.** I'm just trying to understand the process. Is it that you provided the information to the Editor and this article, itself, is a product of the Editor?
- A.** Yes, well, yes; as you see it's a triple byline, so various people worked on it and the Editor.

Miss Beckles questions Miss Taitt—Continued

- Q.** Did you speak with Mr. Moonilal in relation to this incident?
- A.** Well . . .
- Q.** I'm just asking you a very direct question.
- A.** I won't be able to—I spoke to several people, but I . . .
- Q.** All I'm asking you is: Did you speak to Mr. Moonilal? That's a simple thing, yes or no?
- A.** Well, as I said at the start, the persons that I spoke to spoke on the basis of confidentiality. I'm not going to get into names and who I didn't and who—I'm not really prepared . . .
- Q.** Did you speak to Dr. Rowley?
- A.** Well, I spoke with Dr. Rowley and it is recorded in the article. "Rowley responding to reports that Sharma made an assault complaint stated, 'if he's accusing me of assaulting him he's lying.'"
- Q.** So you're prepared to say you spoke to Dr. Rowley?
- A.** Well the article does name Dr. Rowley.
- Q.** "Yesterday Moonilal confirmed the duo had an altercation."
- A.** I did not write that part of the story.
- Q.** Did you speak to Miss Bissessar?
- A.** As I said . . .
- Q.** So the only person that you are prepared to say that you spoke with is Dr. Rowley?
- A.** Yes, he's named in the article and it was for attribution.
- Q.** Are there any things here in this article that are in quotation marks that are attributable to you?
- A.** I added nothing.
- Q.** In other words, out of all the paragraphs that you indicated for which you have responsibility, some of them have quotation marks?
- A.** Yes, well they are from people that I have spoken . . .
- Q.** They are from sources you do not want to name?
- A.** Right.

Mr. Bereaux questions Miss Taitt:

- Q.** So they're really of no value to us in terms of establishing the veracity, because we can't talk to the people and we are unable to . . .
- A.** Well . . .

Mr. Bereaux questions Miss Taitt—Continued

Q. Let me explain what I mean. The committee is interviewing people. We see a number of statements attributed to persons who are giving various parts of the story. Some of these persons or all of them have already been interviewed by the committee and they've agreed with some of the things you've said, they've disagreed and we are trying, by looking at the various statements which you may have extracted from them, to determine what falls on which side and where. What we are receiving and I do not believe that your intention is to mislead, I'm certain it's not, all we are trying to get is to be able to say to Tom, Dick or Harry, "Look, you said so and so to the reporters, how come you saying something to us?" While you are recalling and standing on your media right as you think it exists—*[Interruption]* just let me finish—as you think it exists, to not reveal your source—and nobody trying to get you to do that—I want you to also realize that you also have a responsibility to assist us.

A. I am assisting.

Q. I'm just telling you. We are really interested, not in finding out your source, but as far as possible finding out whether one person would have said something to you on a certain date, when it was fresh in their memory, and now afterwards on advice and anything else they say something else. When I say advice, I'm not speaking about you, you have received an early report; what we are saying is that some situations are not on all fours sometimes with what are reporting as an uninterested party and we are trying to watch that.

Mr. Panday questions Miss Taitt:

Q. About how many persons did you speak to?

A. I spoke to as many people as I could.

Q. How many? You could help me with a figure, please, one, two?

A. Well, I don't know if I can recall a figure. What I can tell you is that the general principle in my profession is to try to talk to as many people as possible in order to get as faithful an account as we can.

Q. We agree with you.

Mr. Chairman: It's a simple question: How many witnesses or how many persons? It is either one, two, three, four or I do not recall.

Miss Taitt: Well, I really cannot recall at this point.

Q. About what time did you speak to those persons?

A. I spoke to them the same afternoon.

Q. About what time?

A. About 4.30, 5.30, some time between that.

Mr. Panday questions Miss Taitt—Continued

- Q.** The persons claimed to be present at the time when the alleged incident took place?
- A.** Yes, well, the report does say “eyewitnesses”.
- Q.** Well, from some information I have, there could not have been more than six people being present there.
- A.** Right.
- Q.** Is it possible out of that figure could you say how many persons you spoke to? I am helping you to bring it down.
- A.** Since you have identified six people . . .
- Q.** About, I might be wrong.
- A.** Then it's obviously . . .
- Q.** One of those?
- A.** Several of those.

Mr. Rahael questions Miss Taitt:

- Q.** And this would be from the top of the second column, “Rowley according to other eye witnesses”?
- A.** Yes . . .
- Q.** From the very beginning? “Rowley according to other eyewitnesses” all the way down to “the teacup broke after Sharma failed to ketch it; Moonilal at this stage”?
- A.** Yes.
- Q.** That would have been from one source?
- A.** No it was the combined intelligence of eyewitnesses.
- Q.** But more than one?
- A.** Yes.
- Q.** More than one eyewitness?
- A.** Yes.
- Q.** Was Mr. Ramnath one of those eyewitnesses?
- A.** As I said, the naming of anybody is something that I'm not prepared to do.

Mr. Chairman questions Miss Taitt:

- Q.** Let me ask you a question. You understand what an eyewitness is? And eyewitness is somebody who actually witnessed the thing.
- A.** Um.

Mr. Chairman questions Miss Taitt—Continued

- Q.** Following on from what Mr. Panday was asking you, there were probably about six eyewitnesses. The specific questions is this: You are saying here, "He reportedly accused the PNM of wanting to bring Grenadians into Trinidad and Tobago. Rowley according to other eyewitnesses . . ." you are saying this. Rowley is not saying about the eyewitnesses. You are saying, "According to other eye witnesses" right?
- A.** Um hm.
- Q.** Now, the eyewitnesses could only have been the people who were in the tea room that day when this incident occurred?
- A.** Yes.
- Q.** Is it that the eyewitnesses you're referring to would be the persons who would have been in the tea room when this incident took place?
- A.** Yes.
- Q.** We're not asking you their names. Four, five, how many?
- A.** Well you said there were six people.
- Q.** These eyewitness, how many of them were Members of Parliament?
- A.** Well, we're already down to six; I might as well start giving the names.
- Q.** But you've, perhaps, already done that,
- A.** Well, as I said, it is a small group.
- Q.** Let's go to the fourth paragraph, second column, "By this time both men were agitated according to one witness"?
- A.** Yes.
- Q.** That witness was a person who witnessed the incident?
- A.** Yes.
- Q.** And you don't want to say who it is? Was it a Member of Parliament?
- A.** As I said, we are down to six people and it's one of the six, a witness.
- Q.** Is yes or no.
- A.** No, it's not yes or no.
- Q.** But it's a simple question.
- A.** No it's not. We might as well start to ask if the person is tall or short or fair or dark. We down to six people; with all due respect; we are down to six people. The minute we begin to say who it's not and who it might be, we might as well give the names and I'm not doing that.

Mr. Chairman: Any further questions?

Mr. Rahael questions Miss Taitt:

- Q.** While I appreciate what you all are saying I actually recorded that, if not anyone else, I am disappointed that as reporters you all are not prepared to assist this committee in trying to get to the truth of this matter.
- A.** As reporters we report faithfully what we are told and what we understand to be the facts, which is what I did.
- Q.** So you're saying these are the facts you have here of what happened that evening?
- A.** Yes, and the reason we are able to get the fact, in many instances, is because people feel free to speak to us knowing that when they say that they do not want to be identified we will follow that promise.

Mr. Chairman questions Miss Taitt:

- Q.** So each of those witnesses that you spoke to would have indicated to you not to identify them?
- A.** Yes.
- Q.** You earlier on said you spoke to Dr. Rowley?
- A.** Yes.
- Q.** What did he tell you?
- A.** He told me what is reported in the article.
- Q.** Where is that?
- A.** "Rowley responding to reports" . . .
- Q.** Give me by column and paragraph. Okay, I see it.

Mr. Rahael questions Miss Taitt:

- Q.** You said that the paragraph in the first column, "Yesterday Moonilal confirmed" . . .
- A.** That's not mine.
- Q.** That's not yours?
- A.** Shakes head.

Mr. Chairman questions Miss Taitt:

- Q.** There's a distinction between a source and a witness. I think you identified earlier on a source being a police officer?
- A.** No.

Mr. Chairman questions Miss Taitt—Continued

Q. No? Well, there's a distinction between a source and a witness, in this case an eyewitness and you said, perhaps, six eyewitnesses you may have spoken to concerning this incident?

A. Um hm.

Mr. Rahael: Did you say you spoke to six eyewitnesses?

Miss Taitt: Nice try.

Q. How many eyewitnesses you spoke to?

A. I answered that question already.

Q. Four?

A. No, I said I couldn't recall; I spoke to as many people as possible.

Q. How many?

A. I said I cannot recall.

Mr. Rahael: A number is not a name; a number will not indicate anything, really; just a number.

Miss Taitt: Well, I'm not prepared to . . .

Q. Is there a particular reason for reporters not revealing eyewitnesses?

A. There is no particular reason; well, I gave you the reason at the start. The eyewitnesses asked not to be . . .

Q. Why?

A. Why would the eyewitnesses ask that?

Q. Yes.

A. I don't know. You might be in a better position to say; I don't know.

Mr. Chairman: Any other questions?

Members: No.

Mr. Bereaux questions Miss Taitt:

Q. I don't know, but I just want to be clear. I want to get one statement from Miss Taitt and that is: I see here in inverted commas certain statements and they are attributed to certain persons by name. I want to feel free to say that if you said Sharma responded, "Yes I calling you a racist," that I can say Sharma said that and anywhere I see in inverted commas, I am going to put it in my interpretation to the person who it is alleged to have said it, that information you received. Am I correct to be saying that?

A. Well we have reported in some . . .

Mr. Bereaux questions Miss Taitt—Continued

- Q.** Where it's reported, it is reported it is not the person, because if you say Bereaux is reported to have said, I didn't say it; that statement can't be attributed to me. *[Interruption]* Am I comfortable in coming to the conclusion that wherever it says Dr. Rowley said, inverted commas following, those words I can safely attribute to Dr. Rowley.
- A.** You can attribute it to the eyewitness who told me Rowley said that.
- Q.** And when you say "Rowley is reported to have said" to whom do I attribute that?
- A.** Eyewitness.
- Q.** Also? So you have no statement of Dr. Rowley here?
- A.** The statement at the end that says he responded to reports.
- Q.** That is the only statement, "Rowley responding to reports that Sharma had made an assault complaint stated 'if he is accusing me of assaulting him, he is lying. If I cuff down Sharma everybody would know. He called me a racist which triggered an altercation, but I did not assault him.' " That is the only statement there that you can attribute, that in this that we can say that Dr. Rowley said?
- A.** It's the statement that . . .
- Q.** The only statement; I'm asking you and I expect you to answer, because there are several quotations all over so I want to know with respect to that.
- A.** Well, as I said . . .
- Q.** I asked you straight.
- A.** I suppose I can say I spoke to Dr. Rowley and he said this is what I'm saying.
- Q.** Beautiful.

Mr. Chairman: Just let me just clear it up—are you through Mr. Bereaux?

Mr. Bereaux: So all of this is reports from other witnesses, all the rest from the top?

Miss Taitt: That I was told.

Mr. Chairman questions Miss Taitt:

- Q.** Did any of these eyewitnesses indicate to you that Dr. Rowley cursed Mr. Sharma? Did any of them tell you that?
- A.** Well there's a part of it that says that the language was colourful.

Mr. Chairman questions Miss Taitt—Continued

- Q.** The language was both incendiary and colourful, and eyewitness told you that?
- A.** There's another part that says obscene language.
- Q.** So an eyewitness told you . . .
- A.** That obscene language was used.
- Q.** Whom did the eyewitness say used that?
- A.** Now, I remember putting it in the story and the Editor took it out.
- Q.** Forget the story. The question is: An eyewitness told you something, did any eyewitness tell you whether Dr. Rowley cursed Mr. Sharma?
- A.** No—I wrote—the information I had was that Mr. Sharma cursed Dr. Rowley.
- Q.** That's the information you have?
- A.** Yes.
- Q.** When you talk about language being incendiary and colourful you mean expletives?
- A.** Yes.
- Q.** The eyewitness told you what that was, those expletives?
- A.** Yes, we couldn't write it.
- Q.** You couldn't write it? All right. Did any eyewitness tell you that Mr. Sharma called Dr. Rowley a racist?
- A.** Yes.
- Q.** Did any eyewitness tell you that Dr. Rowley came into physical contact with Mr. Sharma?
- A.** No.
- Q.** Did any eyewitness tell you that Dr. Rowley pelt Mr. Sharma with objects?
- A.** Exactly what I have in the story is what the eyewitness told me.
- Q.** The answer is yes or no. Did any eyewitness tell you that Dr. Rowley pelt, throw, fling any object at Mr. Sharma?
- A.** Yes, well, the teacup—wait, just now . . .
- Q.** When did the eyewitness tell? Was it pelted, thrown, flung?
- A.** I remember actually being told, if my memory serves me correctly, because you have to appreciate that I'm writing stories everyday and when you write something you move on—I remember being given two words one was "pelt" from one eyewitness and one was sort of like, "throw", well, sort of "flung" but in a . . .

Mr. Chairman questions Miss Taitt—Continued

- Q.** Slide?
- A.** Well something like that, yes.
- Q.** No, not something like that; it is either throw, slide, pelt.
- A.** Slide, slid or whatever.
- Q.** If I do this [*Mr. Chairman demonstrates*] this is slide. This is throw and that is pelt.
- A.** Yes.
- Q.** So what is it, slide, throw or pelt?
- A.** I told you there were two words that were used to me.
- Q.** You said one was “pelt” and one was “slide”?
- A.** Yes.
- Q.** Slide meaning slide?
- A.** Yes.
- Q.** In its literal sense?
- A.** Yes.
- Q.** No eyewitnesses told you that Dr. Rowley cuffed Mr. Sharma?
- A.** No.
- Q.** Did any eyewitness tell you that Mr. Sharma went to the hospital or anything like that?
- A.** No.
- Q.** Did you enquire of anybody, having gotten the story, whether Mr. Sharma had gone to the hospital or anything like that at the time during the 15th, 16th, the following day or any time subsequent?
- A.** The day after the story was written, you mean, or the same day?
- Q.** Now let us go to September 17th, page six of the *Newsday*. Do you have it?
- A.** I do not have that story.

Mr. Rahael: Before we move from that, can I just ask one more question? An eyewitness said Sharma; who was reported to be livid at that point.prompted: “Come nah, come nah. Ah go buss yuh head.” An eyewitness told you that?

Miss Taitt: Yes.

- Q.** I want to refer you to the *Newsday* of Thursday 16th. I think your eyesight is good. This is the *Newsday* of the 16th, banner headline: “Rowley, Sharma wrangle over Grenada refugees TEA ROOM BRAWL!” You would see a teacup. You would see Mr. Sharma pointing to his right cheek. Seen it?
- A.** Yes.

Mr. Chairman questions Miss Ria Taitt—Continued

Q. This is Newsday page six, Friday 17th. Could you pass it? Go to the third column, the third paragraph and I will read it for you.

“Referring to the Newsday front page picture . . .”

The one I just pointed out to you.

“of Sharma pointing his alleged injured cheek, Rowley said he was a right hander. ‘If I am to slap MP Sharma in the face, he would not be pointing on that side of his face. I would slap him on the other side.’”

Did Dr. Rowley tell you that?

A. Yes.

Q. That is a direct quote from Dr. Rowley?

A. Yes.

Mr. Chairman: Any further question members?

Mr. Panday questions Miss Taitt:

Q. I am referring to the Newsday’s front page picture of Sharma. Dr. Rowley was referring to that picture. Did you show him that picture?

A. If I showed it to him?

Q. If anybody showed him that picture for him to refer to it?

A. It was available.

Mr. Chairman: It is on the front page of the 16th.

Mr. Panday: Sorry.

Mr. Chairman: Any other questions? Thank you very much for attending. Again, let me caution you that you are not to report what transpired here this evening of your testimony before this committee to your colleagues, friends, family *et cetera*. Thank you. We apologize for keeping you a little late.

Sean Douglas please.

**ORAL EVIDENCE OF MR. SEAN DOUGLAS GIVEN ON
NOVEMBER 09, 2004**

(Accompanied by Ms. Susan Mills, Editor Daily News Limited)

Mr. Chairman: Mr. Douglas, welcome to this committee meeting. What you are about to tell us is extremely confidential and private. You are not to repeat it outside to anyone.

An alleged incident occurred in the tea room of the Parliament on September 15. A report was made to me as Speaker on the 17th. Following that report, I caused the matter to be referred to the Committee of Privileges, which is the committee before you.

One or more articles attributed to you, among others, in the Newsday. We will be asking you questions concerning that article, among other questions. For purposes of the record, state your name, your address, your occupation and the business house you work for.

Mr. Sean Douglas: My name is Sean Douglas. I am a journalist with the Trinidad and Tobago Newsday. We are located at . . .

Mr. Chairman: Your home address.

Mr. Douglas: Is it really necessary to give our personal . . .

Mr. Chairman: Yes.

Mr. Douglas: Why?

Mr. Breaux: Because that is what is required.

Mr. Douglas: I don't really give out personal information to any and every body. I can be contacted there from Monday to Friday.

Mr. Chairman: I think your adviser wants to have a word with you.

Mr. Douglas: Sean Douglas, *[address given]*.

Mr. Chairman: You work for the *Newsday*?

Mr. Douglas: *Newsday*.

Mr. Chairman: Questions to Mr. Douglas, anybody? Mr. Panday, no questions.

Mr. Bereaux questions Mr. Douglas:

- Q.** On Thursday, September 16, 2004 an article appeared in the *Newsday* "Brawl in Red House by Nalinee Seelal, Sean Douglas and Ria Taitt". Nalinee Seelal indicated that she is a crime reporter. She is only responsible for a very small portion of this, which had to do with statements made by the police; Commissioner Paul and others. Ria Taitt indicated that she was responsible for certain other portions of the report; namely from the final paragraph of the first column, second sentence: "he reportedly accused . . ." down to: ". . . but I did not assault him." Now by elimination, the remainder of this article appears to be written by yourself, or contributed to by yourself?
- A.** That is not quite right actually, because—That is not quite correct.
- Q.** Put us correct, what part are you responsible for?
- A.** In the first column about the second paragraph from the bottom, where it says: "Yesterday Moonilal confirmed . . ." That paragraph there.
- Q.** That is yours?
- A.** Yes.
- Q.** "Yesterday Moonilal confirmed the duo has an altercation." I see there in inverted commas, "I escorted Dr. Rowley out of the room. They were having a very heated discussion." Does that refer to the direct words of Dr. Moonilal?
- A.** Yes, it is a direct quote.
- Q.** "When *Newsday* pressed him as to whether he had seen the two men exchange blows physically, Moonilal only said, 'They had an altercation. There was a confrontation.' ". Are those the direct words of . . .
- A.** Yes.
- Q.** "Asked if Rowley hit Sharma, Moonilal said: 'His arms were making movements. Both men were animated.' ". Are those the direct words of Mr. Moonilal?
- A.** Yes.

Miss Beckles questions Mr. Douglas:

- Q.** Is there anything else that can be attributed to you?
- A.** Hold on for a second. *[Pause]* I did assist in the paragraph two paragraphs before that, which is like a compilation effort.
- Q.** Sharma claim and Sharma said?
- A.** That is right. I contributed to that.

Miss Beckles questions Mr. Douglas—Continued

- Q.** “Yesterday Moonilal . . .” You spoke with him directly?
- A.** Not to get this information—sorry Moonilal or Sharma?
- Q.** Moonilal?
- A.** Yes, I spoke to Moonilal.
- Q.** Great. What you have in quotation marks, those are his words?
- A.** Those are direct quotes.
- Q.** I am just—from what I have asked before, the information is that this article has really been put together by the editor; the entire article?
- A.** Compiled.
- Q.** Is it that there are things that you may have obtained that are not in the article?
- A.** No.
- Q.** Everything that Dr. Moonilal told you is in this paragraph?
- A.** The essence of it, yes. It covers, Yes.
- Q.** Did you interview anyone else?
- A.** No.

Mr. Chairman questions Mr. Douglas:

- Q.** Let us you go back to this paragraph: “Yesterday Moonilal confirmed the duo had an altercation.” Back to your paragraph. “When *Newsday* pressed him as to whether he had seen the two men exchange blows physically, Moonilal said: “They had an altercation.” Who at *Newsday* pressed whom? Did you press him?
- A.** Yes. This is the section I wrote, so I pressed.
- Q.** You would have pressed Dr. Moonilal to answer a question?
- A.** Yes.
- Q.** Why was it necessary to press Dr. Moonilal?
- A.** If you refer to the first sentence.
- Q.** “Yesterday Moonilal confirmed the duo had an altercation.”
- A.** No, sorry the first sentence in quotes. “Yesterday Moonilal confirmed the duo had an altercation.” That is an introductory—that is not a quote. That is like an introduction, basically which is an introduction to everything that follows. The first quote there . . .
- Q.** The question I am asking is a simple question. Why was it necessary to press Dr. Moonilal to answer the question?
- A.** Just to clarify the first quote.

Mr. Chairman questions Mr. Douglas—Continued

- Q.** Which quote?
- A.** “I escorted Dr. Rowley out of the room. They were having a very heated discussion.”
- Q.** To me that don't make sense! That don't make sense at all. Listen to what you are saying: “When Newsday pressed him as to whether he had seen the two men exchange blows physically . . .” Why did you need to press Dr. Moonilal?
- A.** Well, that is what reporters do. We have to press all the time. *[Laughter]*
- Q.** You get the impression Dr. Moonilal was reluctant to answer the question?
- A.** We have to press and cross examine. You are a lawyer; you know what it's about.
- Q.** You are to answer the question not ask them. You are only supposed to answer the question; not ask them. Mr. Douglas, again let me read it for you: “When Newsday pressed him as to whether he has seen the two men exchange blows physically . . .” I asked you who pressed, you said you pressed. The simple question I am asking you is why was it necessary to press Dr. Moonilal to ascertain whether he had seen the two men exchange blows?
- A.** I am very precise. Everybody here I have interviewed. You know me, every single one of you. You know I am precise. I do not leave loose ends hanging.
- Q.** So you do not know why you pressed him?
- A.** That is my job to press. We are the press. *[Laughter]*

Miss Lucky: If I might, Mr. Chairman?

- Q.** What time did you have this conversation with Dr. Moonilal?
- A.** Around 5:00 o'clock roughly, give or take 45 minutes either way.
- Q.** That is on September 15th, the day of the alleged incident, you would have spoken to Dr. Moonilal. You called him?
- A.** Yes.

Mr. Chairman questions Mr. Douglas—Continued

- Q.** You called him about 5:00 o'clock, you said?
- A.** About that, give or take 45 minutes.
- Q.** What you mean by give or take 45 minutes; 45 minutes before?
- A.** Either way. Approximately 4:15 or about 5:45. Approximately 5:00 o'clock.
- Q.** You are saying approximately 5:00 o'clock. Give or take 45 minutes is close to 4:00 o'clock?
- A.** I am trying to give an absolute margin. It could be give or take half of an hour. It could be 5:00 o'clock. It could be 4:30 to 5:30.
- Q.** Let us go up now to the fourth paragraph beginning with: "Sharma said the alleged accident occurred . . ." If you look at the last line: "Sharma said Rowley retorted that he (Sharma) was being racist and became annoyed." Who told you that?
- A.** Hold on a second please.
- Q.** Let me repeat the question. "Sharma said. Rowley retorted that he (**Sharma**) was being racist and became annoyed." Who told you that?
- A.** Nobody told me that.
- Q.** You quote this piece here right?
- A.** Well.
- Q.** It is either you did or you didn't. You knew about it? The byline is—Already Miss Seelal told us what she had written. Miss Taitt told us what she was responsible for. The question I am asking you, go back to the paragraph: "Sharma said the alleged accident occurred while MPs were watching cricket . . ."
- A.** All this information came from I TV report broadcast at 6:30. That was an interview done by Tewari.
- Q.** All you have to do was say that! Let us go to next the paragraph. Mr. Douglas, you are a very seasoned reporter aren't you? Of how many years experience?
- A.** Eight.

Mr. Chairman questions Mr. Douglas—Continued

Q. Are you a journalist of high distinction?

A. Maybe.

Q. Let us go to the next paragraph. "Sharma claimed, 'He went to push me and hit me in my face, and he threw a teacup, which broke and threw the remote control too.'" That is in inverted commas. Who are you quoting there?

A. That is the same television report.

Q. You are quoting a television report?

A. Yes.

Q. Who gave that television report? Which TV station?

A. *IETV*, at 6:30. It is a CLICO station. It was an interview done by Nirad Tewari outside the Red House.

Q. You are saying here that what is in inverted commas: "He went to push me and hit me . . ." This is a direct quote from what you saw on *IETV*?

A. Yes, that is what we picked up from *IETV*.

Q. Is it normal that you quote a TV?

A. Yes. Why not?

Q. I am only asking. Why not *TV6*? You are *Newsday*, sorry?

A. Well.

Q. Is it normal to quote other TV stations or other newspapers?

A. Yes. What we would do is we would normally attribute it to a television report. We should have actually put in the beginning of the paragraph, where it says: "Sharma says the alleged incident . . ." We should have put: "According to a television report last night, Sharma said the alleged incident . . ."

Q. That was a bit of bad reporting.

A. This is the news.

Mr. Chairman questions Mr. Douglas—Continued

- Q.** That is the way you reported it. Did you actually see this IE report on TV?
- A.** I turned up at the Red House when the report was being done; when they were actually interviewing.
- Q.** You were present when a reporter from *IETV* was interviewing Mr. Sharma?
- A.** I was present for the very tail end of it. I knew it happened and I was one of the only reporters who knew when it was broadcast.
- Q.** The question is you were present when a reporter from *IETV* was interviewing Mr. Sharma?
- A.** For the tail end of it.
- Q.** At the tail end of it, you heard a reporter saying what you have heard in inverted commas?
- A.** No, I did not actually hear any of these quotes live, but we picked it up on the 6:30 broadcast.
- Q.** You heard the tail end and then you went back at 6:30 and saw this?
- A.** I did not take any of these words quoted live when I was seeing the TV station interview. I did not hear any of these words quoted but I did see them wrapping up an interview so I found out what time it was broadcasted.
- Q.** This quote came from where? It did not come from the interview at the Parliament?
- A.** It did not come from the live interview but it came from the broadcast of the interview that happened over the airwaves at 6:30.
- Q.** Okay, fair enough. And you saw that broadcast?
- A.** Yes, I saw that.
- Q.** From that broadcast you have this direct quote?
- A.** Yes.
- Q.** Very good. Any further questions? Did you interview anybody other than—Who did you interview about this story?
- A.** Dr. Roodal Moonilal.
- Q.** Only Dr. Moonilal you interviewed?
- A.** Yes.
- Q.** You had interaction about this alleged incident with any other Member of Parliament?
- A.** No, I did not get any information from anybody else.
- Q.** Dr. Moonilal told you about this altercation and confrontation?
- A.** “Um hm”

Mr. Chairman questions Mr. Douglas—Continued

- Q.** You said Dr. Moonilal told you: “His arms were making movements both men were animated.” He actually told you that?
- A.** Yes, that is the quote.
- Q.** Did he tell you that Mr. Sharma cursed Dr. Rowley?
- A.** I have not put it in the story.
- Q.** I know it is not here. Did he tell you that?
- A.** From memory, if it had been something relevant like—I think I would have put it in the story. I do not remember off-hand. I think the essential details I would have put down.
- Q.** What you are saying is that you do not recall if he told you that? Is that correct?
- A.** I think it is very unlikely. I don't fully recall, but I do not think I excluded.
- Q.** If he told you that you would have put it in the report? Is that what you are saying?
- A.** Right. If it seems noteworthy I think I would have put it in.
- Q.** Did Dr. Moonilal tell you whether Mr. Sharma called Dr. Rowley a racist?
- A.** He did not say that. He did not tell me that.
- Q.** You are saying here that they were animated. “When Newsday pressed him as to whether he had seen the two men exchange blows physically, Moonilal only said: “They had an altercation. There was confrontation.” He, Dr. Moonilal, did not tell you that Dr. Rowley pelt Mr. Sharma with any objects, did he?
- A.** No, cause that is such as . . .
- Q.** Okay, the answer is no. Did he tell you whether Dr. Rowley throw any objects at Mr. Sharma?
- A.** No.
- Q.** Did he tell you that Dr. Rowley slapped Mr. Sharma?
- A.** No, he did not tell me that.

Mr. Chairman questions Mr. Douglas—Continued

- Q.** How long did this interview with Dr. Moonilal last?
- A.** It is very hard to judge time when you are . . .
- Q.** Was it by the telephone?
- A.** Yes, by telephone. I would say the length of the time would be five to 12 minutes. It is very, very hard to judge time.
- Q.** Five to 12 minutes. You are saying give or take 5 o'clock?
- A.** Yes, about that.
- Q.** If I may just repeat this last question; just for clarity. You are saying that at no time did Dr. Moonilal indicate to you, during this five to 12 minutes interview—you are saying to us that at no time during this five to 12 minutes interview with Dr. Moonilal, did he, indicate to you that Dr. Rowley physically came to blows with Mr. Sharma: cuff, pelt, chuck? He didn't he tell you anything like that?
- A.** He used the words. He said altercation. He said his arms were making movements.
- Q.** Confrontation?
- A.** And he said animated. You have to get a dictionary and see what those words mean.
- Q.** What do you think they mean?
- A.** Altercation is very broad. It could be verbal or physical. It is a spectrum, I think. If you have a dictionary . . .
- Q.** Confrontation?
- A.** The words—people use which words they choose to use. If you ask them a question they say: altercation, confrontation, arms making movements. You have to interpret that.
- Q.** That virtually is why—because of the words he used—you pressed him to enquire whether there was something more?
- A.** Well, we sought clarification.
- Q.** That is what you mean by pressing?
- A.** Yes. We sought clarification.

Mr. Chairman: I have no further questions. Mr. Douglas, thank you very much for attending. We apologize for keeping you this long.

Mr. Douglas: Okay. I accept.

Mr. Chairman: As I cautioned you before, it is not to be reported outside of this committee. If you were to do that, that in itself is a contempt. Thank you again for coming.

**ORAL EVIDENCE OF DR. VALDEZ GIVEN ON
DECEMBER 02, 2004**

Mr. Chairman: Dr. Valdez, thank you very much for coming. Let me first inform you that this is the Committee of Privileges which has been mandated to investigate a complaint made by two Members of Parliament. One member, that is Mr. Chandresh Sharma, sought medical attention at the Port of Spain General Hospital, the hospital where you attended to him on the evening of September 15, and we will ask you about that.

Secondly, I am to inform you that the proceedings before this committee is extremely confidential, so it is not to be repeated to anyone outside, friend or family or even to the press. After you are through here today you would, virtually, forget about it. Could you tell us on the 15th day of September last, how did you come into contact with Mr. Sharma, how did he contact you, what did he complain about to you? Before you do that, could you just give us your name, your position, your profession and if you have a specialty and your address and where you work.

Dr. Valdez: My name is Saran Ayana Valdez. I have a Bachelor of Medicine and a Bachelor of Surgery from the University of the West Indies and I am fully registered with the Trinidad and Tobago Medical Board. Up until the 15th of September, I worked at Accident and Emergency, Port of Spain General Hospital. I no longer work there. From 16th of September till the present I am working at the Medical Research Foundation of Trinidad and Tobago. My address is *[address given]*

On the evening of September 15th, I was on duty, that was the 4.00 to midnight shift, at the Port of Spain General Hospital.

Mr. Chairman: What time did you say?

Dr. Valdez: The 4:00 to midnight shift. I was the screening doctor, so I was the doctor at the front desk who would see the intake patients. He presented with a history of having allegedly been—his history was that he was hit across the face and to the chest and slapped to the right cheek, hit to the front of the chest and he was hit on his right hand with an object. He did not specify what the object was. He complained of pain in the right cheek. He did not complain of any chest pains at the time and that was his major complaint. So I proceeded to ask other general questions concerning his general medical condition and I examined him. On examination what was of significance was he just had a mild area of redness to the hand and when I touched his chest, mildly tender. He complained of pain when I touched his chest. Those were the findings on examination; pain on examination of the front of his chest.

Mr. Chairman: He was in pain?

Dr. Valdez: Just saying that it hurt when I touched the chest, what we call tender and a little redness to the area of the hand that he said was hit. At that point in time, I just did his blood pressure and his pulse and I had written up a prescription for medication for the pain as well.

Dr. Valdez—Continued

Mr. Chairman: That is it?

Dr. Valdez: Basically, yes, in relation to his complaint.

Mr. Chairman: Are there any questions for Dr. Valdez?

Mr. Rahael questions Dr. Valdez:

Q. What time of the evening did you see the patient?

A. He came in at 5:15 in the afternoon.

Q. Did he indicate to you, at the time, when the incident had occurred?

A. He said four hours earlier.

Q. Did you see any signs that indicated that he was slapped or hit by an object?

A. The only thing that I could have seen was the little redness on the hand. The other signs that were elicited would have been based on when I examined the patient what the patient said.

Q. What the patient said to you?

A. Yes.

Q. But you did not observe any swelling or redness on his face or anything?

A. No, no, no.

Mr. Chairman questions Dr. Valdez:

Q. Did you examine his chest?

A. Yes, I did. I opened up his chest, I looked, I did not see anything; I mean, examination involves inspection, so looked and I did not see anything, then I asked him to indicate where he was hit. I pressed that area and he said, yes, he had some pain. I also listened to his chest to feel if there was any—because your chest has bones and ribs and stuff, so if was hit by an object, I examined to see if there was any bone injury; there was none. So, basically, what I elicited was based on what the patient said, except for the little redness I saw on his hand.

Q. So, basically, what you said in your report here is, basically, what he told you?

A. Basically, yes, and based on the redness, that is why I said soft tissue injury. Soft tissue injury was based on the history and, one, the finding of the redness. Soft tissue injury just means any little thing—if you hit your hand and there is redness, there has been a little bit of injury. It is just a medical description of what he would have said.

Mr. Chairman questions Dr. Valdez—Continued

Mr. Chairman: A diagnosis?

Dr. Valdez: Yes; a diagnosis of what he would have said.

Mr. Rahael questions Dr. Valdez:

Q. But that you said was on his hand, in other words, if I hit my hand like this now and you were to examine it—

A. And you get some redness.

Q. Look it's red right now.

A. Injury is a description.

Q. But with respect to his face and his chest, you saw any redness or anything?

A. I don't have the documents and no, I don't recall seeing any. When I did press his chest he did wince a bit, so besides him saying that he was in pain—in examination of a patient the patient does tell you how they feel.

Q. Did you observe any swelling to the face?

A. No.

Q. Any redness?

A. No. On his face, I got no positive findings.

Q. Did you do an x-ray at all?

A. We did an x-ray of his chest, it was normal.

Q. Could you tell us what that x-ray revealed?

A. It was totally normal to his chest.

Q. An x-ray wouldn't show up the soft tissue damage that you spoke of?

A. No it would show up tissue damage to the bones.

Q. Just the bones?

A. Yes, but I did not expect to find any.

Mr. Bereaux questions Dr. Valdez:

Q. Did you take his blood pressure and all that type of stuff?

A. Yes I did.

Q. I am unable to read this blood pressure. Well, I could read it, but I do not understand it. What I would like to find out is whether his blood pressure was normal, high or very high?

A. It was high, not very high.

Mr. Bereaux questions Dr. Valdez—Continued

Q. Is it possible—I don't know, but I have heard that there is a situation or should I say a medical condition where if your blood pressure is like how I get sometimes, you would tend to act irrationally, was he at that level?

A. I don't have that expertise. This blood pressure is not what we would call an extremely high blood pressure. It is hypertensive, but he said that he was hypertensive. He gave that history prior to my doing the thing, that he is a known hypertensive. This blood pressure is a high blood pressure. I cannot say whether at this blood pressure he would act, I cannot answer that question, but it was high.

Mr. Chairman: For a person who is hypertensive?

Dr. Valdez: Yes, it is consistent with a person who is hypertensive.

Q. For the record, this blood pressure is here, what is it?

A. What does it tell me? In a hypertensive . . .

Q. I don't mean that. They might tell you 120 over 160. What is this? Let me explain what I mean. I am asking so that the records would reveal what his blood pressure was at the time.

A. You want me to tell you the actual blood pressure?

Q. Yes.

A. It is 153 over 104.

Mr. Chairman: That you say is normal, average?

Dr. Valdez: It's high.

Miss Beckles: What is average blood pressure?

Dr. Valdez: Normal is below 140 over 90; anything above that is considered high.

Miss Lucky questions Dr. Valdez:

Q. Dr. Valdez, if I might ask you. You issued the medical report?

A. Yes.

Q. When you say the patient was suffering from soft tissue injury to the face, chest and the right hand—

A. Um hmm.

Q. . . .I just want to get it clear, with respect to the right hand you said you saw redness?

A. Yes.

Miss Lucky questions Dr. Valdez—Continued

- Q.** With respect to the chest, that was based on the complaint?
- A.** Yes.
- Q.** I suppose, if I understand you correctly, maybe when you applied a bit of pressure the person may have said, "Ouch, it's hurting." What about the soft tissue injury to the face?
- A.** Totally based on the history.
- Q.** Okay, just the history. The reason I asked you that is going to what would be the flip side of the medical report, when you say that the injuries were probably inflicted with a . . .
- A.** Mild to moderate force.
- Q.** Right, blunt object with mild to moderate force. Could you tell us how you came to that assessment?
- A.** That assessment, you have to realize, is purely subjective, because my idea of mild to moderate varies and there is no—I was working casualty for how many years and no police officer, nobody, could tell me what they mean, what are the limitations. What I did is because he complained of the cheek and there was no evidence on the cheek, if he was hit it would have been a very mild amount of force applied to leave no—but, I mean, if somebody gets slap and there's nothing left, it doesn't negate the fact that force was applied, and then the fact that there was evidence of hyperemia, I felt that that may have been a little bit more than just mild, it might have been moderate, but it was not severe because there were no broken bones, there was no laceration, there was no abrasion and it was not moderate or severe, also for that reason. So, therefore, I felt that it sort of encompassed all of the three complaints that he had, and that was my estimation of it.
- Q.** Dr. Valdez, would I be correct in saying that even though the patient's blood pressure would have been high, higher than the average, that that does not necessarily result, that is, that height in blood pressure, if I might use that terminology, as a result of what took place here?
- A.** Definitely.
- Q.** Thank you.
- A.** Let me see if I understand that You are saying that the blood pressure may not be as a result of the complaint?
- Q.** That's right. In other words, one can divorce the both situations?
- A.** Yes.

Mr. Chairman questions Dr. Valdez:

- Q.** A person that suffers from diabetes normally has high blood pressure?
- A.** No, you can be diabetic without hypertension.
- Q.** Coming back to this blunt instrument, what would you describe as a blunt instrument that could cause what you saw when you examined?
- A.** A blunt instrument is an instrument that is not sharp. Anything could be a blunt instrument, anything with a round—blunt as opposed to sharp which is penetrating. If we had a penetrating injury then it would have been a sharp instrument; a blunt instrument is one that is not sharp; I cannot speculate as to what blunt instrument.
- Q.** The area on the chest, how wide was that area in terms of, firstly, what was complained of?
- A.** How wide?
- Q.** Yes, what particular area, the right side, the left side?
- A.** *[Witness examines notes].* Just around the centre, a little off to the left hand side. *[Witness demonstrates on chest]*
- Q.** Did the patient tell you how his wrist became red?
- A.** He said he had an object pelted to his right hand.
- Q.** And in terms of the chest and face, did he tell you anything at all?
- A.** He said he was slapped to the cheek and cuffed to the chest.

Mr. Breaux: What side of the chest? Was that the left side of the chest?

Dr. Valdez: He just said to the front of the chest; he didn't tell me what side.

- Q.** What you have just said there, that the patient complained of being slapped on the cheek, that's the right cheek or the left cheek?
- A.** Right.
- Q.** And cuffed on the chest. Would that be consistent with a blunt object administered, for want of a better word, four hours before? In other words, here it is a patient is complaining that he was slapped and cuffed virtually four hours before you saw him; you're telling us that in terms of the face, the cheek and the chest, you didn't observe any sort of swelling or redness, save and except something on the wrist?
- A.** On the hand.
- Q.** On the hand. The question I am asking is this: If somebody was slapped, you said four hours before, so at 1.15, or cuffed in that chest area, would that show up four hours later, in terms of an examination?
- A.** Four hours later the redness and the swelling may have decreased, but there may be some amount of pain left or, as I said, tenderness elicited on putting pressure on the part.

Mr. Chairman questions Dr. Valdez—Continued

- Q.** You touched him in just one area of the chest or several areas? One particular area?
- A.** No, I felt his . . .
- Q.** It was one area he complained of?
- A.** Yes.
- Q.** So you touched him several parts of the chest, but he did complain of feeling a little pain in one area?
- A.** Yes.

Mr. Chairman: Any other questions, members?

Mr. Rahael questions Dr. Valdez:

- Q.** Dr. Valdez, if you were to examine me now and I told you that I was slapped on my face and hit on my chest and you touched me on my chest and from one of the areas I said, "Ouch," and I told you that I was hit with a blunt object, is that similar to what would have happened when you examined the patient and that would have been the same kind of report you would give?
- A.** Yes.
- Q.** Thank you.

Mr. Chairman questions Dr. Valdez:

- Q.** I would like to clarify that. You are saying that if I come to you and told you just as Mr. Rahael said, that I was cuffed and slapped—go ahead and explain that for me.
- A.** The thing about it is that you have to remember also when I examine and have a consultation with a patient, I have no reason to believe that the patient is lying to me.
- Q.** I'm not saying he is.
- A.** So we have to start from that perspective. If a patient comes to me and tells me that he has had some amount of trauma, my assessment would be to determine—besides assessing the trauma he had, I am also assessing if there is anything for me to treat; so I'm looking for bruising and swelling and it helps me indicate how much trauma. But I have to go based on the patient's history and if the patient's history suggests that he has trauma and then when I examine it elicits pain, then the conclusion is that trauma was applied. In other cases where you know there is an investigation into the matter, then you have to take that into consideration with everything else, but when I see the patient it is a case of trust between doctor and patient, that we are both communicating truthfully to each other.

Mr. Chairman questions Dr. Valdez—Continued

Q. You mentioned bruising; did you in your examination of the chest or the cheek?

A. No bruising; no break of skin at all.

Q. Not even on the wrist?

A. No, just the redness on the wrist.

Q. In terms of what you saw, in terms of the pain when you touched here and the cheek, could you describe a degree of force that—now you said mild to moderate force?

A. *[Witness nods head]*

Q. What is mild to moderate force?

A. It is subjective. *[Interruption]* She answered that already.

Mr. Chairman: Any other questions, members? Thank you very much Dr. Valdez.