



PARLIAMENT

REPUBLIC OF TRINIDAD AND TOBAGO

FIRST SESSION OF THE TENTH PARLIAMENT (2010/2011)

SPECIAL REPORT

OF

THE COMMITTEE OF PRIVILEGES

OF

THE HOUSE OF REPRESENTATIVES

Paper No:

Date laid in the H.O.R.:.....

Introduction

Members of the Committee

Your Committee is comprised of the following 9 Members of the House of Representatives:

Mr. Wade Mark	–	Chairman
Dr. Roodal Moonilal	-	Member
Mr. Colm Imbert	-	Member
Mrs. Patricia McIntosh	-	Member
Mr. Prakash Ramadhar	-	Member
Mr. Chandresh Sharma	-	Member
Mr. Rodger Samuel	-	Member
Dr. Tim Gopeesingh	-	Member
Ms. Donna Cox- Member	-	Member

Establishment of the Committee

2. Your Committee was established on July 16, 2011 pursuant to Standing Order 75(1) of the House of Representatives.

3. Since its establishment, the following two matters have been referred to your Committee for consideration and report, in accordance with Standing Order 27:

- 1) An allegation that the Member for San Fernando East committed contempt of the House on the following three (3) grounds:

- i. He deliberately misled the House during debate on November 19, 2010;
- ii. He brought the House into disrepute and public odium by imputing improper motives to a Member of the House in clear violation of the Standing Orders and persisting in that behaviour, despite being repeatedly called to order ;
- iii. He grossly and recklessly abused the privilege of Freedom of Speech in the House.

2) An allegation that the Member for D'abadie/O'meara committed contempt of the House on the ground of deliberately misleading the House.

Secretarial Assistance

4. Mrs. Jacqui Sampson Meiguel, Clerk of the House, is the Secretary of the Committee of Privileges. She is assisted by Ms. Keiba Jacob, Procedural Clerk Assistant (House of Representatives) as well as Mr. Vinda Dean Maharaj, Senior Legal Officer and Ms. Chantal La Roche, Legal Officer.

Meetings

5. Your Committee has held five meetings to date, as follows:

First Meeting:	Monday January 10, 2011
Second Meeting:	Friday January 21, 2011
Third Meeting:	Monday January 31, 2011
Fourth Meeting:	Friday February 11, 2011
Fifth Meeting :	Friday February 18, 2011

6. At its first meeting, consistent with the order in which they were referred to the Committee, your Committee agreed to proceed with the matter involving the Member for San Fernando East first.

Procedural Issue

7. At the third meeting of your Committee, a procedural question arose in relation to the role of legal advisors to a person appearing before the Committee of Privileges. The Committee has responded to this question by reference to the settled and established practice in this regard, that is:

“A person appearing before the Committee of Privileges is permitted to have a legal representative accompany him at the Committee meeting. Such legal representative can advise the Member during the meeting but cannot address the committee or question witnesses”.

Report

8. By way of this special report, your Committee wishes to inform the House of the following events:

- 1) On Thursday February 17, 2011, an application was filed by the Member for San Fernando East in the High Court seeking permission to review a decision which was made by your Committee at the outset of its proceedings on the matter involving the Member for San Fernando East;
- 2) The Court directed that the Members of the Committee of Privileges be served with the application;
- 3) The members of the Committee of Privileges have been so served;
- 4) Your Committee convened at 10:30am this morning and, after hearing and considering an application made by the Member or San Fernando East, adjourned the proceedings before it having regard to the application before the Court;
- 5) The application is listed for hearing before the Court at 1.30 pm today in the Hall of Justice.

Respectfully submitted

Wade Mark
Chairman

February 18, 2011