

**SENATE**

*Tuesday, February 22, 2022*

The Senate met at 1.30 p.m.



**PRAYERS**

[MADAM PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Madam President:** Hon. Senators, I have granted leave of absence to Sen. Jayanti Lutchmedial and Sen. Amrita Deonarine both of whom are ill.

**SENATORS' APPOINTMENT**

**Madam President:** Hon. Senators, I have received the following correspondence from Her Excellency the President Paula-Mae Weekes, ORTT.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By Her Excellency PAULA-MAE  
WEEKES, O.R.T.T., President of the  
Republic of Trinidad and Tobago and  
Commander-in-Chief of the Armed Forces.

/s/ Paula-Mae Weekes  
President.

TO: MS. TAYLOR JOWELLE DE SOUZA

WHEREAS Senator Jayanti Lutchmedial is incapable of performing her duties as a Senator by reason of illness:

NOW THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, acting in

**UNREVISED**

accordance with the advice of the Leader of the Opposition, do hereby appoint you, TAYLOR JOWELLE DE SOUZA, to be a member of the Senate temporarily, with effect from 22<sup>nd</sup> February, 2022 and continuing during the absence of Senator Jayanti Lutchmedial by reason of illness.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 22<sup>nd</sup> day of February, 2022.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By Her Excellency PAULA-MAE WEEKES, O.R.T.T., President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/ Paula-Mae Weekes  
President.

TO: DR. MARGARET BURGESS

WHEREAS Senator Amrita Deonarine is incapable of performing her duties as a Senator by reason of illness;

NOW THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, MARGARET BURGESS to be a member of the Senate temporarily, with effect from 22<sup>nd</sup> February, 2022 and continuing during the absence of Senator Amrita Deonarine by reason of illness.

**UNREVISED**

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 22<sup>nd</sup> day of February, 2022."

### OATH OF ALLEGIANCE

*Senators Taylor Jowelle De Souza and Dr. Margaret Burgess took and subscribed the Oath of Allegiance as required by law.*

### PAPERS LAID

1. Annual Report of the Trinidad and Tobago Civil Aviation Authority for the period 2019/2020. [*The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat)*]
2. Annual Administrative Report of the Ministry of Agriculture, Land and Fisheries for the period 2018/2019. [*Sen. The Hon. C. Rambharat)*]
3. Ministerial Response of the Ministry of Energy and Energy Industries to the Second Report of the Joint Select Committee on Land and Physical Infrastructure on an inquiry into the management of the Trinidad and Tobago Electricity Commission (T&TEC) and related recommendations. [*Sen. The Hon. C. Rambharat)*]

### URGENT QUESTIONS

**The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):** Thank you very much, Madam President. Madam President, I seek your indulgence for a deferral or stand down, Madam President, the matter requested that is directed to the hon. Minister of Works and Transport, he is running late and he would be here shortly. Thank you.

**Madam President:** So, hon. Senators, the response to question no. 2 on the Urgent Questions will be deferred to later in the proceedings. Sen. Mark.

**Importation of Baby Formula  
(Measures Taken)**

**Sen Wade Mark:** Thank you, Madam President. Question to the Minister of Health: Can the Minister state what measures will be taken to ensure the local recall of several lots of baby formula imported into Trinidad and Tobago that are part of the United States Food and Drug Administration recall?

**Madam President:** Minister of Health.

**The Minister of Health (Hon. Terrence Deyalsingh):** Thank you very much, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Hon. T. Deyalsingh:** And good afternoon to you and to all. So, I can tell the hon. Senator and through you what steps we have taken, not what steps will be taken. So, on Saturday 19<sup>th</sup> the Chemistry, Food and Drugs went onto the US FDA website and saw that Trinidad and Tobago was not listed as an importing country. However, later on Saturday the Chemistry, Food and Drugs did get notification from the local distributor Massy distributors that they may, in fact, have some stock.

The Ministry of Health and Chemistry, Food and Drugs in collaboration with the distributor engaged in a stock reconciliation exercise based on the lot numbers provided by the FDA. We discovered that, in fact, some of that product was in Trinidad and Tobago and the Ministry of Health on Sunday the 20<sup>th</sup> issued a press release about the measures to be taken by both retailers and members of the public to safeguard health. Thank you very much, Madam President.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can the Minister indicate what specific measures have been publicized or released to retailers and to members of the public as it relates to these particular products that are now on the market?

**Madam President:** Minister.

**Hon. T. Deyalsingh:** So the products are no longer on the market. They have been recalled and the Ministry of Health issued a press release on the 20<sup>th</sup>—Sunday the 20<sup>th</sup> of February titled, “Voluntary Product Recall of Similac, Alimentum and Elecare powder formulas”.

The Ministry of Health via the Chemistry, Food and Drug division advises the population of the voluntary recall of specified batches of Similac, Alimentum and Elecare powder formula from Abbott nutrition, an international manufacturer of baby formula. Although Trinidad and Tobago was not included in the US FDA recall notification advisory which lists the country where they were recalled, products were imported—from which products were imported.

The Ministry of Health, as I indicated, engaged the local distributor to conduct this product reconciliation exercise. We discovered that, in fact, some of the product was here. As a result, the Chemistry, Food and Drug advises persons who may be in possession of any of these recalled formulas with the batch numbers below, and we listed all the batch numbers, to discontinue use immediately and return the product to the point of purchase where possible.

**Sen. Mark:** Madam President, can I can ask the Minister how successful has this initiative been thus far?

**Madam President:** Minister.

**Hon. T. Deyalsingh:** So in our discussions with the local distributor, they have assured us that through their recall position and sensitization of their retailers, at this time there should be no product on the shelves.

### ORAL ANSWERS TO QUESTIONS

**Madam President:** Leader of Government Business.

**The Minister of Agriculture, Land and Fisheries (Sen. the Hon. Clarence**

**Rambharat):** Thank you, Madam President. Madam President, there are three questions for oral response and the Government will respond to all three.

**Madam President:** Sen. Mark.

**Mandatory Vaccination  
(Status of Implementation Policy)**

**51. Sen. Wade Mark** asked the hon. Minister of Health:

Given the increasing calls by various segments of the national community for the Government to impose mandatory vaccines, can the Minister advise whether it is the intention of the Government to implement a policy of mandatory vaccination?

**The Minister of Health (Hon Terrence Deyalsingh):** Thank you again, Madam President. The stated policy of the Government of the Republic of Trinidad and Tobago has always been and continues to be the administering of the World Health Organization's approved vaccines on a voluntary basis. Thank you very much, Madam President.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can the Minister indicate whether the Government's policy as it relates to the implementation of a mandatory programme of vaccinations captured under a safe zone policy, can the Minister share with this honourable Senate whether the Government will be pursuing that mandate in the coming period?

**Madam President:** Sen. Mark, I will not allow that question.

**Sen. Mark:** Madam President, the Minister said that the Government is committed to a voluntary approach as outlined by the World Health Organization. Can the Minister indicate why the Government has varied or deviated from that approach with its new policy position?

**Madam President:** Sen. Mark, I will not allow that question based on the answer

that was given.

**Sen. Mark:** Is the Government going to withdraw given the fact that so many countries on a global basis have withdrawn the approach that the Government is preparing to take through legislation? Is the Government prepared to withdraw that position as it relates to its vaccination policy?

**Madam President:** Minister.

**Hon. T. Deyalsingh:** Thank you. Madam President, it is really sad that the UNC continues to push this narrative that this is a mandatory vaccination policy. Nothing is further from the truth. I have said clearly, everyone from the hon. Prime Minister come down has said, this is a voluntary process. It is not a mandatory process. There is no mandate, there is no forced vaccination. That is the UNC's position.

**Sen. Mark:** Madam President, can the Minister indicate whether the Government is prepared to allow public sector workers in the public service and in the wider public service or the public sector to proceed to work upon the implementation of its policy without being furloughed and ultimately dismissed? Is the Minister prepared to provide a clear position on that matter, Madam President?

**Madam President:** Sen. Mark, that question does not arise from the questions posed and answered.

**Sen. Mark:** Can I go on to my—

**Madam President:** Sen. Mark.

**Oasis Greens Housing Development  
(Status of Collapsed Roadway)**

**55. Sen. Wade Mark** asked the hon. Minister of Housing and Urban Development:

Having regard to the collapsed roadway at the HDC Oasis Greens Housing Development and the frustrations being experienced by residents as a result of same, can the Minister indicate when will this situation be rectified?

**Madam President:** The Minister of Housing and Urban Development.

**The Minister of Housing and Urban Development (Hon. Penelope Beckles):**

Thank you. The situation is being rectified and the works completed at the HDC Oasis Greens housing development so far are, one, excavation of roadway to 15 to 17 feet deep, removal and replacement of damaged sewer lines, backfilling, preparation of site for road paving, that would be two. And three, pressure testing of newly installed lines.

The outstanding works to be completed are, the final road paving and demobilization site clean-up. These works are expected to be completed by the end of March 2022.

**Madam President:** Sen. Mark.

**Sen. Mark:** Can the Minister indicate how this particular matter in terms of the collapse of that roadway has impacted on the residents of that HDC Oasis Greens housing development? Can you share—

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

**Sen. Mark:** Madam President, can I ask the Minister, why is this exercise taking so long?

**Hon. P. Beckles:** The works were a lot more complicated than expected. As you know, in terms of the question it has to do with actual collapse of that particular area so that it would have required doing some engineering works, as well as some studies just to ensure that we reduce the likelihood of something like that happening again.

**Madam President:** Sen. Mark.



**Sen. Mark:** Can the Minister indicate whether this particular repair programme of the collapsed roadway, are you certain that it will be completed by the end of March? Or are you tentatively proposing it should be completed by the end of March?

**Hon. P. Beckles:** It should be completed. I mean, it is a site I have visited myself and I will continue to monitor and make every effort that it would be completed by the end of March.

**Sen. Mark:** Can the Minister indicate whether it is being completed or it would be completed within costs, within budget? Or are there cost overruns in this particular project?

**Hon. P. Beckles:** I would not be able to answer that until the project is completed. But so far it is expected to be within budget.

**Sen. Mark:** Okay. Thank you, Madam President.

**Madam President:** Next question.

**Caribbean Centre for Human Rights  
(Approval for Access to Prisons)**

**56. Sen. Wade Mark** asked the hon. Minister of National Security:

In light of the request made by the Caribbean Centre for Human Rights (CCHR) for access to the nation's prisons, can the Minister indicate whether such request will be approved?

**Madam President:** Minister of National Security.

**The Minister of National Security (Hon. Fitzgerald Hinds):** Thank you very much, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Hon. F. Hinds:** Madam President, the Caribbean Centre for Human Rights is a local entity managed by one Diana Mahabir-Wyatt, an ally of the Senator who posed this question and whom I caught on the prowl within recently in a bogus

scandal in St. Ann's, a water scandal. Madam President, the proper protocol—

**Madam President:** Senator—Minister, you know, I have repeatedly said in this Chamber that we have to be careful when we speak about persons who are not Members of this Chamber.

**Hon. F. Hinds:** Thank you very much, Madam President. Madam President, the proper protocol vis-à-vis requests of this nature requires official written submissions to be made to the Commissioner of Prisons for onward transmission to the Minister of National Security for due consideration. To date, no such requests have come to the Minister of National Security.

**Madam President:** Sen. Mark.

**Sen. Mark:** Can the Minister provide evidence that Diana Mahabir-Wyatt is an ally of Sen. Wade Mark and by extension the United National Congress? Can the Minister—

**Madam President:** Sen. Mark, I will not allow that question. I have already advised the Minister about that statement that was made.

**Sen. Mark:** Madam President, can I ask the hon. Minister, upon a receipt of an application by this particular organization, the Caribbean Centre for Human Rights to have access to the nation's prisons, would the Government favourably consider such an application from this very important human rights body?

**Madam President:** Minister.

**Hon. F. Hinds:** Madam President, I do not know if the Senator is having some difficulty with comprehension. I just said to him what the procedure was and indicated that it has not been embarked upon as far as this Minister is aware. I cannot understand that question.

**Madam President:** Sen. Mark.

**Sen. Mark:** I do not know why the Minister is so riled up today.

**Madam President:** Sen. Mark, please ask your question.

**Sen. Mark:** Did you take your tablets?

**Hon. Senators:** [*Laughter and desk thumping*]

**Madam President:** Sen. Mark. Sen. Mark, I think we can move on at this stage. All right?

**Hon. Senators:** [*Crosstalk*]

**Madam President:** Thank you very much.

**Sen. Mark:** He is not well.

**Madam President:** No. Sen. Mark, please withdraw that statement. Please withdraw it.

**Sen. Mark:** I withdraw the statement.

**Madam President:** Thank you. I am asking, please, for Members—I am asking, please, for Members to be silent. Okay?

### **ARRANGEMENT OF BUSINESS**

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

**Hon. Senators:** [*Desk thumping*]

### **PRIVILEGE MATTER (SEN. WADE MARK)**

**The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):** Thank you, Madam President, for granting me leave in accordance with Standing Order 30(2) to raise a matter directly concerning the privileges of the Senate.

Madam President, the matter concerns certain unfounded, baseless and false allegations made by Opposition Sen. Wade Mark on a matter raised on the Motion for the Adjournment on Tuesday 15 February, 2022, by Sen. Mark on the

following matter which was circulated by letter dated February 04, 2022. That matter, Madam President, is, I quote:

The need for the Government to explain its decision to appoint a nominee of the Government to the National Insurance Board as the Chairman of said board which is contrary to the National Insurance Act.

Madam President, in raising the matter the Senator made several false allegations against the Government and Mr. Patrick Ferreira who was nominated by the Government to serve as the Chairman of the National Insurance Board of Trinidad and Tobago. Sen. Mark stated and I quote from the *Hansard* as follows:

One:

“...an alarm bell was raised about the Chief Executive of CIC Insurance Brokers, one Patrick Ferreira. The issue at the centre of this was a breach of the Insurance Act by this particular individual which eventually saw him leaving the actual place of employment.”

Two:

“The Ministry of Finance has brought this individual who was a government representative between ’17, I believe, and ’21 on the Board of the NIB and made him chairman sometime in January this year.”

Three:

“This gentleman was debarred literally by the Central Bank...as managing director of the Consolidated Insurance Company Limited.”

Four:

“...it is against the law for anyone who is in the insurance business to give a rebate on commissions...this gentleman rebated a commission on a big home ownership policy plan. He was accused of engaging in this unlawful action by the Brokers Association and that matter was reported to the

Supervisor of Insurance which is the Central Bank of Trinidad and Tobago.”

Six:

“On the basis of this particular report and subsequent enquiries conducted by the Central Bank, the chairman appointed by the Government was removed from his position as managing director of CIC and as such cannot practice any insurance activities in our country. He was literally disqualified by the Central Bank and the Brokers Association from holding any position in the insurance industry.”

And seven:

“This gentleman is unfit and he is improperly, illegally and unlawfully appointed by the Government.”

Madam President, based on enquiry made to the Central Bank of Trinidad and Tobago, the bank has advised that no notice disbaring Patrick Ferreira or disqualifying him from holding any position in the insurance industry has been issued.

Further, Madam President, the Central Bank of Trinidad and Tobago has advised a determination of culpability against Patrick Ferreira for breaching the Insurance Act has not been issued.

Madam President, the allegations made by Opposition Sen. Wade Mark against the Government and Mr. Patrick Ferreira are therefore unfounded, baseless and false and as such constitute a breach of parliamentary privilege.

**2.00 p.m.**

Madam President, parliamentary privilege is not a new concept. In fact, it is a hallmark of parliamentary practice and our democracy. Historically, it was a right designated to protect the right of the King to the service of his advisors. I wish to underscore the word “protect”, Madam President. Parliamentary privilege therefore

remains the bedrock of the working of a Parliament. It offers protection from the interference from whatever source. It safeguards the freedom, authority and dignity of this august House.

Madam President, the unfounded, baseless and false allegations made by Opposition Sen. Wade Mark in this House, and unsupported by the Central Bank of Trinidad and Tobago, cannot be countenanced. To ignore such conduct will send the wrong message to anyone and everyone whose character may be maligned. And I dare say, Madam President, in this case of Mr. Ferreira, someone whose personal and commercial interests may be severely affected by Sen. Mark's false allegations.

Madam President, it is for these reasons that Sen. Mark's unfounded, baseless and false allegations against the Government and Mr. Patrick Ferreira must be dealt with in the strongest possible manner by this House.

It is for these reasons, Madam President, that I move that Sen. Wade Mark committed contempt of this Senate on the following grounds:

1. He deliberately and wilfully misled this Senate; and
2. He grossly and recklessly abused the privilege of freedom of speech in this Senate.

Madam President, in accordance with the relevant Standing Orders, I ask that Sen. Wade Mark be referred to the Privileges Committee of this Senate. Madam President, I thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Hon. Senators, I reserve my decision on the matter of privilege raised and will deliver same at a later date.

### **ARRANGEMENT OF BUSINESS**

**Madam President:** Hon. Senators, I will now revert to the earlier—

**Sen. Roberts:** Madam, can I just ask a point of clarification on that please, Madam?

**Madam President:** No, Sen. Roberts, not at this stage.

**Sen. Roberts:** Is he a member of the Central Bank? What evidence—[*Inaudible*]

**Madam President:** Sen. Roberts, I have said no, you cannot raise it.

**Sen. Roberts:** [*Inaudible*]

**Madam President:** This is not the time for any such thing.

**Sen. Roberts:** Yes. All right, go ahead.

**Madam President:** Sen. Roberts, please! Apologize for your rudeness.

**Sen. Roberts:** I so humbly apologize for asking for evidence. I am deeply sorry.

**Madam President:** Sen. Roberts, you know, it is not as if you have not been a Member of Parliament before.

**Sen. Roberts:** Yes, Ma'am.

**Madam President:** And therefore, you should know—

**Sen. Roberts:** Yes, Ma'am.

**Madam President:**—you should know that there are certain rules and procedures.

**Sen. Roberts:** And I—[*Inaudible*]

**Madam President:** No. Sen. Roberts I will ask you please if you continue like this, I am going to have to ask you to leave the Chamber.

**Sen. Roberts:** What is new!

**Madam President:** Sen. Roberts, please leave the Chamber.

**Sen. Roberts:** No problem.

**Madam President:** For the rest of the day.

**Sen. Roberts:** My pleasure.

**Hon. Senators:** [*Desk thumping*]

**Sen. Nakhid:** Is this a debate.

**Sen. Roberts:** Absolute pleasure, Ma'am.

**Sen. Nakhid:** But, Madam President, why for the rest of the day?

**Madam President:** Sen. Nakhid, you really want to go down this route?

**Sen. Nakhid:** Yes, I do, Ma'am. Why for the rest of the day? I am just asking a question.

**Madam President:** Sen. Nakhid, you are out of order, and I will ask you to desist from this line of conduct.

*[Pause]*

*[Sen. Roberts exits Chamber]*

**Madam President:** Hon. Senators, it amazes me that we have to go over certain procedures in this Chamber. It amazes me that I am speaking to adults, and by now everybody should be versed with the Standing Orders. So it amazes me when I am faced with the indiscipline that I was just faced with, but, I move on.

**Madam President:** Hon. Senators, I will now revert to the earlier order of business. Sen. Mark.

**Hon. Senators:** *[Desk thumping]*

### **URGENT QUESTION**

**Sen. Mark:** Thank you, Madam President. To the hon. Minister of Works and Transport.

**Madam President:** Sen. Mark, you have to read the question.

**Sen. Mark:** Oh yes.

### **St. Julien Road, Princes Town (Repair to Access Roads)**

**Sen Wade Mark:** To the hon. Minister of Works and Transport: Given that poor road conditions delayed first responders in the rescue of an elderly couple who perished in a fire at St. Julien Road, Princes Town, can the Minister state when access roads to the community will be improved?



**Madam President:** Minister of Works and Transport.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Madam President. Madam President, first, I would like to apologize for running a bit late and delaying the answer to the question, but I had to attend a funeral service for the late Pundit Samsundar Maraj better known as Pundit Tara Maraj of Coryal Housing Village. We would recall in 2017 he was the recipient of one of our country's national awards in the field of religion and culture. So to his family, on behalf of the Government, we extend our condolences and to thank him for what he would have done for not only the community of Coryal, but for Trinidad and Tobago.

Madam President, the Ministry of Works and Transport extends condolences and sympathizes with the family and their loved ones under these tragic circumstances. Madam President, as you are aware, this is one of our historic roads which evolved with time and used to be a track, and is located on the ridge without any major changes to its structure. It was not designed to carry any heavy axle loading and as such was not designed for the use of heavy trucks and 10-wheeler vehicles. Apart from such an evolution of this roadway, the history of this road provides evidence that the soil composition along this terrain is prone to landslips and failures. Over the years the Ministry has constantly conducted repairs to the roadway as a result of these challenges, and has done over 40 landslips in an effort to keep this road passable. The Ministry continues to be challenged by the soil movement and instability, and to date there are 16 landslips. As part of the Ministry's ongoing effort to address this issue of landslip in Trinidad, in this fiscal year two of the critical landslips on the St. Julien Road are being addressed to ensure that the road remains passable.

**Madam President:** Minister, your two minutes—the two minutes have expired.  
Sen. Mark.

**Sen. Mark:** Yeah. Can I ask, through you, Madam President, given what the Minister has said, given the challenges that have existed in that community of St. Julien Road, Point—Princes Town rather, can the Minister indicate when or what efforts are being made to have these roads in the community repaired?

**Sen. The Hon. R. Sinanan:** Madam President, it is noteworthy that there are two alternative routes to the St. Julien Village, which is maintained by the Ministry of Works and Transport. These alternative routes are in good conditions and the travelling time to the community is the same. The Ministry wishes to encourage persons to utilize these routes while we undertake to carry out repairs to the roads in the community and throughout Trinidad and Tobago. Again, Madam President, it is very unfortunate to lose your parents this way, having lost my both parents a short while ago, and again the Ministry extends condolences to the family. Thank you.

**Sen. Mark:** May I ask the hon. Minister, is there a time frame, hon. Minister, that you have identified and set whilst people are utilizing the alternative routes for the full repair of the roadway that has collapsed, or is in immediate need, rather, of repairs?

**Sen. The Hon. R. Sinanan:** Madam President, as I said before the St. Julien Road poses a lot of challenges. There is ongoing work taking place at all times. The road is passable. Unfortunately, heavy trucks and 10-wheelers cannot access the road. This road was never designed for that. This year, in this financial year two additional landslips will be addressed on the road, and maintenance work on the road is an ongoing process, and that is why the two additional roads to get to the village are maintained for heavier trucks and 10-wheelers. Work continues on the

road, and again this year two of the 16 landslips will be addressed, because it is an area where you have constant land movements.

**CODE OF ETHICAL CONDUCT FOR SENATORS  
(ESTABLISHMENT OF A SELECT COMMITTEE)**

*Order read for resuming adjourned debate on question* [November 23, 2021]:

*Be it resolved* that this Senate censure the unparliamentary conduct of said Opposition Senators who by threat or molestation have attempted to obstruct, impede, influence or interfere with said Independent Senators in the performance of their duties;

*And be it further resolved* that a Select Committee be established to consider and report on a code of ethical conduct and behaviour for Senators.

**Madam President:** Those who spoke in this debate were Sen. Anthony Vieira, who moved the Motion, the hon. Stuart Young, MP, Minister of Energy and Energy Industries as Acting Attorney General; Sen. Wade Mark; Sen. Paul Richards; Sen. The Hon. Clarence Rambharat; Sen. Anil Roberts; Sen. Dr. Varma Deyalsingh. Minister of Tourism, Culture and the Arts.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell):** Thank you very much, Madam President, for giving me the opportunity to contribute to this very important Motion and speak in support of it, and in defence and in support of our parliamentary democracy. And, Madam President, I also wish to start off by commending Sen. Vieira for his courage, not only in bringing this Motion in the protection of our parliamentary democracy, but in allowing this Motion to continue as a Private Member's Motion notwithstanding the considerable attacks that he still faces as an Independent Senator in this

Chamber.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. R. Mitchell:** Madam President, this Motion calls upon us to do two things. There are two resolutions. It calls upon us to:

“...censure”—Opposition Senators for unparliamentary conduct of—“who, by threat or molestation, have attempted to obstruct, impede, influence or interfere with...Independent Senators in the performance of their duties;”

In other words, Madam President, this Senate is called upon through this Motion to reject and express severe disapproval for the conduct of Opposition Senators that fall below the standard of conduct in this Senate. And the conduct being complained about in this Motion amounts to threat and intimidation. And for the public, what we are talking about here and rejecting is the bullying tactics by Members of Opposition Bench. This Motion also calls upon us, this Senate, to establish a committee to consider and report on a code of ethical conduct for Senators.

So, Madam President, I have taken to time to restate what this Motion is about for the listening and viewing public. Because as much as we were disgusted by the disdainful spectacle that occurred in the Electoral Colleague last year, citizens of Trinidad and Tobago must be reminded that there are courageous and Independent Senators and there are Senators in this Chamber who are prepared, not only to stand up for themselves, but also to defend our parliamentary democracy, and we in this Senate reject that type of behaviour. In other words, Madam President, this Motion shows to all in Trinidad and Tobago, from young to old, that one should never cower in the face of a bully, and one should never be bullied into silence.

Madam President, I wish to deal with the second resolution first, as quickly as I

can. And through you, to Sen. Vieira, I must indicate my discomfort with that suggestion that this Senate must resolve to consider and report on an ethical code of conduct for Senators. I have to say that I am not comfortable with that. I am not sure how I feel now in this very moment having regard to the conduct that we have just witnessed. But I consider it, Madam President, an affront to the intelligence of the ordinary Trinbagonian, *infra dig* if you must, beneath our collective common sense, our common sense of decency as a nation, where this Senate must resolve to condescend to basically write a manual on the standards of behaviour to guide hon. Senators in this Chamber who do not know how to behave, and who do not know how to conduct themselves.

And on the last occasion, Madam President, I heard a lot of talk, I think, I believe it was from Sen. Richards, and I could not figure out whether Sen. Richards was vacillating or whether he was mitigating. I think Sen. Roberts described it as he was backing back. But Sen. Richards on the last occasion spoke a lot about leadership, and it is as if the leaders of both political parties must bear the blame for the travesty that occurred at the Electoral College last October. Madam President, I must say that I reject that argument out of hand.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. R. Mitchell:** And I reject this habit that some people have, when the UNC misconduct themselves in public, when they make a dishonourable spectacle of themselves that some commentators find it necessary to paint all political parties with the same broad brush. I reject it. I reject that leadership argument, because to accept that leadership is the cause of immoral decrepitude and the improper conduct of the UNC in the Electoral College, is to accept the abdication of personal responsibility Senators in this Chamber.

Leaders in this place, Madam President, are not the only ones who take the

Oath of Allegiance. Every Member must take that Oath of Allegiance individually. And implicit in that Oath of Allegiance is the oath to be bound by the Constitution, the Standing Orders in this Senate and the authorities on parliamentary practice in the United Kingdom. When we are selected, Madam President, to be here, to take the Oath of Allegiance, all 31 Members of us, we know we are not coming into a parlour or into a fish market. We know that there must be a high standard of conduct that is demanded of us here. We are not selected to be on some committee to throw a Nicki Minaj concert to drink rum. This is the Legislature. This is the Parliament of the Republic of Trinidad and Tobago, one of the highest institutions of our country.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. R. Mitchell:** So, Madam President, following the guidance that hon. Senators in this Chamber all have, through the Constitution, the Standing Orders, May's *Parliamentary Practice* and numerous other authorities of parliamentary practice all across the Commonwealth, the conventions and practices of this Parliament, Robert's Rules of Order and the common standard of decency. We are still saying that we need, inside of here, a code of conduct so that Members of this Parliament must know how to behave and how to conduct themselves.

Through you, Madam President, to Sen. Vieira, I am a little uncomfortable with that. However, if the Senate resolves, and if my bench determines that that is the resolution that we wish to support then we will support it. We need a manual to tell Sen. Roberts how to behave? Someone who is a former Member of the House of Representatives. I am uncomfortable with that. We need to tell Sen. Roberts that it is unparliamentary conduct to bully people, to intimidate people? I am uncomfortable with that. And I would say to Sen. Roberts here, Madam President, Sen. Roberts should find a radio station to go and bully somebody. We need a

manual, we need to write a manual on the code of conduct of Senators for Sen. Mark to know how to conduct himself? Sen. Mark is the most experienced Senator in this Chamber. Sen. Mark as a former Presiding Officer, has flown all over this Commonwealth attending parliamentary conventions, understanding and learning how Parliaments work and how we as Members of Parliament must defend our democracy. So, no. Despicable conduct is as despicable conduct does. We must continue to demand a very high standard of conduct in this Chamber. We must condemn and censure conduct that falls beneath the dignity of this House.

And, Madam President, I will say this further. No code of conduct manual will assist us against those who are hell bent on attacking high institutions in this country, and seeking to create civil unrest, which, in my respectful submission is the strategy of the Leader of the Opposition.

**Madam President:** Minister, I have to caution you. I think when we last met on this particular Motion, I had made certain rulings, so could you please.

**Sen. The Hon. R. Mitchell:** I withdraw.

**Madam President:** Thank you.

**Sen. The Hon. R. Mitchell:** I withdraw and I thank you for your ruling. But, Madam President, I just have to repeat that I am uncomfortable with that position.

With respect to the second resolution, calling upon us to censure the bullying and intimidatory tactics by the Opposition Senators on the Independents in a way to impede them in their duty, that is a call I wholeheartedly support. I have listened to Sen. Vieira on the last occasion on his description of the travesty that occurred in the Electoral College, and I agree with Sen. Vieira that that conduct is unbecoming of parliamentarians. I too believe that it was a very dark day in our democracy. However, in the adversarial nature of our politics, when your political opponent scores an own goal or injures himself, you celebrate,

unfortunately. So I felt a bit of quiet celebration.

Because on that day I sat there quietly, disciplined as we all were on our side, being a part of unprecedented and novel proceedings. And after my determination was that I enjoyed the UNC circus that came to town that day. That was my determination. I had not been to a circus since primary school days. I remember across the road from Skinner Park there was a circus that came every year, and I had not been to a circus in a very long time. But the circus was there and persons were there in all their glory and performance. I could not believe an experienced Member like Sen. Mark behaving the way he did on that day. I know Sen. Lutchmedial for some time before our membership to this honourable Chamber, and I could not believe that that was Sen. Lutchmedial's performance and behaviour on that day. So I enjoyed the circus, but I must draw the line on the bullying and intimidatory attacks, the innuendo, the allegations made by Opposition Senators on Independent Senators on that day and following that day. It amounts to molestation. It is bullying. The very suggestion that Independent Senators are biased or conflicted, or are Members of the Government without a shred of evidence, or done not by way of a substantive Motion in accordance with the proceedings of this place, is a bullying tactic intended to impede and undermine our very parliamentary democracy. That is what it is. Call it for what it is.

But, Madam President, this is not the first time that UNC Senators have attempted to intimidate an Independent Senator on the way that he voted. In the 2016/2017 session of the Parliament, Sen. Ramdeen was found in breach of the privileges of this Parliament when he attempted to intimidate and molest an Independent Senator because of the way he voted on a particular Bill. And what came out of that particular privileges committee report was the learning that to



reflect improperly on a vote in the House and motives of some Members is a breach of privilege. And no, this is not a privilege Motion. Sen. Vieira rightly said that he could have done a privileges Motion. But this is a Motion calling for the censure of the behaviour and conduct of Opposition Senators that amount to the breaches of privilege, that amount to a contempt of this Parliament.

So, when Sen. Ramdeen went to a press conference, when he went to TV6, when he commented in the newspaper that Independent Sen. Junkèrè was not independent and was biased in a vote, it was spurious and baseless accusation, and he was found in contempt of this Senate by a committee of privileges. It was a clear attempt to intimidate that Independent Senator, but also all Independent Senators on the way they vote on a particular Bill or on a particular Motion in this Senate. And, Madam President, the tactic is a clear one, you know, and let me tell you how Members of the Opposition may believe that the tactic may work.

You see, all Members in this Chamber, all 31 of us are selected. But there are nine Independent Senators who are selected. And their criteria for selection comes down to one basic thing: A person who has distinguished themselves in a particular field of endeavour. And implied in that, Madam President, the nine Independent Senators that sit on the Independent Bench are nine persons who have developed a strong reputation and a strong personal brand as exemplars in their field of endeavour, and exemplars in this country. So the tactic is clear.

If they have gotten here by way of their reputation and by way of their personal brand, you simply attack their reputation. That is the tactic. You attack their reputation that has been carefully cultivated and carefully crafted throughout their entire lives. And who wants their reputation attacked? So, what do you do? You threaten to drum up dirt on them. We have heard that. Accuse them in a derogatory way of singing for their supper. And we are all intelligent people in

here. We know that has nothing to do with your vocal cords or the quality of your vocal cords. There is a specific implication when one says that you are singing for your supper, that you are financially beholden to someone or to some political party.

And they make accusations as well under the cover of parliamentary privilege, threaten to damage their reputations in order to coerce fear, in order to bend their will to get them to vote in a particular way. That is the UNC's tactic and we must reject it.

**2.30 p.m.**

I listened to Sen. Rambharat and I agree with him totally, we must not be caught in any strategy of normalizing contempt of Parliament, normalizing bullying and intimidatory tactics. The intimidation and molestation of hon. Senators, of the Independents in this Senate must be totally rejected. We must censure, we must take action to protect this House, our parliamentary democracy and we must continue to do so, Madam President, at every given opportunity.

And, Madam President, there is another matter, you know, there is another matter that must soon engage all of our attention in this honourable Senate. The very insidious and crass nature of a show called *douglAR politics*. *DouglAR politics* that has a habit, has made a habit of molesting Members of this House and of the House of Representatives.

**Madam President:** Senator, Minister, I will have to caution you here, okay. I would ask you, please, to remember what we are treating with and to just come back to it please.

**Sen. The Hon. R. Mitchell:** Thank you, Madam President. I take your caution. I am indicating the molestation and intimidatory tactics, Members of Opposition Senators. I feel it is important. I would just say if you permit me, Madam

President, that a lot of Members of the dougla population, the dougla community have reached out to me and have asked me, through you, to indicate to hon. Sen. Roberts that perhaps he could substitute the word “dougLAR” with the word “gutter”, because that is what most describes what goes on.

**Sen. Mark:** On a point of order, 46(1) and 46(5), he is imputing improper motives, Madam President.

**Madam President:** Minister, I already cautioned you on this, so I would ask you to move on, please.

**Sen. The Hon. R. Mitchell:** Thank you, Madam President, but I want to make it clear that we are not afraid, we are not afraid on this side of anybody on that side; we are not afraid of the intimidatory tactics; we are not afraid of molestation and we are not afraid to call it out and we are not afraid of anybody on that show *dougLAR politics* or their attendant clowns.

**Sen. Mark:** [*Inaudible*]

**Sen. The Hon. R. Mitchell:** Madam President, I move on and I make the point, Madam President, that while we are not afraid on this side, there was something said by Sen. Mark on the last occasion about thick-skinned. Madam President, there is no criterion to enter into this Chamber called thick-skinned, there is no criteria. What you do is you take the Oath of Allegiance and you agree to be bound by the Laws of Trinidad and Tobago. And there is talk about this “gayelle”. This is no gayelle. Nowhere in the Constitution describes this place as a gayelle. And in this place, to remain a Member of this place and to uphold the parliamentary democracy that this place has to hold up, not just for this generation but for generations to come, we need to abide by the rules of order that govern this place.

Lastly, the last point I wish to make on this point, I took notice on the last occasion of hon. Senators engaging in something known in local parlance as

“name-dropping”. And I do not know if persons felt that they would score points by name-dropping. So Martin Daly, Senior Counsel, was a good Senator; Ramesh Deosaran, Professor, was a good Senator. And I have no doubt that these persons were very good Senators. But, Madam President, those honourable gentlemen, whether their goodness or badness—

**Madam President:** Minister, you have five more minutes.

**Sen. The Hon. R. Mitchell:** Those—the character of those honourable gentlemen, whether by goodness or by badness, their character is totally irrelevant to these proceedings. What is relevant to these proceedings are the nine Independent Senators that sit across from us. Because the same criteria that was used to select those persons who hon. Senators find it easy to score points, to name-drop, the same criteria was used to select them; the exact same criteria was used to select these hon. Independent Senators. So that is irrelevant, they are past, they are former Senators, we thank them for their service.

So, in conclusion, Madam President, what occurred is not picong. That is not political picong in any political gayelle. Political picong is me asking hon. Sen. Mark whether by way of crosstalk or otherwise whether the massage chair has wheels or it had legs.

**Sen. Mark:** [*Inaudible*]

**Sen. The Hon. R. Mitchell:** Or me asking Sen. Mark how he eventually passed the exam. And Sen. Mark asking me about San Fernando East, but that is political picong. We could engage in that. But this, these matters that are being complained about, this is not political picong, this is molestation, it is intimidation, it amounts to a breach of privilege in this Parliament, it amounts to a contempt. And Sen. Mark very well knows this and I, through you, Madam President, would implore Sen. Mark to take the time to refresh his memory on the conduct and the standard

of behaviour required in this august House and to condescend to assist his Bench in allowing them to rise to that standard and maintain that standard.

Madam President, with those few words, I support the Motion and I thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. John.

**Hon. Senators:** [*Desk thumping*]

**Sen. Jearlean John:** Thank you so much, Madam President—

**Hon. Senators:** [*Desk thumping*]

**Sen. J. John:**—for the opportunity to join this debate. Madam President, the six Opposition Senators are today called upon to defend our constitutional right to freedom of speech, freedom of thought, freedom of expression, freedom which was expressed in this instance in another place, not in this honourable Senate but in another place. Senators prior to me, including Sen. Mitchell who has just spoken, had spoken about threats and bullying, coercion, molestation and intimidation.

Madam President, I do not know if we are in an alternate reality but Sen. Vieira in tabling his Motion did not admit or did not make any reference in any detail to the inflammatory political statements attributable to him in an *Express* article written by Ria Taitt, dated 22 October, 2021. And, Madam President, for context it is important that the article be brought on the record, because Sen. Vieira in his presentation, last year I think it was November, he did indicate that he had not made up his mind at that time of the event of which we are here now debating. But after there was some kind of, he called it some kind of circling squad of animosity, et cetera. They find all of these words, Madam President, I do not know where it is coming from and everybody is talking about, what threats as I said, bullying, coercion, intimidation and molestation.

Madam President, but after that event and we had a right as I said to express our free speech, Sen. Vieira said:

“I intend...”—to put on the record in that article:

“I intend to bring a motion of contempt, a motion of censure,”—he said it to the public—“against all those persons who made those comments because I don’t know about anybody else but I am not going to let it go on the record...”—et cetera.

He said whether:

“...singing for my supper and that I have an allegiance to PNM, UNC or whoever, and get away with it. I am proud and jealous of my independence and I am not letting that (allegation) stand.”

Madam President, again, many Senators have spoken about the criteria for being a Member of this honourable House and about the 31 Members who are honoured to serve here and basically you have six Members who would have been selected by the Leader of the Opposition, 16 on the advice of the Prime Minister and nine who would have been selected by the President. And again, in the discretion of the President from outstanding persons, from economic, social or community organization and other major fields of endeavour.

Madam President, there is no requirement and no mandate upon which lies this issue of independence, quite frankly. Meaning, Senator after Senator, they are making reference to this independence, but there is no mandate for that and I do not think that is an expectation, quite frankly. And one could say okay, we sit as an individual bench, we sit as individuals within this line on the Senate so therefore it means we are independent of thought, et cetera. Madam President, but this is not written in the Constitution.

So I have nothing—Sen. Vieira again on his presentation, on the 23<sup>rd</sup> of

November said:

“...I have nothing against the UNC Opposition. This is not about choosing between red, yellow or any colour. I am the same towards all.”

And I think that is establishing his own independence and it is only within there I think the hon. Senator could try to persuade us that he is independent. Because there is no mandate under the Constitution, Madam President.

So, I think this is best addressed, Madam President, if I should make reference to a statement within the address of the hon. Chief Justice in his opening remarks of the 2014 to 2015 Law Term where he said:

“Judges do not...drop from the sky with blank minds. Like any other citizen they are entitled to vote and will no doubt have personal views on a variety of matters. What is expected of them is that once they assume office, they will be true to their oath and put aside any personal preferences in service of their duty to hear and determine matters impartially and in accordance with the law. Of course, they are also expected, once in office, to refrain from commenting otherwise than where it is necessary in their judgments, on matters of policy or political affairs so as to preserve public confidence in the independence and impartiality of the judiciary.”

Madam President, I think that is great advice. So there is no burden. So I think in terms of trying to beat and batter Opposition Senators to believe that someone is independent, I think there is nothing good or bad but it is the thinking that makes it so.

“Parliament should be the primary forum where the voice of the people, especially the poor and marginalised, is heard with absolute clarity...”

In this Senate we have the Government and the Opposition and we are engaged, we know why we are here, we are engaged in adversarial politics, we

argue different sides of an issue and the reliance is really on the Senators appointed by the President to bring unfettered clarity and balance.

And, Madam President, this is not my first time in this honourable House, so I know what that looks like. So:

“Confidence among the people that parliament truly understands, and is able to address the needs and interests of the people, is a paramount guarantee of social peace and stability, ’...”

And those words are the words of the Secretary-General Kamalesh Sharma speaking to delegates at the 58<sup>th</sup> Commonwealth Parliamentary Conference.

So, Madam President, as I have said, I have sat in this honourable House prior to 2020 and really and truly, I have never heard such words uttered by a Senator who was appointed by any President. When you hear a Senator referring to the Opposition and saying:

“The realities of the situation plainly reveal that the Opposition did not just cross the line, they went deep into forbidden territory.”

That is okay if Sen. Mitchell says that, we are here in adversarial politics, he could say what he wants. And he said he can make picong with Sen. Mark, et cetera. But somehow you expect that the Senator who was appointed by the President, you hold them to a higher standard.

So, Madam President, the Senator in question wishes to browbeat the Opposition Senators into submission and acquiesce to his claim of independence and that is a matter for him. When the hon. Senator, Madam President, said the:

“...Motion was avoidable.”

He said:

“When Ria Taitt sought my views regarding the tumultuous sitting of the Electoral College—memorable for all the wrong reasons—I was angry. In



fact, I was furious but I had not committed to taking this step. Resolve came after the Opposition noise machine began heaping insult onto injury.”

So I am to believe or understand that a Senator, any Senator on any side of this House can go to the media or go anywhere and make political statements, damaging political statements and they expect that the Opposition will drink water and mind their business.

Madam President, they will get a political response, that is who we are. The United National Congress is a political party. And if you attack us politically, you are going to get a political response.

**Hon. Senators:** [*Desk thumping*]

**Sen. J. John:** I do not see that as a threat, it is not—what are all the words they are using now, Madam President? It is not bullying, it is not coercion, it is not molestation, it is not intimidation. It is called politics. You attack a political party, politically there will be a political response. I do not know, Madam President, what was the expectation of the hon. Senator that he could use the most offensive language, not only against the Opposition Bench, Madam President, but against the Leader of the Opposition, the party, the United National Congress; attack Sen. Lutchmedial, she came in for special mention even going so far as to implicate judges in the Appeal Court. And the hon. Senator expected us to just sit, whistle while we work. The UNC again I confirm is a—the United National Congress is a political party and if we are attacked politically we are going to respond in kind.

Madam President, Robert F. Kennedy said:

“Democracy is messy, and it’s hard. It’s never easy.”

And you have to give—I suppose you have to give as well as you get. Some people do it better than others, but certainly Sen. Mitchell has an issue with thick skin, but all that is part and parcel of what you, one signed up for, quite frankly. It is messy.

A gentleman by the name of Jamie Moon wrote, in reflecting on this statement:

“Democracy is messy...it’s hard. It’s never easy.”

He said:

“As I sit at my desk...”—

Sorry, it was reflection on the 2020 election. He was talking about the election of 2020 in the United States of America. He said:

“As I sit at my desk this morning, the autumn leaves are changing color outside my window and, in the background, I can hear the volatile 2020 United States general election playing out on television...

It was in that moment that I genuinely grasped the famous Kennedy quote. Indeed, democracy can be messy, uncertain, and scary—and the election process can even make a person question our system of government. However, beyond the tropical foliage of my window that morning lay the alternative. The country where I was posted was a single-party state without free press, without free elections, without freedom of assembly,”—and I suppose without Senators appointed by the President—“and where those speaking out against the government often faced severe retribution, imprisonment, or worse.”

At least we can come into this House and have robust debates. That is not something that you take and you call intimidation, and molestation, that is a stretch. So it is ironic today that a Senator appointed by the President seeks to censure the freedom of speech, to censure free speech.

I am not oversimplifying things, Madam President, because as we wring our hands and everyone tries to ascribe blame or accountability, I think we should pause to consider the very critical role we all play as leaders in sustaining our

messy, hard and never easy system of democracy. Madam President, Sen. Richards in his own statement said, we should leave the House, this House I suppose, the same way we met it.

Madam President, this Chamber, I remember visiting this Chamber in 2011 or thereabouts or 20—I hope the Leader on the Government Bench would not take me to the Committee of Privileges, but it is somewhere between 2011 and 2012 when the Parliament was supposed to be moved to Tower D and I visited this Chamber with the hon. Clerk of the House, Mrs. Jacqui Sampson. And this Chamber was not what we see here. It had been destroyed. It was, I think there was a hole in the ceiling, this did not exist. It was wet and messy. And that was because of the events of 1990 that other Senators have been speaking about in a very willy-nilly way. Those were serious events.

In this same Chamber a Prime Minister's blood was spilt. And during that event he said, he commanded the armed forces, he said attack with full force. That was his way of interpreting what democracy was. It is—we do not commend violence certainly, it was a terrible, terrible thing to have happened. I mean, I wish and I am sure we all wish that that did not happen in this House, that was not our record. But it is all part and parcel of our record, just as the Water Riots, prior to that where this, not in this very House but the one that was before was burnt to the ground. It is all in the interest of freedom, our people see as their rights. That is how people interpret their rights.

So, as I said some of what we have experienced as a people is not good, it is not nice, it is not right, repudiate it, but it happened in this House. This House is not Lapeyrouse Cemetery that you hear singing "*Nearer, My God, to Thee*" and you leave it quiet and you come and you hush. We are here to strengthen our democracy. And it cannot be that when Opposition Senators come in here to do the

things that Opposition Senators have to do, they are accused of disrespect and lacking patriotism.

Again, Madam President, when we started to repair this honourable House in 2013, I was called, I was acting in another capacity and I met what are the First People—because I think it was March of 2013 they had come upon some bones and right away we said stop the work because of respect for this honourable House and respect for the people who came before us, the people who died. And it took 18 months, it is the only reason the House, the restoration was not further advanced; 18 months for the archeologist and all of the other people concerned to have gathered all of the remains. Now, I could have said the Government in 2019 when they had the internment did not invite the hon. Political Leader, the Speaker at the time, who was very involved in ensuring that we secure those bones, et cetera. We did not say it was disrespectful, but you just say it low and let us move on. What we were happy about is that the First People themselves could have said, “at last we feel a sense of peace”. “We feel a sense of respect that our dead were buried respectfully and they are under this House.” We do not know how they died, but the First People felt the sense of peace, at last.

So we stand or sit on the shoulders of people who would have fought for their freedom. We did not—it did not come about like this. As I said before, Madam President, democracy is messy. So when the Cabinet, not this Cabinet, the Cabinet that succeeded, that preceded this Cabinet—you see it is a—everyone comes and they do what they have to do. It is not static. Sen. Mitchell spoke about, it is not about what happens today or yesterday, it is about the future and I agree with him. But certainly, the future stands on the shoulders of the past. And we stand on the shoulders of the 60 bodies they could have identified, so we stand on the shoulders of those First People who were here and on the shoulders of Arthur

N. R. Robinson whose blood was spilled in this very Chamber. We do not take it lightly and we cannot take it lightly. But we have to do what we have to do.

So, Madam President, I was—beacon of democracy, as I said, sits on the side where 60 of these First People were buried and the blood of one of our Prime Ministers stains this Chamber. And even then we could be proud when he said, “attack with full force” in his own contribution to strengthening our democracy and our freedom.

So, Madam President, it gives me no pleasure to call what was reported in the *Express* as an unprecedented attack because it is not the language that I like to use, but there was an unprecedented attack, Madam President, against the Leader of the Opposition and Members of the UNC. And again, the hon. Sen. Vieira said the Motion should not have seen the light of day. He is talking about the Electoral College which had brought us here today. He said that the “Motion was shameful”. So I do not understand, if it is you are engaging in politics, Madam President, how do you not want a political response from people who are politicians.

And, Madam President, I was a member of the 5<sup>th</sup> and 6<sup>th</sup> Republican Parliament and I am not name-dropping as Sen. Mitchell would have inferred that people were name-dropping. I mean, Minister Young spoke about many Senators appointed by the President, who were Members of this House and read it like a recitation, but I sat in this House, we used the other Chamber because we had to schedule, there was only one Chamber in use at that time. And, yes, I sat where—in the same Chamber with Sen. Philip Marshall and it was a pleasure—or Eric St. Cyr or even Diana Mahabir-Wyatt who was being disparaged today. But a citizen of higher quality we cannot find, someone who really is concerned about the vulnerable, about children issues, et cetera.

Eric St. Cyr was a great economist, Prof. Julian Kenny who was talking

about the environment before we knew the environment had a word, was a word, to be quite frank, about the protection of the environment. Who could forget, Sen. Dr. Eastlyn McKenzie, a Tobagonian just like myself. She was so confident in who she was. I think the whole Senate loved her. There was no difference when Sen. Dr. McKenzie came, stood up to speak and she would at times speak in the vernacular, so confident was she.

We are not asking to go back to the past, I do not think we could have people like that again, I do not know. But you hope. Sen. Martin Daly served in the same Parliament with me, as did Dana Seetahal. And when they spoke and made suggestions, they were taken up by any Attorney General who would have been proud to be associated with their amendments. Prof. John Spence all of these were excellent, very outstanding and fit the mould. I cast no aspersion, but I am simply saying one is not name-dropping, one, I sat in the Senate with these Senators, Madam President. And I can tell you at that time, I am hearing now that there is tension and so on. There was no tension, there was just great respect between the Benches, great respect. Because these Senators who I sat with were truly giants and you were very proud to call them citizens of Trinidad and Tobago.

So, Madam President everyone is quoting Erskine May so I would just follow suit. So in the chapter on freedom it says:

“As far as formal proceedings are concerned, subject to the rules of order in debate...a Member may state whatever they think fit in debate, however offensive it may be to the feelings, or injurious to the character, of individuals; and the Member is protected by parliamentary privilege from any action for defamation, as well as from any other question or molestation. The possibility of imposing constraints on or penalties for the exercise of freedom of speech in statements which, if made outside the House, might be

found defamatory or even criminal, has been considered but rejected by successive committees, notably the Committee of Privileges in 1979,”—and they quoted some other committees.

**3.00 p.m.**

Madam President, in the *Express* article which I have liberally referenced, the hon. Senator Vieira said, pointing to what he believed—I am quoting here—to be another:

“double standards”

He said:

“You (the Opposition) come here and wrap yourself in the robes of democracy and say, ‘Oh, you are fighting for democratic rights and people must be free to speak out and to choose and to vote for consciences’. And when the Independent Senators vote, you boo? If I start to boo when...”—you—“vote, how would...”—you—“like that?”

Madam President, I say let Sen. Vieira boo if he wants to boo. And I will say he is doing his thing and he has a freedom do it. I might not like it but I will not come before the House and say I want this Senator censured. I will say this Senator has a right to boo, to say, “Sen. John, you are talking foolishness.”

And as recorded yesterday—reported yesterday in Canada—for the Prime Minister of Canada—I mean, we have all seen the news across the world where there is a kind of bottleneck—I mean, truckers and their supporters have blocked a bridge in Canada for many days causing chaos in terms of goods moving between America, particularly, and Canada. And yesterday, Prime Minister Trudeau said—well, after he took a decision to invoke the Emergencies Act for only the second time in Canada’s history, citizens have criticized as overreached, his political opponents particularly. And the Canadian Civil Liberties union is suing the

Government—the Canadian Government. And Prime Minister Trudeau said:

“Canadians have every right to disagree with...”—me.

That is what he said. This is a democracy.

“But you can’t...”

He went further. He said:

““But you can’t harass your fellow citizens who disagree with you. You can’t hold a city hostage. You can’t block a critical trade corridor and deprive people of their jobs.””

But he said:

“Canadians have every right to disagree...”

That is a democracy. In democracy, you disagree.

So, Madam President, for all its flaws, in this country we have embraced a system of democracy but it can certainly be a messy one and that messiness is our strength. It is what makes us special. It is not easy. I mean, we are looking again at the world news that Russia is just moving in on Ukraine because they are concerned about they are moving towards democracy. But we have it. We are committed to it. You know, when we have an election, they count the votes, someone wins, someone is supposed to say, “Okay, fine. I accept that.” That is what it is. So democracy can be messy and that messiness is our strength, our freedom and our national character. Demonstrations, strong deferring opinions and free speech by those you disagree with are the bedrock elements of our society.

Madam President, I thank you so much for this opportunity.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Thompson-Ahye.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Thompson-Ahye.



**Sen. Hazel Thompson-Ahye:** Thank you, Madam President. This Motion has its genesis in what occurred at a sitting of the Electoral College on October 21, 2021. We know of Machel Monday, Kes Tuesday, Iwer Wednesday, Fantastic Friday, but until October 21, 2021, we knew nothing of “Thunder Thursday”. The Trinidad and Tobago dictionary, *Cote ci Cote la*, defines “thunder” as any rolling boisterous action or behaviour. “Thunder Thursday” was when Opposition Senators, among others, engaged in boisterous behaviour and sought to make mas in the hallowed halls of Parliament. They attempted to unleash—and I almost referred to Anselm Douglas’ very popular song but I knew I would be ruled out of order. But, you know, when I think about unleash, they attempted to unleash a reign of terror on, especially the Independent Senators gathered in the Parliament Chamber to debate the Opposition Motion for impeachment of the President of the Republic of Trinidad and Tobago, Her Excellency Paula-Mae Weekes, ORTT.

Madam President, as venom spewed by Opposition Members grew more and more vile, instead of bringing to disgrace and opprobrium the Speaker and her rulings, “Thunder Thursday” was an occasion for the Speaker to show grace under pressure. It presented an opportunity to show the nation that within our Parliament there are officials, such as the Clerk of the House, who performed to the highest standard of conduct. Sen. Vieira’s Motion is about ethical standards and conduct in the Parliament. I am sorry, Sen. John, it is not about robust politics. There is no doubt that Senators have a duty to uphold the dignity, discipline and the decorum of Parliament. To disrespect Independent Senators by crying, “Shame, shame on them,” as they went about their business to vote on the Motion was abusive conduct. Order 46(4) of the Standing Orders of the Senate states:

“It shall be out of order to use offensive and insulting language about Members of...”—the House—either House or to threaten a Member.

Opposition Members insulted Members of the Independent Bench and were in breach of the Standing Orders. To accuse Independent Senators of “singing for their supper” was to impute false and improper motive and cast negative reflections on the character and impartiality of Independent Senators. It was nothing else. This is in direct violation of Order 46(6) of our Standing Orders which states:

“No Senator shall make an imputation of improper motives against any Member or an offensive reference to a Member’s private affairs.”

Taken together, the actions of Opposition Senators as enumerating that occurred on “Thunder Thursday” constitute a violation of the Standing Orders and was a dereliction of their duty to uphold the dignity, discipline and decorum of Parliament. This is not about the right to disagree. Really.

Madam President, Adlai Stevenson described:

“An independent as a guy who want to take the politics out of politics”.

Winston Churchill said:

“Politics is almost as exciting as war, and quite as dangerous. In war you could only be killed once...in politics many times.”

Being an Independent Senator who wants to serve her country without fear or favour, malice or ill will and according to the sacred oath I have taken, “Thunder Thursday” caused me to wonder if politics was not only a dangerous pastime, as Winston Churchill warned, but a seemingly impossible vocation. Without creditable evidence, Opposition Senators judged Members of the Independent Bench as lacking independent minds. They implied that Independent Senators did not vote in keeping with our individual consciences but vote instead without regard to the merits or demerits of the Motion before us.

Ironically, they stated that they were not given the opportunity to present

their case which, in effect, was an admission that their views on the Motion were not heard yet they expected us to vote in their favour. In favour of what? In favour of what? A case they did not present? I have been trained to teach from five-year-old infants, thanks recently deceased Evelyn Hordatt. I have taught 65-year-old-plus law students. I have never experienced any difficulty in communication but I confess, I found this non sequitur quite mind-boggling.

This quantum leap from Independent Bench being adjudicated non-supporters of the Opposition to being adjudged PNM supporters was baffling, perplexing, incomprehensible, incoherent, unintelligible. Obviously, it made me swallow a thesaurus. Could it be that the Opposition has conveniently forgotten the many times my colleagues and I have supported their well-thought-out amendments they have put forward at the committee stage of the Bill, even when strangely after amendments have all been agreed, they then either abstained or voted against the Bill. Did that mean they were withdrawing their proposals? Such actions have caused me to wonder if there might very well not be an interventionist role to be played by Sen. Dr. Deyalsingh. But then, research has revealed that their behaviour was not unusual or new.

As far back as 1841, Lord Darby had quoted Mr. Tierney in the House of Lords, thus:

“The duty of an opposition...”—is very simple—“...to oppose everything...”—propose nothing.

It could not have been lost on the Opposition, knowing our work as parliamentarians, that many times we have assiduously studied the Bill before us, painstakingly modified it, before we voted on the Bill. They must be aware we are under no Whip. We cannot and dare not be intimidated by anyone. The coordinator of the Independent Bench cannot persuade or influence us in any way and they

very well know that although we are appointed by Her Excellency, she gives us no instructions. She made it quite clear to us, we do not represent her or her views in this Parliament. So the allegations against Independent Senators were malicious assertions.

I have never joined a political party in my entire life. Over the years, especially in 1995—2020, I have been invited to join political parties. One invitation came with the enticement of a ministerial portfolio. I have always politely and steadfastly refused all entreaties. I value my independence. Where is the evidence that I am PNM? I try to assist wherever my civic duty is to be played. I recall spending one Saturday with Dhanraj Singh in his constituency in a forum to educate his constituents on children law. The next Saturday I was in Muriel Donawa-McDavidson's constituency in Laventille educating women on the laws affecting them. It was all voluntary labours of love and public service at the expense of my family time.

Opposition Senators, because we did not vote with them, they have cast negative reflections on our character and, in particular, our impartiality. I have taken pains to explain our role because I believe where there is life, there is hope. I do not subscribe to the view of Harold Mcmillian, whom Leon Harris quotes in his book, *The Fine Art of Political Wit*, thus:

“I have never found, in a long experience of politics, that criticism is ever inhibited by ignorance.”

Madam President, it is within the public domain that, we Independent Senators have been subjected to abuse, insults and conduct calculated to obstruct, intimidate or impede Members in discharge of their duty. Now, insults in Parliament it nothing new, eh. Even in the forerunner to our Parliament, the Legislative Council, insults were not unknown. In one of my very first debate in

2018, I quoted Darius Figuera who in his book, *Simbhoonath Capildeo: Lion of the Legislative Council Father of Hindu Nationalism in Trinidad and Tobago*, wrote that Capildeo had said of a member of the Council:

“...from the time member took his seat and...”—became—“part of—“the deliberations...”—he—“...forfeited the right to come here and talk about independence, and we have...been listening to hot air for most of the night.”

Some members open their mouth only to yawn.

As many right-thinking members of the society, locally, regionally and internationally, were appalled to hear—they were appalled to hear on that “Thunder Thursday” they heard people being shouted at, to see this Presiding Officer being shouted at, to see her rulings ignored, her character and integrity impugned. Again, I quote Adlai Stevenson who asked:

“Why is it that when political ammunition runs low, inevitably the rusty artillery of abuse is always wheeled into action?”

When the will of the Opposition is thwarted, should they throw civility out of the window? When others do not agree with the view of the Opposition to take a stance adverse to theirs, does that mean those with an alternative view are biased and dishonest? Is that a logical conclusion? Really?

A stranger walking into the Chamber on “Thunder Thursday” would have assumed we were at war. The tension in the dining room, before we went over to the Electoral College, was palpable. Little did we think we should have donned suits of armour. Was Mao Tse Tung right when he said:

“Politics is war without bloodshed while war is politics with bloodshed while war is politics with bloodshed.”—?

The verbal guns were trained on us Independence Senators with little space to dodge the threatening verbal bullets fired at us. The presence of security was

comforting. I felt if the Opposition could hold us, especially Sen. Seepersad that day, as calypsonian Duke sang, “It might have been thunder.”

Opposition Senators abandoned every modicum of decorum. They lost all reason and they threw barbs of poisoned insults at my colleagues and myself. We were all under attack. And to borrow words from another calypso of yesteryear, I thought at the end of the sitting, “Who were not dead, they badly wounded.” As I watched the display of lack of seemliness, the absence of decorum, a verse of W.S Gilbert’s “Iolanthe” came unwittingly to mind. I refused to believe though that it has any applicability to our situation in our beloved Republic of Trinidad and Tobago. I quote:

“When in that House M.P.’s divide,  
If they’ve a brain and cerebellum, too,  
They’ve to leave that brain outside,  
And vote as their leaders tell ’em to.”

What is achieved by the lack of decorum? A cursory reading of newspaper headlines and social media the next day, for many days following, showed clearly many members of the public did not, to put it mildly, appreciate this conduct which was unbecoming of a Member of Parliament.

It was unfortunate exposition of theatre of a well-rehearsed actors with a script written by an inept playwright, hoping to win the prize for drama but acted out by an amateur cast yet hoping to be reviewed as the alternative Government. When I participated, in the old days, in the Best Village Trophy Competition, Siparia village was the one to watch. I do not know who is in the leading path now. Veblen in his 1899—his book, *The Theory of the Leisure Class*, accurately described the reaction of the public to “Thunder Thursday” when he said:

“There are few things that so touch us with instinctive revulsion as a breach

of decorum...”

So, Senator, this is not about robust politics. This is about a breach of decorum and everything else that Sen. Vieira has said. Noble Phillip writing in the *Express* on October 31, 2021, under the headline, “The most unkindest cut of all” likened the events of October 21, 2021, the assault on our parliamentary institution to when Brutus inflicted the wound on Caesar which contributed to the ultimate destruction of Rome as a Republic. Is that what we want?

Vishnu Lalla in a letter to the *Express* on November 02, 2021, headlined:

“An attack on independent institutions”

—described the Opposition’s behaviour as:

“...an outrageous and shameful display...”

—which was:

“...now captured in our parliamentary records for posterity and history shall judge them accordingly.”

He wrote:

“While the Opposition speaks of democratic principles, its action demonstrate clear attempts to undermine our independent constitutional pillars.”

He continued:

“It seems as though its mission is to create discontent, chaos...anarchy by attacking not only its opponents but our independent institutions as well.”

Winston Dookeran, highly respected former Minister, in an article published in October 25, 2021, with a high headline:

““We are all losers””—stated:

“...I am sadden by what is happening at this time in the Parliament of the country. We need to restore the sense of integrity and dignity in our political

institution.”

On the date, in the *Newsday* this time, Ferdie Ferreira, an old political warhorse:

“...called on citizens...to defend and protect the country’s institutions and continue to demand the highest standards of self-discipline and integrity from those elected to lead.”

He described the events of October 21, 2021, as a:

“...parliamentary disaster...”

It is not a strengthening of our democracy.

The fact that parliamentarians in other parts of the world have behaved as badly or worse is no excuse. And their citizens too have equally been appalled at such bad behaviour. Reacting to similar concerns in Guyana, Marva Ramsay wrote in the *Starbroek News* in 2018:

“I am forced to write because I am deeply sadden by what I saw and heard take place in parliament. I saw a video. I am embarrassed for my country, if that video has gone worldwide.

I cannot believe that the Speaker of the House allowed those people to misbehave like that and not take any disciplinary action. I am also appalled that the Coalition is allowing the opposition to rule the country in a system of lawlessness from the opposition benches.

Is there no group that upholds moral standards? Is there no group that could demand from the Speaker that misbehaviour in parliament must be dealt with appropriately and swiftly to deter others from perpetuating lawlessness in the honourable house? I sincerely hope that the people of Guyana will hold any government to a higher standard of morality and decency. I am truly disappointed.”



And so are we in our Parliament.

The UK Parliament have been plagued with a myriad of problems, and solutions have ranged from the sublime to the ridiculous. A BBC News report of 11<sup>th</sup> of February, 2014, stated that:

“Commons Speaker John Bercow frequently deploys a range of techniques at PMQs, aiming to calm rowdy parliamentarians.

He recently rebuke Education Secretary Michael Gove, telling him: ‘You need to write out a thousand times, I will behave myself at Prime Minister’s Questions.’”

Well, you know—anyway, I would not give any—my view.

“‘The Speaker’s first responsibility is to maintain order but he cannot do so if MPs persist in wilfully misbehaving week after week’, the Hansard Society said in his latest report.

‘The Speaker needs to be empowered - with cross-party agreement - to take a tougher stands when members misbehave and thereby bring the House of Commons and Parliament into disrepute.’”

That is what is happening.

“‘...into disrepute.’”

Even this afternoon, ANI, which is the *South Asia’s Leading Multimedia News Agency* in a report on August 12—slammed the misbehaviour—of 2021—by Opposition Members as a:

“‘...shameful disgrace in Parliamentary History of India...’”

It reported that at a press conference a group of Ministers said:

“‘Deplorable actions by opposition Members...have become a norm. Their actions in this session was not an exception but a continuation.’”

That is what we have. We are seeing continuation of this behaviour.

“From tearing of the rule book last year to the opposition indulging in most unparliamentary conduct ever witnessed by this House, the conduct of opposition is becoming shameful day by day.”

Madam President, shortly after I entered Parliament, having received credible evidence, I spoke of parliamentarians having helped children. A few days later, on Commonwealth Day 2019, to be exact, after enjoying the performances of young talented citizens, I was accosted by an enraged Minister of Government within the precincts of this Parliament. He shouted at me and sought to intimidate me. He accused me of sullyng his character. “You spoke of MPs,” he thundered. “I am an MP so you spoke about me.” I was shocked and confused.

The Leader of the Opposition in the Senate, who retains that self-same role today, who had witnessed the incident, commiserated with me and said, the Minister was clearly wrong to have sought to interfere with my freedom of speech. He said that the Minister was out of place, should have known better. Would you believe it? I thank the Opposition Senator for his support. The Leader of the Opposition Senator was mindful then that he had witnessed unparliamentary conduct by the Minister who had assaulted me in an attempt to obstruct, impede, influence or interfere with me as an Independent Senator in the performance of my duties. The Opposition Leader reassured me of my freedom of speech in Parliament.

I appreciated his support, especially as a few minutes after I had been sworn into office, he had announced that he had known me for many “yearrrs” and I was his friend, uncharitably I must confess. I had responded by paraphrasing Sparrow in his calypso, “Princess and the Cameraman” thus:

If I wasn’t there in Parliament and hear with “meh” ears and somebody had told me I was his friend, I would have said “dey” lie.

He told me after the sitting he was hurt that I had denounced him. You see, despite his thunderous voice, the Leader of the Opposition, Senators, is a soft man, he is a gentleman and he forgave me. He has assisted me in understanding the workings of Parliament. When I could not fathom the rationale for some of the Standing Orders he invoked on occasion, I heard him explain as a former Presiding Officer he was well aware it was detrimental to health to sit for long periods. So his motivation was his concern for the health of the Presiding Officer as she had to rise to deliver her rulings. He was therefore providing her with opportunity for exercise. That is a good man.

Madam President, on the first day of this debate, I heard Erksine May *Parliamentary Practice* being quoted selectively by two Opposition Senators. They purported to quote from Erskine May *Parliamentary Practice*, 24<sup>th</sup> Edition, page 222, under the rubric “Freedom of Speech in Debate” and said:

“...a Member may state whatever he thinks fit in debate, however offensive it may be to feelings, or injurious to the character, of individuals; and he is protected by parliamentary privilege from any action of deformation, as well from any other question or molestation.”

One of them glossed over and the other totally ignored the important phrase which precedes the particular quote and which qualifies the right of freedom of speech. It says:

“Subject to the rules of order in debate (see Chapter 22)...”

When you go to Chapter 22 of Mays—and I have “meh” copy there in “meh” bag—Erksine May *Parliamentary Practice*, this phrase limits or governs the operation of the principle of freedom of speech and it points to the Standing Orders with regard to the conduct in the Parliament. So in omitting those words, they, to put it mildly, gave a false impression that the rule about freedom of speech

and freedom of the conscience which is guaranteed in the Constitution, it was a clear and frontal attack on the freedom of speech he said. As an experienced politician, he knows that freedom of speech, Sen. Mark, is not absolute, not even in the Constitution.

Now, let us look at the Constitution, section 55(1). It says:

“Subject to the provisions of this Constitution and to the rules and standing orders...”—regarding—“the procedure of the Senate and House of Representatives, there shall be freedom of speech in the Senate and House of Representatives.”

So you must always look to see what those Standing Orders say. And I crave your indulgence to quote from the text:

“In the past, Members”—again—“were frequently called to account and punished by the House for...words spoken before the House. Some have been admonished, others imprisoned, and in the Commons some have been expelled. The unquestionably right of the Lords who commit a peer for words spoken in the House was recognized but the Court of King’s Bench in *Lords Shaftesbury’s case*. In modern practice in the Commons, however, the disciplinary powers of privilege are not normally resorted to. It is more common for offensive words to be dealt with by the exercise of the summary powers conferred on the chair by Standing Orders Nos. 42, 43, and 44...”

What are these summary powers? Our equivalent provisions are Standing Orders 52, 53 and in the House, you have 54 and 55. And these Orders require that Members conduct themselves in a fit and proper manner. They specify that the President of the Senate has responsibility for order in the Senate. They outline the nature of the conduct that may be considered improper or grossly disorderly conduct and the nature of the sanction that may be imposed, including an Order to

withdraw from the session for the remainder of the day's sitting—did you not see that today?—suspension for seven days for a first time offence in a session—we have not seen that yet—for 30 days for a second time offence in a session and on any subsequent occasion within the same session for a specified period or time or for the remainder of the session.

The Member's personal remuneration ceases during the period of the suspension. They could be hitting their pockets. If a Member who was ordered to withdraw refuses to obey the President, she has the authority to have him forcibly removed. Remember in last Parliament? This other one who always used to lose his cool, we had to take him out sometime. Order 53(4) defines:

“Conduct...”—that can—“be deemed...grossly disorderly...”—thus it includes conduct—“during proceedings...”—when the Member:

- (a) creates actual disorder;
- (c) acts in a manner that displays flagrant disobedience to rulings of the Chair; or
- (d) where the Member acts in any other way to the serious detriment of the dignity or orderly procedure of the...”—House.

Madam President, Opposition Senators stand accused by Sen. Vieira that on “Thunder Thursday” they engaged in gross disorder. Having examined the evidence and heard their poor defence my verdict is:

- Failure to uphold the dignity of Parliament by disregarding its rules, guilty.
- Failure—using unparliamentary language, guilty.
- Disobeying and ignoring the authority of the Presiding Officer, guilty.
- Engaging in conduct calculated to obstruct, intimidate or impede Members in discharge of their duties, guilty.

- Making abusive and malicious assertions against Independent Senators, guilty.
- Imputing false and improper motive and casting negative reflections on the character and impartiality of Independent Senators during the proceedings of Electoral College and in the media, guilty, guilty, guilty.

The actions of the imposition of the Opposition may be considered contempt—

**Madam President:** Senator, you have five more minutes.

**Sen. H. Thompson-Ahye:** “Oh my God”.

**Hon. Senators:** [*Laughter*]

**Sen. H. Thompson-Ahye:** The offences were committed in the place of the Electoral College with the hon. Speaker presiding and fully imbued with all the powers and authority to do what was necessary in the circumstances summarily or otherwise. It would seem a tactical decision was made not to risk aborting the proceedings by ordering Opposition Members to withdraw, suspending them or citing them for contempt but to have the tempestuous proceedings continue and the vote taken which is what occurred.

Section 28 of the Constitution establishes an Electoral College as:

“...a unicameral body consisting of all members of the Senate and all members of the House of Representatives assembled together.”

**3.30 p.m.**

It provides for the Speaker to preside as Chairman over the proceedings and for the Electoral College to regulate its own procedure, but no regulations have been made to guide members of the Electoral College. In the absence of procedural guidelines, the Speaker and her able parliamentary staff that work long hours every

day conducted the required research and prepared guidelines for conduct of the proceedings. The Opposition, on the other hand, strategized along the road to mayhem instead of doing what law students do: looking at the facts, identifying the issues at hand, searching for relevant legal authorities, applying them to the facts and arriving at a conclusion. Thus, they were caught flat-footed and understandably angry. Their anger I can understand but their disrespect and abuse, I cannot condone. Going forward, I would recommend that regulations be formulated for proceedings in the Electoral College.

Now, I have heard in this House that people are qualified to speak about the privileges and Constitution because of a distinguished pedigree in law and I have taught law students for 27 years and unfortunately, I know I cannot support or saw no evidence of learning law by osmosis I am afraid.

So when I condemn in the strongest terms, the reprehensible conduct of the Opposition Senators, I do not join in Sen. Vieira's call for censure of their unparliamentary conduct. It is my considered view that even in the absence of detailed regulations, it was within the province of the Presiding Officer to deal with disorderly behaviour. The standard of behaviour required under the Standing Orders in the Senate and the House of Representatives cannot be different from when they meet together in the Electoral College. Further, I do not consider that there is any deficiency whatsoever either in the Standing Orders or in parliamentarians' knowledge of ethical conduct. They know what to do, they know what the rules are. There is a deficiency however in enforcement. I do not think therefore that this code of ethical conduct is necessary.

Having said all of this, I thank you for the opportunity and I hope that "Thunder Thursday" will never ever be repeated in this Parliament of Trinidad and Tobago. I thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Minister of Foreign and Caricom Affairs.

**The Minister of Foreign and Caricom Affairs (Sen. The Hon. Dr. Amery Browne):** Madam President of the Senate, I appreciate this opportunity to contribute on a motion brought by Independent Senator Anthony Vieira. Madam President, in life as in politics, we are defined not just by the differences we have amongst each other but by the manner in which we seek to prosecute and resolve those differences. We are defined not just by the differences we might have across the aisle but by the manner in which we seek to prosecute and resolve those differences.

It is my humble view that those who have something good to offer this beautiful twin-island Republic will be characterized by respect, by the respect for the rule of law, by regard for the rules of this Chamber, by courtesy and by the ability to listen even if you do not agree. On the flip side, Madam President, those who have nothing good to offer this nation will be characterized by disrespect, disregard, discourtesy, a propensity for shouting down others, mockery instead of engagement, abuse instead of tolerance, lack of discipline day after day, sitting after sitting.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** Who do those descriptives describe, Madam President? The actions outlined in Sen. Vieira's Motion committed by UNC Members of the Electoral College, in any right-thinking citizen reading the descriptives or any impartial observers, those actions should trigger, not revolution, as is Sen. Mark's favourite phrase, not revolution but revulsion. Those descriptives should trigger revulsion, Madam President, and today, I sat here in the Senate and I heard my colleague across the aisle, Sen. John pleading not guilty based on what?



Freedom of speech. Pleading not guilty based on freedom of speech. And I wanted to ask Sen. John, you must have freedom inside of here but the Independent Senators must not have freedom to vote unfettered and unabused?

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** What is that? What kind of standard is that? I want to go a little further, Madam President, and I want to go on the record today to thank the Independent Senators, all of them, for their service to the Republic of Trinidad and Tobago.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** I have taken careful note, many of them have been victims of assumptions, victims of assumptions and presumptions and we are very good at that sometimes in this country. We make assumptions based on your physical appearance. Yes, Senators? We make assumptions based on your physical appearance, Madam President, based on your ethnicity or apparent ethnicity. We make assumptions based on a decision you may have made, a phrase you may have used, someone you agreed with or disagreed with. We make all sorts of assumptions and sometimes it comes down to assuming which side the Independent Senators are on and many have been guilty of making those types of assumptions.

So, I want to thank them for their service and sometimes they might find themselves the unwitting victims of a wider, wilder political blood sport when desperate figures may go hunting for the head of the President of the Republic. Will not dwell on that too much. They may be unwitting victims of that kind of hunting that might take place. And they have to file with the Integrity Commission. The media and the public often misunderstand their roles. I have taken careful note. Their salaries are relatively small as has been reflected and they have very

few perks. One of the perks, the vehicle concession was attacked in the most ridiculous manner by another Member of the Senate, a Member of the Opposition Bench, in what I will always refer to as one of the most gargantuan examples of political hypocrisy that I have ever heard. So I want to thank them.

In the history of our Parliament, we have had 87 Independent Senators to serve this country since 1961 and the Opposition has come into this Red House and tried to dictate how this current batch would vote on matters in this Parliament. And, Madam President, I do not really want to go through the entire *Hansard* record but several of the preceding speakers have not and I just want to reflect for the public's awareness what transpired on Thursday 21<sup>st</sup> of October and I would just be very brief in my sequence because on the record, on the *Hansard* record, I see Madam Clerk, a member of staff paid by our taxpayers conducting a vote and I see her call the name, as it is the proper order, of a Member of the Independent Bench, Mr. Teemal. His name was called, Madam President. He responded properly by the way of vote. He has a choice. He made his choice, he voted "No". That is on the *Hansard* record. And then I see on the *Hansard* another name, whose name not called by the staff, Mr. Roberts:

"...yuh jess like dem'—[*Inaudible*—PNM."

This is not during the course of a debate, Madam President, this is during the course of a vote and in a democracy, we take voting a lot more seriously than that. Voting is sacred, voting is respected, it is deemed to be practised unfettered, free from fear. I am reading something very different here and to hear of the Member speaking before me, Sen. John trying to plead not guilty based on freedom of speech.

Sen. Roberts interjects:

"...yuh jess like dem'...PNM"

—to Sen. Teemal. Imagine that. Imagine that. Incredible. And then to go on, Madam President, the Madam Clerk calls the next Independent Senator on the row, Mrs. Thompson-Ahye. Mrs. Thompson-Ahye votes, according to the record, “No”.

“**Hon. Members:** [*Continuous shouting*]”

Not one you know, all of them shouting over the vote of an Independent Senator in the people’s Parliament. Shouting:

“...Shame! Shame!”

Mr. Roberts again, laughing:

“She should go up fuh Port of Spain South.”

She should go up for Port of Spain South. Dr. Dillon-Remy called by a tax-paid Clerk:

“...Dr. Dillon-Remy.”

She also votes, Dr. Dillon-Remy votes. Sen. John, Sen. John, surprising to me, I must confess, interjects:

“...PNM.”

The Clerk says:

“Mr. Welch.”

Mr. Welch votes “No”. Continuous shouting by the Members of the UNC Bench. Sen. Roberts, who is not here for reasons of indiscipline, interjects:

“Singing fuh yuh supper. Dis country sweet too much...Sing fuh yuh supper.”

And Sen. Nahkid then interjects and all the *Hansard* was able to record when he spoke “[*Inaudible*]”. Not surprising in that regard, “[*Inaudible*]”. It was not something good I could tell you, Madam President, because I was there along with my colleagues sitting silently and respecting the democracy and its conduct in this Chamber. Silently. Something inaudible.

So, Madam President, I want to thank these Independent Senators. On October 21<sup>st</sup> on the record, they were abused, bullied, attacked, savaged, berated, denigrated and the most audacious assumptions and presumptions were levelled against them by a full double bench of desperate, disrespectful, intemperate, out—let me be careful, Members. Intemperate Members. And what could they have done to avoid that abuse? I want to ask that question. What could they have done to avoid that abusive treatment? Only one thing. Side with the abusers and that is the definition of thuggery, Madam President. That is the very definition of thuggery.

And this occurred in their workplace and we need to take these things more seriously. This is the workplace of these Independent Senators as it is ours. They enter into their workplace and they are treated with hostility and abuse. And the staff of the Parliament, Madam President, sometimes, I feel sorry for them because this is their workplace too and when you have that kind of toxicity being released sitting after sitting, culminating in this travesty on October 21<sup>st</sup>, we are poisoning their work environment as well and I apologize to them on behalf of the Members of the UNC Bench of this Senate.

Madam President, what could they have done to avoid this abuse? We need to start calling a spade a spade and I want to agree with my colleague, the Minister of Tourism who very diplomatically called out Sen. Richards for his attempt to be balanced at the wrong time and on the wrong matter and saying to effect “Well both ah them does do the same thing”. That does not apply in this debate, Madam President—

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:**—only one side conducted themselves in this manner. Only one side. Madam President, if anyone in this country wants to find

an example of dictatorial behaviour and thuggery, I invite them to read the *Hansard* record of Thursday, October 21<sup>st</sup>.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** Traditionally, it was very easy when I was growing up to tell the difference between the Upper House and the Lower House. It was very easy to distinguish between the Senate and the House of Representatives. Easy. Here, a higher standard of professionalism, a higher standard of decorum, higher level of language, comportment, senatorial, distinguished, learned, elevated, respectful. Respectful. And by her selection and lack of leadership, one person has changed all of that. I will not name the person. One person has changed all of that. You see some empty chairs on the other side, you see two occupied chairs. One person has changed that and has tried to bring the Upper House below the level of Lower House in this country.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** Strong words but this is my respectful view of what has been happening in this country.

Madam President, the UNC has argued that when the Independents vote with the Government, it means that they are PNM. But this is the same Opposition that refused to support legislation that prohibits child marriage in this country. This is the same Opposition that refused to support legislation that prohibits child marriage, the marriage of little children in this country. What should the Independent Senators have done in that debate? I ask the question. I await an answer from those on the other side. And a lesson to them and to any primary school child listening to this debate, it is not reasonable to assume that one or more Independent Senators would support all matters brought by the Government or that they would support all matters brought by the Opposition. It is just not reasonable

to assume that.

And I want to turn my attention just a little further to Sen. John because she did speak before me. Sen. John tried to speak about the First Peoples of our land and I was shocked by her decision to do so. She said that we are all standing on the shoulders of the First Peoples and she referred to the bones found under the Red House. We are standing on their shoulders. Madam President, the audacity, the audacity of Sen. John because for her information, the First Peoples of this land and this region were highly respectful of their environment. They were highly reverent of—they revered the elements around them. They understood the concept of time and place and they knew what was sacred and what was not. They knew what was appropriate and what was not. So to try to use them, the First Peoples, to justify the disgraceful behaviour that is on the record of this Chamber is unacceptable and I reject it.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** And then Sen. John went to ANR Robinson, a most dignified and distinguished statesman who graced this building on many occasions and was head of State and head of Government and abused his words “Attack with full force”. Yes, he said “Attack with full force”. She tried to use that as a rallying call for the UNC to denigrate Members of the Independent Bench. Could you imagine? Attack with full force. Sen. John, what President Robinson was rallying was a defence against thuggery on that day. A defence of democracy, a defence of this Parliament, a defence of our Constitution against thugs and rogues, not a rallying call in itself for thuggery. Please.

And her decision to bring him into this debate reminded me, Madam President, of the 1988 US vice-presidential debate when a famous—let me say famous, a US Senator by the name of Dan Quayle started making a contrived

reference to JFK and his opponent said “Stop right there, Sen. Quayle. Stop right there, Sen. Quayle. You are talking about JFK but let me tell you, you are no Jack Kennedy.” And I want to tell Sen. John and every Member of this Opposition Senate Bench, you are no ANR Robinson, please leave him out of any attempt to defend the behaviour that we are discussing here today. I was offended.

Madam President, in the entire history of the PNM in the Red House, Upper and Lower House, you will never have seen the type of conduct that we saw on October 21<sup>st</sup> directed against Independent Senators as a whole. We have heard hundreds of votes on all sorts of matters. The Electoral College, that was not the first time the Electoral College met. The Electoral College met in 1976, the 29<sup>th</sup> of December; it met on the 28<sup>th</sup> of December, 1981; the 16<sup>th</sup> of February, 1987; the 18<sup>th</sup> of February, 1992; the 14<sup>th</sup> of February, 1997; the 14<sup>th</sup> of February, 2003. It also met once in 2008, in 2013 on the 19<sup>th</sup> of January, 2018; and then on the 21<sup>st</sup> of October, 2021. I count 10 times, 10 times the Electoral College was gathered and summoned to respond on behalf of our democracy and we never saw anything close to the conduct that we saw on this last occasion.

In a thousand years, you will never see PNM Senators shouting down as a collective and intimidating Independent Senators during their vote. You will never see that. This conduct was unprecedented, it has never happened before and I pray to God that maybe due to the contribution of Sen. Vieira and his courage in bringing this Motion, I pray to God it will never happen again. Madam President, but it has to be dealt with, it has to be dealt with. There must be a reckoning. There must be a taking into account because the same characters may be present, the same desperate political environment may be at play, the same Head of State is in office, this must never happen again.

Madam President, I disagree with many of the things Independent Senators

have said on the record, fundamentally. But Sen. Vieira knows I take umbrage sometimes when he comes with his Ivermectin narrative, he knows that, it is no secret. I have stood up here and attempted to rebut some of the things that he has said and he may have rebutted some of the positions that I have held on that important matter. We disagree, we disagree. We fundamentally disagree but that is a good thing. That is why we are here. If we all had the same position, we would need no Parliament, Sen. Lyder. There would be no need for the Parliament. It is not just the fact that we agree or disagree, it is how we conduct ourselves in our disagreement.

I disagree with many of the things that the Independent Senators have said and I am sure, I am certain, that they disagree with me on many occasions, but, Madam President, I would never take God out of my thoughts and behave the way that all of these UNC Senators behaved on the 21<sup>st</sup> of October, never; and I speak on behalf of my colleagues as well in saying so. I disagree with them many times, the Independent Senators but I will defend their right to be wrong. In my opinion, they may be wrong, I will defend their right to be wrong because that is what our Constitution demands. I may strongly disagree, I will never disrespect, Madam President.

I will never go out there on social media as I see being done and conduct myself in the most obscene, disgraceful, denigrating manner, not once but over and over and over again and even some of the newer ones who have come in here, obscene and disgusting behaviour. What is the example for our children? What is the example for the next generation? What is the example for our own children when we behave like that? And this is not in our house, this is not on the street, this is here. This is here where there are rules, where there is a Presiding Officer, on the record, recorded for all time. Disgraceful.



Madam President, it is a basic tenet of civilization that you would not prevail on a matter of principle if you choose an approach that is unprincipled. You will not prevail on a matter of principle if you choose an approach that is in itself unprincipled. I would not read the *Hansard* again but what that describes to me, what that outlines to me is an approach that is fundamentally unprincipled.

What are they saying to us? The end justifies the means. They are defending democracy in their distorted view so they can use undemocratic means to do so. What is the difference between that and what happened in 1990? Tell me because that is the same logic. Maybe at a different caliber, I would agree, I would concede but, oh, we are defending democracy so we are entitled to use any means we wish, the most undemocratic means. They are bringing back order to this country. And how are they doing so? Their main tool is the tool of disorder. You cannot create order by disorder. This philosophy is reminiscent of, I said 1990 when lives were lost, we are talking about defending democracy—

**Madam President:** Minister, you have five more minutes.

**Sen. The Hon. Dr. A. Browne:** Thank you, Madam President. So I have another message to Members opposite on the UNC Bench. They are not doing the membership of the United National Congress any good service in this conduct. They are doing them a disservice because people look at the parliamentary channel. Youth parliamentarians look at us and try to emulate us. Oh my God. Youth parliamentarians look at us and try to emulate us. School children study us. They do. They do social studies, they do ethics, they study us and they will study what happened on the 21<sup>st</sup> of October. The conduct of Opposition Senators was far below, far below any minimum standard. I dare say Basdeo Panday would never have tolerated that conduct. “I saying it big”, Basdeo Panday would never have tolerated that conduct.

**Hon. Senators:** [*Desk thumping*]

**4.00 p.m.**

[MR. VICE-PRESIDENT *in the Chair*]

**Sen. The Hon. Dr. A. Browne:** And a president picked Manning over him. A president picked Manning over him, and yet he never condoned or tolerated anything akin to what we saw on the 21<sup>st</sup> of October.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. Dr. A. Browne:** He and his Senators never stooped so low. Because when you impede the Independent Senators in the conduct of their duties, you are attacking our Constitution, you are attacking our democracy, you are attacking our independence. So the message, Mr. Vice-President, to them, think over your strategy, as desperate as you may feel sometimes, we have all been there on the Opposition side, think over your strategy. You are attacking all that stands between us and the jungle. There must be a better way. Sen. Mark, there must be a better way than that.

In conclusion, Mr. Vice-President, I hope some UNC Senator has the backbone to swim against the tide and apologize for their offensive collective conduct on the 21<sup>st</sup> of October. There must be a better way to oppose. And if this UNC cannot find it, I hope and pray for the sake of Trinidad and Tobago that the next UNC can. Mr. Vice-President, I thank you.

**Hon. Senators:** [*Desk thumping*]

**Sen. Taylor De Souza:** Mr. Vice-President, I want to, once again, thank you for allowing me the opportunity to address this august body. And Mr. Vice-President, may I take this opportunity to once again express my deepest appreciation to the Leader of the Opposition, Kamla Persad-Bissessar for the opportunity to serve in this honourable Senate.

Mr. Vice-President, I have been carefully looking at this matter since the 21<sup>st</sup> of October, 2021. But what worries me the most is the fact that an Independent Senator, Sen. Anthony Vieira, would go as far to claim that two sitting judges from the Court of Appeal contacted him through WhatsApp messages.

I listened to the Minister of Tourism when he spoke about my colleagues' need for a book on how to deal with matters in this House, but he has not spoken about the fact that the hon. Senator chose to drag two judges from the Court of Appeal and members of the local embassies of Trinidad and Tobago. I have not heard "none" of the Members on the PNM side or "none" of the Independent Members talk about that, and that is a serious, serious offence.

**Hon. Senators:** [*Desk thumping*]

**Sen. T. De Souza:** Mr. Vice-President, I want to quote from the *Hansard* contributions by Sen. Vieira on page 20 when he said:

"...classic abuse, classic bullying behaviour and blind to the gap between espoused values and their actions."

He went on to say two judges from the Court of Appeal have sent him WhatsApps critical of Sen. Lutchmedial's rudeness. Mr. Vice-President, what I am about to say I cast no aspersions whatsoever on our judges and our Judiciary. Somebody in this Chamber "have" already done that, and that statement made by Sen. Vieira, concerning two Court of Appeal Judges, I find extremely worrisome. I think this raises serious questions on our Judiciary. Also, thus far, the Chief Justice has made no comments—

**Sen. Mitchell:** Mr. Vice-President, on a point of order please, and it is an important one, 46(8). Thank you.

**Mr. Vice-President:** So, Sen. De Souza, as much as you are responding to something that was said by Sen. Vieira, the line that you are going down would be

in breach of the Standing Order raised, because we do not speak to actions by the Judiciary in this Chamber. Understood?

**Sen. T. De Souza:** Yes, Sir.

**Mr. Vice-President:** So I will caution you at this point to not go down that road that you are about to go down, in relation to individuals in the Judiciary. Continue.

**Sen. T. De Souza:** I am guided by that. But you must understand Sir, that this really does bring this entire country and the Judiciary too into disrepute. And so, if we just leave these things to not be answered, it will leave a very dangerous scar on the minds of the ordinary citizens and as to the independence and impartiality of our Judiciary. If these claims by Sen. Vieira are remotely true and I were to appear before the Court of Appeal Judges, would I get a fair trial?

**Mr. Vice-President:** So, no. Sen. De Souza, this is exactly what I am trying to caution against. So let me explain again. That line where you are questioning the members of the Judiciary is not allowed under Standing Order 46(8) in this Chamber. So any points that you have in relation to that, you are not going to be allowed to raise them. If you have any other points, I would invite you now to move on to those.

**Sen. T. De Souza:** All right. Well, I do have a few other points I want to say. I think that, in light of this Motion brought by Sen. Vieira against members of the United National Congress, I think that it should be considered that it is wrong for him to assume one thing, but it is right for the others to assume another. And I think that we have a right to determine matters that are impartial to us and to the law. Of course, they are also expected, as Members of the Independent Senate, to also hear what the United National Congress is saying, and I understand all of that. But when I listened to both Members of the Government side, the hon. Minister of Tourism and Dr. Amery Browne, when I listened to them, I listened to them as if

we have been the only Government to do all the wrong and that they are not one to throw words and throw stones.

I listened to the hon. Minister of Tourism say that a book should be drawn up to teach Sen. Roberts and us how to act in this honourable Senate. But what about a book drawn up for other Members on the other side to learn how to treat their wives and their children?

**Hon. Senator:** Wow.

**Mr. Vice-President:** Senator, that is not allowed. I would ask you to retract that statement and apologize.

**Sen. T. De Souza:** I will do so, Mr. Vice-President.

**Mr. Vice-President:** You need to say the words, Sen. De Souza, “I retract and I apologize”.

**Sen. T. De Souza:** I retract and I apologize.

**Mr. Vice-President:** Thank you.

**Sen. T. De Souza:** But I will still say—

**Hon. Senators:** [*Crosstalk*]

**Mr. Vice-President:** Okay. Members, Members. Sen. Mark and other Members, let us not get ahead of ourselves. Sen. De Souza.

**Sen. T. De Souza:** Yes.

**Mr. Vice-President:** Continue as cautioned.

**Sen. T. De Souza:** I want to then say that this matter where Sen. Vieira spoke about justice, and so forth, I want to say that we in the United National Congress feel strongly about it. As you know, Mrs. Persad-Bissessar has penned a letter to the Chief Justice about it, and we really feel strongly about this entire matter. And so, where I am not allowed to quote on what I wrote about, and what I feel is very important to safeguard our independence, our Judiciary and the rights we have, I

still say that Sen. Vieira, his actions as an Independent Senator, should be that of an Independent Senator.

And so while I agree with what some of you are saying, I disagree with the fact that we should not have a right to give our Republican Constitution, which gives every Member of Parliament the fundamental right of freedom of thought and of expression, as well as freedom of speech enshrined in section 55(1) of our Constitution. And I want to remind this honourable Senate, in particular Sen. Vieira, through you Sir, that Parliament is not a picnic or a party but a forum for expressing our highest manifestation of genuine democracy of the people, by the people and for the people.

And in closing, I wish to join my colleagues on the Opposition Bench in completely rejecting Sen. Vieira's Motion, which we all view as frivolous. Thank you, Mr. Vice-President.

**Hon. Senators:** [*Desk thumping*]

**Sen. Dr. Maria Dillon-Remy:** Mr. Vice-President, I do thank you for the privilege of being able to participate in what I consider a very important debate; the Motion being brought by Sen. Vieira.

Mr. Vice-President, as I was considering how I should contribute to this debate, I had three options in my mind: one, should I add fuel to the fire to emphasize how just disturbing I found the proceedings of the Electoral College of October 21, 2021? Do I throw water to put out the flames, or should I do my part in using this crisis as an opportunity to build and create something better for our Senate and our Parliament? Mr. Vice-President, I seek to take the third option.

We are all aware of the proceedings of the Electoral College of October 21, 2021, which led to this Motion being presented. Four months have passed since that fateful day, and by now I think most of us would have had time to reflect on

the events. So this debate coming four months after, now hearing people's positions, I am thinking that we are in trouble, Mr. Vice-President. Because it seems as though nothing has changed since that fateful day of October 21, 2021. The positions seem to be the same.

I had time to rewatch the proceedings, via the Parliament's YouTube channel, just to see if there was still merit in the Motion. You know, as time has passed, whether what happened on that day will still have the same effect on me? And Mr. Vice-President, I am saddened to say that the event still bothered me greatly and this is why I am saying that today, what I will seek to do is to bring to this debate: How can we build from this?

Many persons who have spoken before have spoken about what the *Hansard* of the Electoral College contained, so I would not go over those areas again. But I would just say that as a citizen, seeking only to serve my country, it was indeed a distressing situation to experience and one that I know could deter other well-intentioned citizens seeking to contribute to our nation's development.

The Motion before this Senate is not frivolous. When I looked at the House of Representatives (Powers and Privileges) Act, Chap. 2:02, the section 10(b) which says:

“Any person who—

- (b) assaults, obstructs, molests or insults any member coming to, being within, or going from the precincts of the House, or endeavours to compel any member by force, insult or menace to declare himself in favour of or against any proposition or matter pending or expected to be brought before the House or any committee;”

And that is what 10(b) says. And further down it says:

“is liable...”

—to. There is a summary conviction, et cetera.

Mr. Vice-President, during the meeting of the Electoral College, I am of the view that the behaviour of the Opposition Senators sought to insult Independent Members of the Senate, to declare him or herself, that is ourselves, in favour of the matter that was before the College at the time, and that is to vote in favour of what the Opposition had brought before the Electoral College.

This Motion calls for this Senate to censure Members for their behaviour. And Sen. Vieira was clear that what he is asking for is censure. I note in Sen. Mark's contribution to the Senate on November 23<sup>rd</sup>, and again Sen. Jearlean John's comment that this is a matter of freedom of speech and freedom expression. In other words, they are implying that while they have the privilege to speak as they desire, and it is called freedom of expression, when a Senator votes the way they think they should vote, it is considered by them as not in keeping with what they want and therefore we are not independent. It does not make sense, Mr. Vice-President. It was said then, what happened on the 21<sup>st</sup>, what happened in the debate on November 23<sup>rd</sup>, when we first started this debate, that it was a freedom of expression. It is being said again now. So in other words, nothing has changed. The four months have passed and there is no reflection that gives any other view other than that. It was freedom of expression. Well, if it is freedom of expression, all of us have freedom of expression, and therefore you cannot blame me or anybody else for voting the way I do or the way the Independent Senators did. It does not make sense. It cannot be good for one and bad for the other.

Mr. Vice-President, many viewpoints have been expressed since that fateful day. And I would quote from the perspective of Mickela Panday, the Patriotic Front leader and daughter of the UNC founder and former Prime Minister, Basdeo Panday. She posted on Twitter and said on October 21, 2021, and I quote:



Maybe there should be an entry level exam on the roles and responsibilities of parliamentarians, parliamentary procedure and the Standing Orders. It might raise the standard in our Parliament. Our Parliament has been reduced to a fish market, with Members jostling for five minutes of infamy. Is this the example our representatives want to set for the youth looking on?

Sen. Thompson--Ahye has already referenced the *Newsday* article with the PNM member, Ferdie Ferreira.

Former Speaker of the House of Representatives Barendra Sinanan, commented on the lack of respect shown towards the Speaker of the House. And he told the *Newsday* on October 13, 2021:

The MP should show dignity and respect the Chair.

He added that:

One has to behave in a manner that does not bring the House into disrepute.

So, you have to behave in a dignified manner. The manner that he was talking about is the manner that the Senators are indicating was right and proper for the House, their behaviour in the House. It was not seen by others and it was not seen. I do not think it was right and proper behaviour.

Mr. Vice-President, it goes without saying that the proceedings left much to be desired. And this ushers in my plea to us as leaders, a plea that has been overstated by myself to the extent that I am nothing short of a broken record. Nevertheless, I will continue to champion the cause for change until change comes. I want to be clear. I welcome colleagues expressing their perspective and debating their views passionately. But as the old people say, there is a way to do things. I am also very clear that since coming to this Chamber I have enjoyed some very passionate and excellent contributions by Members from all Benches. Mr. Vice-

President, I also wish to stress that I have no malice, prejudice, against any Member of the Opposition. In fact, one such Senator was my son's coach and I have great respect for him. My problem is not with passion or freedom to express views; it is with the name-calling, imputing improper motives, et cetera.

And, Mr. Vice-President, I would agree with Sen. Richards, that it is not only from the Opposition side. We have had incidents where the Government Ministers or Senators have called Opposition Members by names. And though that is not the issue that we are discussing here, these things do not happen overnight. What happened on October 21<sup>st</sup> is not something that just popped up on a day. It happened because of things that would have happened before, and my understanding is that on both sides we need to change our behaviour. I have heard Government Ministers or Senators call Opposition Members "stupid", "little boy". In those cases, Mr. Vice-President, usually it is not said loud enough for the Chair to hear, but we hear it, and it usually results in activities that are just unacceptable.

I know, as we have heard today from the Opposition Bench, they have said this is politics, this is the cut and thrust of politics. And we have heard that when you look at other Parliaments you see how people behave. The implication here is that because there are Parliaments that behave, what people would say is worse than ours, we should accept it. Mr. Vice-President, Opposition Senators, it is not acceptable behaviour. And when something is wrong, it is wrong. You cannot expect to be calling on other people for good behaviour and your behaviour is not good. So I am suggesting that good behaviour is good behaviour, regardless of who is doing it, and that is what we should be seeking to—a standard of conduct. We should be seeking to conduct ourselves as Members of the Senate. We are saying, I am saying, that October 21<sup>st</sup> happened and we must do something about it. And I do commend Sen. Vieira for bringing this Motion to the House, because something

needs to be done and it needs to be done now.

Mr. Vice-President, the principle in leadership states people do what people see. If our leaders use words as weapons to disrespect and tear down fellow human beings, should we really be surprised when other members of society use whatever weapons they have at their disposal to do the same?

I am in full agreement with the sentiments expressed in the article by Ria Taitt. It was referenced before by Sen. John. But there is another part that I want to bring out in that article, and it was of November 04<sup>th</sup>, entitled:

“Vieira calls for code of conduct”

And the quote is:

“...if Members of Parliament are allowed to flout accepted standards of behaviour, it could send the wrong signal to members of the public who may also engage in that kind of conduct.”

It then begs the question: What kind of Trinidad and Tobago are we creating, and what lessons we are sending about leadership? In Sen. Richards contribution on November 23<sup>rd</sup>, he did intimate that he considered that it was an issue of leadership, and I do agree with Sen. Richards position.

Sen. Mitchell and also Sen. Browne indicated that this has nothing to do with leadership, specifically it has to do with, in other words not general leadership, it has to do with only the leadership of the UNC. I am not of that view. This is not something that is on one side. I am absolutely sure that what we are seeing here is as a result of what is happening generally in our society, and we have to use this opportunity to bring change rather than just looking at one side and saying that you are the ones who have to change. Sen. Richards talked about leadership and I add that good leadership can be cultivated through good values and that it is through these values we can foster ethical human behaviour.

Mr. Vice-President, in my budget contribution on October 26, 2020, I talked about leadership saying, and I quote:

“...everything rises and falls on leadership. So for us to move across the Red Sea”—and indeed we have a big red sea—“in front of us right now, we need leadership development...we need to develop leaders who are purpose-driven, principle-centred and values-based. What do I mean by this? Leaders that understand their purpose is to serve people”—and they must—“operate on principles such as fairness and justice, and...operate by values that are agreed upon by”—us in—“Trinidad and Tobago.”

And I ended that quote by saying: Madam President, I am suggesting that we need to live by some of these defined values.

Former CEO of Hewlett Packard, businesswoman and politician, Carly Fiorina, once said that some people want things to remain the same because chaos profits. But remember that as leaders we are supposed to make things better for all people. And this is what we are seeking to do here today, to improve the way we lead as parliamentarians, to put aside our own agenda and focus our attention on the agenda of the nation and on our people. This means that there must be internal transformation that leads to external evidence. Mr. Vice-President, we are all human and I do acknowledge that err at times. We are all prone to error and we have made, many of us have made our fair share of mistakes. But Courtney C. Stevens said in her book, *The Lies About Truth*, if nothing changes, nothing changes. Simply put, if we continue to do things the same way all the time, we would not expect to get a different outcome. So what can we do differently? I am submitting the concept of values-based leadership, leadership guided by ethics for your consideration. And this is why I agree with Sen. Vieira, that we do need that second component of the Motion.

**4.30 p.m.**

And Sen. Mitchell indicated that he does not see why there should be a book to tell parliamentarians—not just parliamentarians, but Opposition parliamentarians how to conduct themselves. Sen. Mitchell, it is not new. There is—an example of leadership guided by ethics can be seen in the *Handbook On Parliamentary Ethics And Conduct A Guide For Parliamentarians* done by the Global Task Force on Parliamentary Ethics and Westminster Foundation for Democracy. That handbook was intended to develop common ethical principles which call on Members of Parliament to safeguard democracy and human rights, serve the public interest above all else, ensure public integrity and avoid conflicts of interest, carry out their public duties professionally and transparently, and value diversity and political pluralism. On page 11 of the handbook, I quote:

“The development of high ethical standards depends more on politicians than on the contents of an ethics and conduct regime. It relies on MPs understanding and respecting the regime. Developing a new system is therefore a political process which should seek to carry the agreement of Members at every stage. Identifying opportunities for reform and starting with broad principles with which few can disagree will provide a basis from which to build not only detailed rules, but also the political will to establish certain standards of behaviour.”

This talks about two things. It talks about the people; the MPs, the Members of Parliament themselves, and also the developing—the regime. I do agree with Sen. Randall Mitchell in that, you do not put a book. A book would not help a person. You could put a book and many books are put but the book does not help the person to make the changes. You need the changes going on from inside. And this is what we are saying, the MPs understanding and respecting the regime. So I

am agreeing that we do need the ethical standards, but I am also saying that we need something that goes on the inside.

Sen. Roberts in his contribution on page 95 of the *Hansard* of November 23<sup>rd</sup> said:

“In this Motion...”

I quote:

“In this Motion Sen. Vieira says there is a duty to uphold the dignity and discipline and decorum of the Parliament. Who determines this dignity, discipline and decorum? Certainly not you Sen. Vieira. Was this not the Speaker’s job? Is this Motion an attack against the Speaker?”

Mr. Vice-President, Sen. Robert’s question is valid. Who determines what is dignity, and discipline and decorum? And I would add, whose values do we adopt? I submit that together as a body we can agree on important values by which we should operate. We can define those values and we can seek to live by them.

Sen. Vieira in his Motion said:

“...that a Select Committee be established to consider and report on a code of ethical conduct and behaviour for Senators.”

I am recommending that this select committee could consider similar objectives to that considered by the authors of the handbook. And that we arrive at a settled position on parliamentary ethics to the extent that it births a new culture that bridges the political divide between Government, Opposition, and Independent Senators.

Mr. Vice-President, I think this is separate and apart from the Standing Orders. The Standing Orders deal with the governance of what happens in terms of our functioning here. This deals with who we are as people. And I think this is different. And therefore, it is—I think it is necessary.

However, I repeat that unless we are each willing to become the definition of ethical wherever we find a deficiency in our own lives, then the legislative position will become nothing more than a set of good ideas on paper. As former Speaker of the House of Representatives, Barendra Sinanan, the article I quoted above, he said that in the *Newsday* on October 13<sup>th</sup>, you cannot legislate for everything. That is why you have to depend on the people's sense of maturity and their own sense of what is right and what is wrong. Persons must have their own moral compass to live by, and what they believe. But just as important is that we must have an agreed set of ethical principles.

I read an article from a contributor to *Forbes* magazine, Dr. Bruce Weinstein who asked 20 leaders from a range of fields a simple question: "What does ethics mean to you"? The answer had to be no more than one sentence. And the answers were all similar to that given by one leader, Elizabeth Scharz an employment lawyer, and that answer was:

"Doing the right, decent thing even when you have the power to do the convenient, self-serving thing."

Mr. Vice-President, Dr. John C. Maxwell wrote a book entitled: *There's No Such Thing as 'Business' Ethics: There's Only One Rule for Making Decisions*. In that book that book he proposed, that rule, the golden rule, do unto others, as you would have them do unto you. A version of this principle is found in all major religions and traditions. In the same way, I will propose that as we move forward from this point we seek to live by this rule, and if we do, that is, doing unto others as we would like them to do unto you. If we do this, then we will have no problem working with each other. We would not be calling others names because we do not like to be called names, et cetera.

This means embracing the value of putting others first. It should reflect the

resolve of every parliamentary leader who has pledged to put country first. We are not going to agree with each other. We are not going to agree on everything, but the point is that we must treat all colleagues with respect, listen to understand, use appropriate parliamentary language, act professionally with civility and decorum, and foster space for plural political discourse.

This may seem nothing more than a lofty ideal, but I have the confidence that our population wants this because people are looking at us as leaders. And I am also convinced that if we put our minds to this, we can achieve it. It is not business as usual. We cannot continue, Mr. Vice-President, and Senators on the Government Bench, on Opposition Bench, and Independent Senators, I am speaking to all of us before I close.

Please envision with me, a Senate where we listen to each other without judgment or imputing improper motives, where we value each and every person because each of us is valuable. Why? Because we are made in the image of God and should be treated with respect. A Senate where we live lives of integrity, our words and our deeds are in alignment, where we are able to forgive if we have been wronged. We do not carry baggage of unforgiveness. What if we have a Senate where we all have hope for the future, because we have the confidence in our people and their abilities.

Mr. Vice-President, what if we sat around tables and discussed these values? Each one evaluating him or herself. Not teaching, preaching, counselling, but sharing, and each one aiming to improve how we live out these values. Mr. Vice-President, if we do this, and if we get more and more of us living out these values, I am convinced that we will see transformation in the way we do business and in the way we govern ourselves and our nation. And that transformation will come from inside out; not by imposition from outside.



Mr. Vice-President, we can look at countries that are doing this. Guatemala started a process like this in 2013. We have Paraguay; we have Costa Rica, and more recently the Dominican Republic. They have embarked on this type of transformation dealing with values in terms of their country.

In his book, *Change Your World*, Dr. John C. Maxwell says, and I quote:

The smallest action is better than the biggest intention. No one ever intended their way to greatness. We have been waiting on others to change the world.

You do not get attention by talking, you get attention by taking action.

Today, I am asking us all to seek to be the change that we want to see. Let us take action to develop a code of ethics and—

**Mr. Vice-President:** Senator, you have five more minutes.

**Sen. Dr. M. Dillon-Remy:**—and also agree on the principle of adopting transformation tables for Senators.

Mr. Vice-President, October 21, 2021, was a day in our Parliament’s history that we should not forget. My hope is that the events of that day would allow us to move to higher ground in the way we lead in our beloved nation. This is not a call for PNM, UNC, or Independents. It is a call for all of us who seek to govern better. I thank you for allowing me to contribute.

**Hon. Senators:** [*Desk thumping*]

**Mr. Vice-President:** Minister of Social Development and Family Services.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Social Development and Family Services (Sen. The Hon. Donna Cox):** Edmund Burke once said:

“The only thing necessary for the triumph of evil is for good men to do nothing.”

And I, Mr. Vice-President, refuse to sit silently and do nothing against this

evil that is threatening to entrench itself within our upstanding Parliament. Hence the reason I am making this contribution in this Motion today. Mr. Vice-President, I thank you for the opportunity to join in this debate. Despite Mr. Burke's wise words, I must confess that I was a bit hesitant about contributing today, for the sole reason that I did not wish to give any more oxidant to the blatant disrespect and callous disregard for authority that were displayed on that fateful day in October. Indeed, I wish to blot that shocking episode from my mind.

Mr. Vice-President, as I listened to the desperate and feeble attempts of the Opposition team justifying this disgraceful conduct, led of course, by Sen. Mark, a gentleman with the distinction of having presided over both Houses of Parliament, and Sen. Roberts, who I know is much brighter than he sounds and appears to be, I knew that I could not sit and say nothing. After all, facts do not cease to exist just because they are ignored, and you cannot take back the spoken word once it has been uttered. No matter how hard you try, you cannot walk it back. And the fact is that the Opposition Senators from this Chamber launched a reprehensible attack on their Independent colleagues and sought to cast aspersions on their integrity and ability to perform their function in an impartial manner. Furthermore, they sought to lead what was tantamount to an insurrection against the Presiding Officer. Perhaps, drawing inspiration of Russia's October uprising of 1917.

However, the attempt in that sitting on September 23, 2021, to distance themselves, Mr. Vice-President, was like a scene from a bad horror movie where we all watched in stunned silence, appalled, shocked, disturbed, and horrified. We have witnessed such display before, but never to this extent. October the 21<sup>st</sup>, 2021 will go down as one of the darkest days in the history of the Parliament. And therefore, from the onset, I condemn in the strongest manner the uncouth and yet carefully calculated disrespect meted out to the Opposition Senators, to their

colleagues, and the Presiding Officers, whether through the overt actions of some, the silent complicity of others, or the utterances of those who chose to skirt around the issue pretending that it was just another day in Parliament.

Mr. Vice-President, what are we to make of this? What should be our response as a legislative body presiding over the laws of this country? Shall we turn a blind eye and pretend it did not happen? Or should we push back and say that this is not good enough for us? We are much more better than this.

Sen. Vieira's Motion which seeks on the one hand, and I quote, to:

"...censure the unparliamentary conduct of said Opposition Senators who...have attempted to obstruct, impede, influence or interfere with said Independent Senators in the performance of their duties;"

And on the other hand offer a remedy by means of the creation of:

"...a code of ethical conduct and behaviour for Senators."

—is as welcomed as it is necessary.

What I have recognized is, as the words of a former President ANR Robinson stated in his address to the nation on the 5<sup>th</sup> of January, 2005, is that, and I quote:

"...‘bad habits are gathered at slow degrees, as streams running into rivers and rivers into seas’. So things happen day by day, you accept them and then they keep creeping on, until you are overwhelmed, you can't do anything more about them."

So, Mr. Vice-President, I believe that Sen. Vieira is not willing to take that chance. And I believe this is why he has taken the action that has brought us here today. I heard Sen. John quote our former President, ANR Robinson also, but I think my colleague Dr. Browne dealt with that already, which was indeed a bad quote.

For too long, Mr. Vice-President, and despite the many pleadings of the

Presiding Officers, Opposition Members of this Senate have demonstrated scant courtesy to the long-accepted rules of this honourable House, seeking instead to create and abide by their own rules. From the belligerence of Sen. Lyder who I am expecting to come and shout, the bellowing of Sen. Roberts and Sen. Nakhid, to the blatant misbehaviour of the rest, they have collectively cheapened the value of the Opposition Bench and the quality of representation demanded of those of us who occupy these seats privilege.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. D. Cox:** It is a pattern of behavior that sacrifices the trust of the electorate and sanctity of this Parliament in favour of cheap politics, cheap tricks, and meaningless attention-grabbing antics. Mr. Vice-President, the Motion declares and I quote:

“...all Senators have a duty to uphold the dignity, discipline and decorum of Parliament and defend it against disrespect.”

And from the smallest child to the eldest citizen, no one can deny that the behaviours of members opposite at the Electoral College on October 21, 2021, was far from dignified. It lacked both discipline and decorum and was downright disrespectful.

What is harder to swallow is that it appeared to be a carefully calculated premeditated, rehearsed, and vicious attack, which was carried out in the full glare of the public without a care in the world about the impact of such behaviour on those who may be watching, the elderly, persons with disabilities, children, our nationals in the diaspora, and the wider international community. Their failure to uphold the dignity of Parliament by disregarding its rules by using unparliamentary language, by disobeying and ignoring the authority of the Presiding Officer not only served their narrow political interest, but even more unfortunately, diminished

and eroded confidence in our public institutions.

As painful as it was to see it unfold, Mr. Vice-President, it was unsurprising because it is straight out of the UNC's playbook. That which they cannot control they seek to destroy.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. D. Cox:** Mr. Vice-President, it is a paradox of our modern democracy that we have the conditions and tools to enable our political system to work better than ever before. Yet, we are forced to spend hours discussing the dysfunction. The reality is that what should facilitate a smooth running engaged political system, has instead helped corrode it. The leeway and latitude afforded parliamentarians by means of their freedom to speak in this House were abused in the most despicable manner.

In politics, Mr. Vice-President, as in other aspects of life, abundance can be good, but excess is often harmful. Mr. Vice-President, their strategy is as clear as day but rooted in darkness. Since August 11, 2020, we have been subjected to a continuous onslaught whereby parliamentary sittings were sometimes converted into another election campaign or Monday Night Forum. But Mr. Vice-President, Ecclesiastics 3:1 says:

“There is a time for everything, and a season for every activity under the heavens.”

And this type of behaviour speaks to a complete disregard for when the season of campaigning ends and governing begins. It is harmful for decision-making and speaks to a lack of understanding as to the difference between campaigning and governing. And I can tell you, Mr. Vice-President, it is exhausting to all of us and the public, and further erodes the trust they have in politicians.

This permanent campaigning only encourages shorttermism and places the

focus solely on an opportunistic grab for media headlines. Sadly, this approach only fans the politics of negativity and gives for us and makes for us, an “us against them” culture in this country. And I wish to reiterate, it stretches the patience and erodes the trust of voters. This permanent campaigning, Mr. Vice-President, is aided and abetted by the modern 24-hour news cycle which both enables and encourages it, by providing platform and spur. The ability to always command attention when there is so much airtime available permits persons to transform themselves into wannabe political superstars and make a spectacle of themselves, flying high but lacking in substance. Is this the kind of reputation you want to be remembered by and have recorded in the annals of the Parliament?

Such behaviours come at the expense of eroding the public’s trust and confidence in the political system, which makes governing much more difficult. It is a huge contributing factor to declining voter turnouts and also causes persons with abilities that are needed by a country to stay away from public life. Which citizen in his or her right mind would willingly step forward and be subjected to the kind of character assassination experienced by some of our Independent Senators? Which citizen would want to have their name dragged through the proverbial mud? Mr. Vice-President, if the citizens cannot trust their parliamentarians to set the example and behave with civility and respect for each other, from whom else can we expect it?

On that fateful day in October, the Opposition Members of this Senate behaved terribly and thanks especially to the all-pervasive media and that decision taken all those years ago to allow the televising of Parliament, ordinary citizens saw and heard this and they disliked what they saw.

In a March 2018 contribution to a public policy journal, Australia’s former Chief Scientist Ian Chubb put his finger on this problem when he said, and I quote:

“I can see on television the people we employ to work in our interests behave in a way we would not tolerate in our own small children.

Sadly at a time when trust is so low, contempt so high it appears they don't even try to get better. They seem not to understand that trust is what we give them when they earn it, not what they get because they are where they happen to be.”

In 1978, our own story telling calypsonian, Explainer, described the behaviour of parliamentarians of his time in the song “In Parliament dey kicksin”. Fast forward to this present time, it appears that rather than improving, the behaviours of some parliamentarians have instead deteriorated to an unacceptable level.

Mr. Vice-President, it is a source of constant bewilderment to me that some Opposition Senators are aware that they are infuriating the public by often conducting themselves in Parliament like out of control adolescents, but yet they fail to curb this conduct. Sadly, they are only present in this Chamber because this is the best the UNC has to offer.

Mr. Vice-President, maybe it was the adrenaline of the Chamber. Maybe it was an opportunity to perform for their leader and the public. Perhaps, it was because they knew the entire country was focused on this event. Perhaps, it was the pursuit of the parliamentary point. But whatever drove them to behave in a manner that would be unacceptable in almost any workplace, it is costly to both them, and to the political process, and could be easily changed by a bit of collective restraint. Of course, Parliament will always have its moments, but chaos and insult throwing should not be the norm. It is unacceptable and should be swiftly and soundly condemned by all right-thinking citizens.

Addressing the United Nations General Assembly in September 2018, the UN Secretary General *António Guterres* warned that the:

“...world is suffering from a bad case of ‘Trust Deficit Disorder’.”

And according to him, I quote:

“Trust is at a breaking point. Trust in national institutions. Trust among states. Trust in the rules-based global order.

Within countries, people are losing faith in political establishments, polarization is on the rise and populism is on the march.”

I dare say, Mr. Vice-President, that the major task of restoring political trust is inextricably linked to the task of critically reflecting on our own behaviour as leaders in our communities and country. And then working towards significant reforms to social and economic policies. And it is against this background that Sen. Vieira’s call for the establishment of a select committee to consider a code of ethical conduct and behaviour for Senators, could be a light to penetrate this darkness.

A code of conduct is really a written agreement between parties laying out acceptable behaviour in specific situations. Therefore, what is being proposed is no earth-shattering proposition. Many companies have them, trade associations, the Girl Guides, the Scouts Association. Who are we, Mr. Vice-President? We can have one in this House also. Why not?

A 2012 “Background Study”—on—“Professional and Ethical Standards for Parliamentarians” from the Office of Democratic Institutions and Human Rights stated the following, and I quote:

“The regulation of parliamentary behaviour and ethics standards is an essential element to secure public trust in the efficacy, transparency and equity of democratic systems, as well as to foster a culture of public service



that favours public interest over private gains. Various regulatory models exist...”—to—“...control...”—the conduct of parliamentarians—“...with a visible trend towards...”—developing—“...‘Codes of Conduct’, of acceptable standards of parliamentary behaviour and ethics. Indeed, recurrent scandals and controversies in parliamentary democracies suggest that reform of ethics regulations, carried out in an inclusive, transparent and consultative manner, could be an important element in restoring trust in democratic systems of...”—government.

Admittedly though:

“...many parliaments have not developed codes of conduct or ethics, preferring to rely on professional standards that exist in the ‘web’ of laws, including their own rules of procedure and standing orders.”

Mr. Vice-President, we in this Parliament rely on our Standing Orders to regulate our affairs. We also have a Privileges Committee clothed with the authority to impose sanctions of different sorts on errant parliamentarians. And we have relied exclusively on the decency and to use the distinctly Trinbagonian word “broughtupsy” of our parliamentarians to conduct ourselves in a manner that would lend itself to order.

And indeed as my colleague Sen. Rambharat indicated in his contribution by virtue of our Oath of Office, we have a solemn duty to uphold the dignity of this Parliament, a duty that transcends the narrow parochial interest we believe we are called to defend. And that is what this debate is about duty to country, and fidelity to our Oath. But, Mr. Vice-President, the broad brush of odium, ridicule, and contempt, that has been used to paint all parliamentarians, not just the errant and tantrum throwing Opposition Senators, must give us reason to pause as this Motion is asking.

The authors of the Background Study referenced earlier, noted that:

“...the introduction of codes of conduct is a growing trend that takes into account new dynamics such as higher public expectations for public representatives, as well as politicians’ demand for increased guidance and advice in their ethical decision-making.”

Mr. Vice-President, a 2013 report produced by Transparency International, entitled: “The Effectiveness of Codes of Conduct for Parliamentarians” opined that, and I quote:

“The overall purpose of codes of conduct for...”—parliamentarians varies across countries.

“However, they typically set objectives such as:

- provision of a set of ethical standards for parliamentarians
- promotion of ethical behaviour and discouragement/avoidance of unethical behaviour
- provision of guidance when a parliamentarian is faced with difficult decisions
- establishment of values and responsibilities
- provision of defence against unfounded accusation
- increase/restore citizen’s trust in the institution
- increase accountability...”—and
- “• statement of professional conduct”

**5.00 p.m.**

The report went a step further and added, and I quote:

“The effectiveness of the code of conduct for parliamentarians may depend on a range of factors, including a process of consultation and discussion prior to the enactment of the code, the existence of an active civil society,

free media, a functioning integrity system, an effective protection mechanism for whistleblowers, and...parliamentarians' commitment.”

Note:

“...parliamentarians' commitment.”

So, Mr. Vice-President, I respectfully submit that based on this list of ingredients, this Parliament is just about ready to engage in the discussions envisaged in Sen. Vieira's call for the establishment of a select committee to:

“...consider and report on a code of ethical conduct and behavior for Senators.”

We are all familiar with the Scripture Luke 12:48 that says:

“...to whom much”—is—“given, much...”—is—“expected.”

With some poetic license, I wish to submit a new read that says: To whom much is given, much will be demanded.

As Senators, we have been selected and entrusted with the great responsibility of represented the interests of our society. Such responsibility demands that our decorum would be reflective of the gravity of the position we hold and be a model for those looking on, particularly our children. However, the uncivil and dishonourable conduct of the Opposition Senators on that day represented for me a dereliction of duty.

Mr. Vice-President, as adults, we cannot condemn the unruly behaviours and bullying activities of our young people while simultaneously excusing our own behaviour by disguising it as our right to freedom of expression.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. D. Cox:** Truly, we are privileged to have the right and ability to share our unfiltered voices during our contributions yet the constant interruptions, name-calling and complete reckless behaviour of the Opposition Senators on that

October day set a new, unacceptably low precedent when addressing matters in the Parliament.

Is this how we want to represent ourselves and our country to the impressionable youth of this nation? Is this the kind of standard we want to set for young generations to emulate? Those opposite have a tendency to view politics as a competition. They oppose for opposing sake rather than seek the interest of the people of Trinidad and Tobago. I do not know if anybody used to play pitch but I used to play pitch with my brothers and, you know, the behaviour is tantamount to petulant children who hurl insults as they snatch up their marbles and leave when the game does not go their way. This immature, infantile behaviour is negatively affecting the morals and mindsets that young people are being raised with.

Mr. Vice-President, if this conduct took place in any one of our secondary schools, it would at least mean a trip to the principal's office for the perpetrators, suspension and a possible expulsion if this was not the first offence. In other words, some kind of reprimand would have been prescribed. Mr. Vice-President, this type of behavior displayed in this honourable House should not be tolerated.

As parliamentarians, we cannot simply sit down in silence, drink water and mind our business because the attacks were primarily against the Independent Senators and the Presiding Officer. If we fail to speak out now, we may find ourselves in a similar predicament as the narrator in the poem, "First They Came", which was mentioned in Sen. Paul's contribution—by the way, where is Sen. Paul? Indeed, Mr. Vice-President, the behaviour meted out to the Presiding Officer by the Opposition Senators should concern even you, for as the saying goes: "Today for me, tomorrow for you."

[MADAM PRESIDENT *in the Chair*]

However, even if we attempted to keep quiet on this matter, the walls of this Chamber and the stones surrounding this Parliament will cry out for something to be done because we just cannot go on this way.

And as I close, I wish to echo the sentiments of Sen. Deyalsingh who called on the Opposition Senators to offer an apology to the Independent Senators for the disrespect meted out to them. They did not only disrespect them, Mr. Vice-President, they disrespected all of us. We did not deserve that treatment. Nothing we have done justified that type of public ridicule and humiliation. If the Members on the other side apologize, this could signal the beginning of the reproachment needed to begin the healing process for the trauma our nation suffered on October 21, 2021. I would like to say that I am aware we are not perfect individuals. We are not all perfect. So I humbly suggest we all look within ourselves because I know that we can do better. And let us do what the king of pop music, Michael Jackson, said in his popular song, “Man in the Mirror”:

“If you wanna make the world a better place  
Take a look at yourself and...make a change.”

**Sen. The Hon. D. Cox:** I thank you, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Lyder.

**Hon. Senators:** [*Desk thumping*]

**Sen. Damian Lyder:** Thank you, Madam President. And welcome back Madam President. And, Madam President, why are we here today all dressed up and assembled in this Chamber? The lights are on, the cameras are rolling, the clock is going, the parliamentary staff is moving around diligently, hard at work, paid for by the citizens of Trinidad Tobago. And, Madam President, we are here today to do the people’s business or indeed we are supposed to be doing so. Instead of

doing the people's business, what exactly are we here debating today, when people are dying; when people have lost their jobs; when businesses are closing down by the thousands; when children are being deprived of a quality education and when crime is running out of control; when people have become hopeless, battered and bruised by this PNM Government? What are we doing here today?

There are so many things we could be debating here today: matters and proposals for the benefit of our citizens, so many matters of national importance and urgency right now, Madam President, yet we have stopped the public business for a second time today and it looks like it is going on—going to go on for a third time. We are here today to debate a Motion by Sen. Vieira about the conduct of Opposition Senators. And I heard reference to the last speaker speak about high school—well, that is exactly how I am feeling now, as if all six of us are being pulled into the principal's office by the head prefect.

Madam President, in my contribution today, I will establish that the parliamentary convention is on the side of the Opposition, that the Motion amounts to a waste of parliamentary time and that the traditions of the Parliament and the Constitution supports the position of the Opposition.

Madam President, of course, we will not be allowed to go and speak much beyond this Motion and what the speakers have spoken about. We will not be able to speak about how this Motion jumped the line and, of course, we cannot speak about the fact that this was allowed to be debated ahead of other scheduled Motions. But I hope, Madam President, to speak and to say that what we did on October the 21<sup>st</sup> was in the defence of our democracy. I want to go down on record, Madam President, for the benefit of future generations to say that what I did on the 21<sup>st</sup> of October, 2021, in objecting strenuously to a stifling of our debate was in the best parliamentary traditions of robust and free speech for the people on their

behalf and for their benefit. So I have absolutely no regrets whatsoever regarding our stance on that day and I do not intend to apologize. Because, Madam President, this Motion is frivolous, this Motion is vexatious and it is a complete waste of parliamentary time.

Madam President, we see for the first time in our history, a Senator from the Independent Bench bring a Motion of censure against not one, you know, all six Opposition Senators, an Opposition that represents more than 309,000 citizens who voted in favour of this—of the UNC juxtaposed against a Senator that represents himself. And when I respond to any debate, I usually face the Government Benches and I was searching amongst the 15 Government Senators to see who would have been the mover of this Motion. But, Madam President—because it is inconceivable that we can expect to look at the left and see anyone bring a Motion of censure against six Opposition Senators and this is especially after listening to the contributions made by Sen. Roberts, Sen. Mark, Sen. John, Sen. De Souza that outlined the baseless nature of this Motion. And I will not repeat the arguments of my colleagues but to say that from this Motion, we can find no grounds that Opposition Senators raised on that fateful day which would have breached any of the Standing Orders of our honourable House. And as a result, it is indeed disappointing that I should be facing the Independent Bench today.

Madam President, Sen. Vieira by this Motion in the fourth line cites the Opposition's comments in the media, it is clear. Therefore, it is only fair for me to reference Sen. Vieira's comments in the media at the very same time. And I am deeply concerned, especially when I reflect upon the words of the well-respected former Independent Senator and Senior Counsel Martin Daly, following reported responses of several Independent Senators, including Sen. Vieira. But we are just responding to Sen. Vieira today.

Martin Daly gave his response in an interview on CNC3 with Khamal Georges when he said, and I quote:

I am distressed that one or two Independent Senators want to carry a separate fight with the Opposition. I think that it is quite wrong and it is going to damage the Bench, the Independent Bench as an institution.

And I say today, Madam President, with this Motion, there is indeed damage to the Bench. Martin Daly then went on to state regarding the robust language towards Independent Senators, and I quote again:

You may not like it, it may hurt you but you should not respond, especially if you are an Independent Senator. They are not a caucus, they should stand away and make individual decisions unfettered by party discipline. They should not get into that fight.

You see, Madam President, this refers to part of the Motion where Sen. Vieira speaks to the language that the—used by the Opposition Senators where Sen. Vieira says in his Motion—he speaks towards:

“...abusive and malicious assertions...”—by the Opposition.

What we can learn from the position—that former Independent Sen. Martin Daly is the reinforcement of the principle of the Independent Benches where we do not only accept the independence of the nine Independent Senators as a body but rather the independence of each Senator from each other. In other words, all nine are nine independent separate Benches. So I take into account—the Senior Counsel Martin Daly said about the Independent Senator must sometimes take a knock on the chin to preserve the perception of independence. So we have to conclude with this Motion that Sen. Vieira cannot be perceived now as unbiased—

**Madam President:** Senator—

**Sen. D. Lyder:**—on any Bill in the future.



**Madam President:** Sen. Lyder, I will ask you to withdraw that statement. I will also remind you that this Motion is not about Sen. Vieira. I will ask you please to read the Motion, understand what it is about and then make your contribution accordingly. Please withdraw the statement.

**Sen. D. Lyder:** Thank you, Madam President. I withdraw the statement and I move on, except to say that I am responding to statements made in the media by Sen. Vieira.

**Madam President:** Sen. Lyder—

**Sen. D. Lyder:** Yes.

**Madam President:** I have given you some advice. You are actually taking the advice and then you are going on to justify why you did what you did. No need. Just move on. Okay?

**Sen. D. Lyder:** Thank you, Madam President. So, Madam President, as I move on, again, Sen. Vieira by this Motion in the fourth line makes reference to the Opposition's comments in the media and now I would like to directly reference Sen. Vieira's comments to the media at this time as others in this Chamber were able to do.

So in an interview with the *Express* on Wednesday, November 4<sup>th</sup>, last year, Sen. Vieira disclosed to the media that:

“...he was absolutely appalled by what happened at the Electoral College.”

And in his words, and I quote:

“It was disgraceful and it will go down in the annals of history as one of the darkest days in our parliamentary proceedings.”

Madam President, in my humble opinion, this is Sen. Vieira playing judge, jury and executioner for the Opposition in the media.

And when I listened to contributions from Minister Young and the hon. Minister of Tourism, Culture and the Arts, it is clear that Sen. Vieira and many other contributions on the PNM side—he is getting a—Sen. Vieira is getting a lot of support from the PNM, not as much support as I heard from some responses by the other Independent Senators. In fact, Sen. Cox recently just came off from the platform and called me belligerent and I take offence. I felt that was a bit abusive. So I am not sure who wrote the speech for Sen. Cox, Madam President, but that is not Sen. Cox. I do not know her to be so abusive in language.

Madam President, Sen. Vieira, however, did not stop there. The Senator in the *Express* article on November 04, 2021:

“...also accused the Opposition of double standards...”

—where he stated:

“‘You...come there and wrap yourselves in the robes of democracy and say, ‘Oh, you are fighting for the democratic rights and people must be free to speak out and to choose and to vote for their consciences’. And when the Independents vote, you boo? If I start to boo when they vote, how would...”—you “like...”—it?

And I heard Sen. John said, well, “boo.” But I also wish to inform the Senator—Sen. Vieira, through you, Madam President, that his statements, in my opinion, seem to be laced in emotion when he says that about us. It gives the impression that the entire Motion was initiated because of a deep-seated desire for gratification and by extension, some level of politics.

Madam President, we in Opposition do not engage in action for mere gratification or personal satisfaction. We engage in action to fulfil our oath of office as set out in the First Schedule of our Republican Constitution which states, and I quote:

To—“...uphold the Constitution and the law, and”—to—“conscientiously and impartially discharge the responsibilities to the people of Trinidad and Tobago...”

And to this end, Madam President, we shall hold no brief for any Member in this House. Our duty is to uphold the Constitution. Therefore, if we note that the actions of a Member on the House is contravening the Constitution, then like the loyal Opposition we are—and we shall stand in the gap for the people of our nation and we shall not be removed.

Madam President, it is instructive to note the view of another Independent Senator who contributed in this debate. And I when I looked at the *Hansard* and viewed Sen. Paul Richards, I must submit that there seems to be some amount of opposition to Sen. Vieira’s Motion in certain comments that Sen. Richards stated. In fact, in their summary positions they could have been—they could not have been further from the—apart, Madam President. So to quote Sen. Richards from the *Hansard* in the debate of this Motion dated on November the 23<sup>rd</sup> last year, he stated, and I quote:

“...I have diversions and opinions on some of the aspects, in particular, some of the phraseology which comes as a surprise to some...”

And, you know, Madam President, it is instructive to note that Sen. Richards followed up this statement by pointing out to all Members, including Sen. Vieira, that:

“...Parliament is not a tea party, Parliament is not for the...”—faint hearted.”

In other words, Madam President, Parliament is not child’s play. This is the people’s business. The fact may have proven a bit elusive to Sen. Vieira, however,

it did not escape Sen. Richards because he noted to have said on *Hansard* regarding the phrasing of the Motion, and I quote:

“...I have to admit, I had some discomfort with it, not because I am casting aspersions as to Sen. Vieira’s intention but because of how people in the wider society and in a very acrimonious and conflicted political environment may view that.”

Now, Madam President, we in the Opposition need not go further than that, that written text on the *Hansard*, the spoken words of Sen. Richards, other than to state that his other colleagues, Sen. Deyalsingh, also expressed some level of disagreement with some of the positions in this Motion. So we have a lot of support from the PNM side but there were some differences on the Independent Senators’ side. His words, Madam President—Sen. Vieira words were so disconcerting that it gave Sen. Richards great discomfort. We in the Opposition say we understand the discomfort that Sen. Richards was feeling as we understand the discomfort of the citizens in this country under this Government. And this is why—this is the reason why we brought the section 36 Motion on the President of the Republic—

**Madam President:** Senator—

**Sen. D. Lyder:**—and I am not going into that Motion—

**Madam President:** Senator, you are not going into it. Move on, please.

**Sen. D. Lyder:** Yes, Madam President. So—and this is to do with the actions on that day. We felt the need for impartiality and the perception of such on October the 21<sup>st</sup>, when we called for the proceedings to be conducted in a certain manner. So I am making reference to the—our reactions. So I think that all is left humbly, Madam President, for Sen. Vieira to do now is to produce a clear and concise and unequivocal apology to all six Members on the Opposition to this honourable—and

to the honourable Senate and to the nation, for my opinion, in wasting parliamentary time today.

Madam President, to follow on from the points so eloquently made by Sen. Richards, I now move on to the fourth line of the Motion which reads:

“And whereas all Opposition Senators who were present at the meeting of the Electoral College on October 21, 2021 made abusive and malicious assertions; imputed false and improper motives, and cast negative reflections on the character and impartiality of all Independent Senators during said Proceedings of the Electoral College, and in the media;”

“...in the media;”

This statement made, Madam President, was unfortunate. It is unfortunate, Madam President, because it is cloaked, in my opinion, in bias. It also does not allow the Opposition the opportunity to be heard. It is definitive, it is punitive, it lacks natural justice and it is unbecoming of the Parliament code to conduct and cast judgment before a fair hearing is conducted.

Madam President, as a legal luminary that you are, this much would be crystal clear to you; crystal clear to you. For this line alone the entire Motion should be struck down and cast away because judgment without justice is bullying. And to borrow from the words of the former Prime Minister—because he was referenced in this debate—the late Patrick Manning:

There is no room for bullying in this Parliament.

I wonder who he was referring to.

But let us review what Sen. Vieira is on *Hansard* referring to and what he said. And I will start off with what he said about me. He quoted me, he said about Sen. Lyder and I quote:

“Madam Chair, we in the Opposition Senate have not had the luxury to have heard our Leader deliver the Motion. So you have reduced us to having to toe the line with those in the Lower House and we have not been able to hear them vote here today so we do not even know what we are voting—”

Is that abusive? Is that—what is that?

**Sen. Mitchell:** Madam President—

**Sen. D. Lyder:** He went on, Madam President, to state—

**Sen. Mitchell:** 46(1), please; 46(1), please.

**Sen. D. Lyder:** This was in the debate. This was in the debate.

**Madam President:** Sen. Lyder, a Standing Order is being invoked. May I be allowed to hear it, please? Minister.

**Sen. Mitchell:** Yes, Madam President, 46(1)

**Madam President:** Sen. Lyder, I will allow you to continue but I think you need to be a little more focused on what the Motion is. Okay?

**Sen. D. Lyder:** Thank you, Madam President, I will be very brief here. I am simply responding to what Sen. Vieira presented in his debate when he piloted this Motion. So I am speaking directly to that and I will move along quickly with it, Madam President.

And I think there were other references to what was said on that day by Sen. Vieira so I should be okay to move very quickly. Madam President, he went on—  
Sen. Vieira went on to say that Sen. Nakhid said that:

“This is most undemocratic proceedings we have ever seen in the Parliament of Trinidad Tobago.”

Sen. Vieira then reading the *Hansard*, Madam President, went on to say that Sen. Mark said:

“This is death to democracy.”

And finally, as I move quickly, Sen. Vieira then reading the *Hansard* from the Electoral College stated that Sen. John called out:

“PNM.”

—when Sen. Dillon-Remy voted.

Now, it may have been premature for Sen. Vieira to conclude that Sen. John made that statement in reference to a particular Senator. But notwithstanding that, I did not know that belonging to a political party could be bad, abusive or malicious though I could understand that being called a “PNM” might be abusive for me if somebody called me a “PNM”, I will say I am being abused. That is my personal opinion. I might say that they are being malicious towards me but that is my humble opinion, Madam President. I did not know that calling somebody “PNM” was malicious and abusive as stated in this Motion. But my colleagues on the other side would not agree with Sen. Vieira on that one. Therefore, they cannot support the wording of this part of the Motion from Sen. Vieira unless they agree with us on this side that it is indeed abusive to be referred to as a “PNM.” And I do not mean to be facetious, you know, but how are any of these things imputing false and improper motives and casting negative reflections? This begs the question, Madam President, if Sen. Vieira could be accused of misleading, could he—the House, when he uses this language in the Motion.

Madam President, Minister Young stated that Sen. Vieira’s Motion caused him to go through emotions, if I am to paraphrase. However, this Motion strikes at the heart of a serious matter of our democracy. So whilst I commend Minister Young for exposing that he was filled with emotion, I must state that to properly prosecute this Motion, one must come to the Parliament with a clear mind so that sober thoughts can prevail and not blind emotion as we saw with Minister Young.

Madam President, Sen. Vieira spoke about upholding the dignity of Parliament and the rules of the Motion. Madam President, the role of the Independent Senator in this nation's Parliament is one that gives the State its distinctive role. Some would say that it gives the laws it emanates from the overall Parliament wider appeal to various non-aligned cross sections of the population. And this is why these Independent Senators must engage in self-regulation. So it is necessary to ensure they remain within the confines of the functions of Independent Senate. They must also ensure not only that their actions are not intended to be partisan. There must also be no perception of political bias—

**Madam President:** Sen. Lyder—

**Sen. D. Lyder:** —none.

**Madam President:** I do not know where you are going with this. Okay? I do not know. I am not—I am sorry. So you need to really tie in what you are saying. This is not a debate about the general roles of Independent Senators. You need to be a little more specific to the matter at hand. Okay?

**Sen. D. Lyder:** Yes. Thank you, Madam President. And I was actually just getting to the point before I was stopped there with your advice. The action must give the public the impression that they have not entered the political gayelle. And I am saying to you that this Motion gave many people in this country, along with the Opposition, that impression that Sen. Vieira was enjoying the political gayelle. By the wording of this Motion, it is clear that Sen. Vieira has taken a position against the Opposition. That is clear by the wording.

Madam President, a review of the parliamentary practice in the Australian Parliament, the following observation points to this need for independence. And I am going to make the point here with this example again, if you allow me, and I quote:



“While the two large parties have supported major changes to Senate procedures and are the major players in the day-to-day operation of the Senate, it has been the existence of minor party and independent senators that has given the Senate its distinctive role.”

And on the role of the independence in Australian Parliament, the review went on to say—and I will say this quickly:

“From this lack of government control has sprung the independent role of the Senate in scrutinising legislation and in holding the governments publicly accountable...”

Madam President, so this is my point. In the last statement it is very instructive because it is at odds with what we have been brought here to parliamentary debate today. Not on one single occasion has the Senator in the Twelfth Parliament brought a substantive Motion to do anything towards holding this Government account. And in fact, if my memory serves me right—and I heard the Ivermectin being referenced to earlier. But if my memory serves me right, I can only recall Motions on the adjournment about insect vector and Ivermectin. I stand to be corrected but that is where it begins and ends. So in filing—in filling of this Motion by this Independent Senator, it displays a clear grievance with Opposition Senators. And it raises the issue that there can be no confidence, in my humble opinion, of this Senator to be unbiased.

**Madam President:** Sen. Lyder, I am—it is either you follow my guidance and my previous rulings or you will have to take your seat. I have told you before this matter is not—the Motion is not on Sen. Vieira and you are making some statements that really are not permissible. Okay?

**Sen. D. Lyder:** Thank you, Madam President. Madam President, Sen. Vieira by his Motion attempted to state that the Opposition Senators imputed false motives

on his part and on the part of his colleagues. Yet when you examine the stance taken by the Opposition, it was one where we pointed to clear conflicts of issues—of conflicts of interests that arose. Even as an attorney, Sen. Vieira would know that we were within our constitutional right as Senators to raise questions of conflict.

So I invite all colleagues to revisit the events of the Electoral College. And Sen. Vieira and other Independent Senators, I will say Madam President, they draw their appointment from the Constitution under section 40, serving at the pleasure of the President. The Opposition is in the Parliament because of 309,000-plus patriots who voted for the United National Congress. And, Madam President, hand in hand with our position in Parliament is the right to freedom of speech in the Senate as set out in section 55 of the Constitution.

**5.30 p.m.**

Therefore, as Members of the Opposition, we exercised our section 55 rights in accordance with our oath. Therefore, as Members of the Opposition, Madam President, I wish to remind Sen. Vieira that we took an oath, and we did so without fear or favour, when we sought to hold the highest officeholder to account. We, the Opposition, when the nation sought accountability, fearlessly stood up for the citizens and called out the President, at that time.

**Madam President:** Sen. Vieira. Sen. Lyder, I am sorry, I am going to have to ask you to take your seat now, because you are not following the guidance that I have been trying to give you. You are now bringing the Office of the President into this debate. That is not part of the debate, and that is also against the Standing Orders. So, I am going to give you one last chance.

**Sen. D. Lyder:** Thank you, Madam President.

**Madam President:** Right? But you have five minutes, but I am warning you, I do

not want to have to get up again to remind you of the Standing Orders.

**Sen. D. Lyder:** Thank you, Madam President, and I appreciate your guidance. Madam President, if we turn to Erskine May *Parliamentary Practice*, we note that, and I quote:

“The long historical development of the privilege of freedom of speech in both Houses of Parliament found statutory form in Article IX of the Bill of Rights 1689.”

Therefore, Madam President, long before the establishment of our Republican Constitution, the notion of freedom of speech was seen as a sacred right and an unimpeachable right. Madam President, and when you examine the content of our speech, you note that we, in fact, fulfilled our duty on that day.

Sen. Vieira, by this Motion, spoke about decorum and dignity of the House. Well, let me draw an example, Madam President, from the jurisdiction where we draw our parliamentary practice. In the UK Parliament, stronger and harsher words have been used. Madam President, had Sen. Vieira been a member of the House of Commons, he may feel to bring a motion of censure against the Opposition every week. Madam President, in the House of Commons, on a matter of holding the Government to account, a UK parliamentarian went, when speaking of the government’s record, on the detaining and deporting of West Indians surrounding the Windrush generation issue, MP David Lammy stated:

If you lay down with dogs, you get fleas.

Madam President, by Sen. Vieira’s Motion, even this would have been more abusive. This is more abusive language.

Madam President, as I close, the Senator did not make his concerns known during the Electoral College, neither did any Member on the Independent Bench or on the Government PNM Bench.

**Sen. Mitchell:** Madam President, on a point of order, please. 46(1), 53(1) and 53(2), please.

**Madam President:** Sen. Lyder, just finish your wrapping up.

**Sen. D. Lyder:** I am wrapping up, Madam President. Today, he detains the Senate to obtain personal relief from his injuries. Sen. Vieira also complains about mysterious statements made by the Opposition in the media. Madam President, are we expected here to conduct a defamation trial, because of a media report and a statement that somehow was offensive to the Senator, because I thought that his media statements were very offensive? Should I bring a Motion of censure against the Senator? Madam President, this is the people's Parliament, where we get down to the business of the nation. It is not for us to be detained to massage anyone's hurt feelings. The Parliament is bigger than Sen. Vieira. The interest of the masses outweigh the emotions of Sen. Vieira.

**Madam President:** Sen. Lyder, I have repeatedly told you, this is not about Sen. Vieira. I will now ask you please to end your contribution.

**Sen. D. Lyder:** Thank you, Madam President.

**Madam President:** Sen. Teemal. [*Desk thumping*]

**Sen. Deeroop Teemal:** Madam President, I thank you for the opportunity to contribute to this Motion that is before this House. And, first of all, I would like to start by commending Sen. Vieira for having the conviction to bring this Motion before us, for it allows us the opportunity to reflect and engage in debate on a signal event in our history, which was the Electoral College of January 23, 2021—sorry, I think I have that wrong—October 21, 2021, which was called to address the Motion brought by the Opposition to have Her Excellency Paula-Mae Weekes ORTT removed from office on issues surrounding the selection of her police commissioner. One of the two resolutions proposed in the Motion before us reads:

“*Be it resolved* that this Senate censure the unparliamentary conduct of said Opposition Senators who by threat or molestation have attempted to obstruct, impede, influence or interfere with said Independent Senators in the performance of their duties;”

What I note in the Glossary of Parliamentary Terms on the website of the Trinidad and Tobago Parliament a “censure Motion” is defined as:

“A motion condemning the Government, a Minister or a private Member for some position which they hold or for some action or lack of action for which they are responsible.” And my understanding is that censure is an alternative to more serious measures against misconduct or dereliction of duty or contempt of Parliament, which also deals with the offence of obstructing the legislature in carrying out its function or of hindering any legislator in the performance of his duties. I understand it to be non-binding, in that it requires no compulsory action from the censured party unlike a motion of no confidence, which may require a referenced party to resign.

In fact, in piloting this Motion, Sen. Vieira said and I quote from *Hansard*:

“The outcome of this Motion should stand as a warning that unparliamentary behaviour is unacceptable.”

And he also said:

“When I speak of censure, all I am asking for is for the Senate to collectively express its disapproval and condemnation of unparliamentary conduct. To be clear, I am not calling for anyone’s suspension or expulsion.”

Now, Sen. Mark in his contribution, and I refer to *Hansard* said:

“I want to say from the outset that if there was ever any doubt or doubts about the very close relationship and what one can describe as an alliance between those who have brought this Motion against all six Opposition

Senators and the contribution that we just heard from the Government, I think what is in the dark has now come out clearly in the light.”

Those were the words of Sen. Mark. So, Sen. Mark alludes to those who have brought this Motion and collusion between the “those” and the Government in this Motion before this Senate. Madam President, this Motion has been tabled by one Independent Senator, and there certainly has been no collusion on my part with the Government in the bringing of this Motion.

In their contributions, both Sen. Mark and Sen. Roberts, sought to impute improper motives on the part of Sen. Vieira for bringing this Motion, and they both viewed this Motion as frivolous, vexatious, shameful, disgraceful, vacuous and lacking in substance. In this regard, I do not share the views put forward by the Senators, and I would like to put on the record that I agree with the principle of the Motion. I agree with the phrasing of the issues stated in the preamble to this Motion, the three layers—I would not take time to read them out. They have been read out a lot before in this debate—but those, in terms of the preamble to the Motion, I fully agree with what is stated there. But, however, having said that, Madam President, I do have some differing opinions on both of the resolutions contained in the Motion.

I submit that the issue that we are trying to address with this Motion is much wider in its scope. It concerns the conduct of the proceedings of the Electoral College and the behaviour of Members in the Electoral College, and the wider need to prevent a reoccurrence of what transpired in the Electoral College on that day. It can be argued that since it is being raised in the Senate, it has to be constrained to the behaviour of only the six Opposition Senators, and cannot extend to Members of the House of Representatives.

Judging from the contributions of the Government Senators, thus far, the

Government is supporting this Motion. But, Madam President, I must say, I have not seen any initiative on their part to initiate a similar or parallel path in the House of Representatives that would undoubtedly, in my opinion, have the potential to address the issue in a much more broader, much more effective and a much more comprehensive scale to prevent that reoccurrence that I mentioned before. This view was considered by Sen. Richards who, in his contribution, mentioned the aspect of a broader scope.

Now, his contribution has been interpreted in several ways by other speakers on this debate. But, particularly, he indicated that because of the way the Motion was phrased, it was limited, because it focused on the incident during the sitting of the Electoral College, and it is focused on six persons when the actors, in his opinion, were part of a larger cadre. I know that Sen. Rambharat did not particularly like this approach, for he did say at the beginning of his contribution, and I quote from the *Hansard*:

“I know Sen. Richards tried his best to have a different tone to this debate but Sen. Richards, I will tell you this, it is ‘ah nice speech’ but not one for today.”

Respectfully, I do not agree with Sen. Rambharat on this occasion, and I joined with Sen. Richards in the relevance of a broader context of consideration of this Motion for it may just only bring about a pyrrhic victory.

Finding a way forward to address the happenings in the Electoral College on that red letter day, and guiding future citizens to prevent—sorry, guiding future sittings to prevent a reoccurrence of what transpired, in my view, calls for a more pragmatic approach, which could require due consideration of the possibility of convening the Electoral College to debate an equivalent Motion that encompasses the conduct of both the Senators and Members of Parliament in the Electoral

College.

Of course, there is a need, a clear need, from what transpired on that day for the Electoral College regulations to address more than just the election of a President as made under section 34(c) of the Constitution. What transpired on October 21, 2021, Madam President, clearly establishes the need for regulations for removal of the President under sections 35 and 36 of the Constitution that would clearly provide comprehensive regulations for conduct of proceedings, including behaviour of Members in the Electoral College.

**Madam President:** Senator? Yes, Sen. Teemal, I need to caution you about the direction your contribution is taking, and I would ask you to just try and deal more with the Motion. Okay?

**Sen. D. Teemal:** Okay. Thank you very much for you guidance, Madam President. Within the Constitution itself, Madam President, just to round off on what I was saying there, if I may be allowed, is that section 28(4) of Constitution, to me, allows for the Electoral College to regulate its own procedure and make provisions for the postponement or adjournment of meetings.

**Madam President:** Which, Sen. Teemal, is what I am trying to caution you on, because I think I have cautioned other Members similarly, that I do not think that we should be treating with all of the decisions that went into the issue of the Electoral College. The Motion is very specific about what happened during the Electoral College. I think that is what the Motion is focusing on, and that is what the focus of the contribution should be.

**Sen. D. Teemal:** Okay. Thank you very much, Madam President, for your guidance. So, I will move on to the other resolution in the Motion that is before us and that resolution states that:

*“And be it further resolved that a Select Committee be established to*



consider and Report on a code of ethical conduct and behaviour for Senators.”

Madam President, I would ask the question that: Would this code of ethical conduct and behaviour be for such within the Senate or would it also apply to conduct and behaviour outside of the Senate in the Electoral College and joint sittings of both Houses? If it is for conduct in the Senate, then I submit that we already have this adequately built-in to the existing Standing Orders of the Senate, and avenues of action for non-compliance are also well laid out in the Standing Orders of the Senate. If it is for conduct and behaviour of Senators outside of the Senate, in other forums such as the Electoral College and joint sittings of both Houses, then should we as a Senate be setting codes of conduct and behaviour for Senators in another place or should that other place be regulated by its own rules?

In the sittings of the Senate and the other place, issues of conduct and behaviour would be managed by the Presiding Officer in each House in accordance with the Standing Orders of the respective Houses. In my opinion, this did not and could not happen in the Electoral College due to the regulatory ability to control it.

I would expect that Senators and Members of the other place would carry across to the Electoral College the code of conduct and behaviour inherent in the respective Standing Orders, but maybe I am being naive and I am being idealistic in the arena of the political gayelle of adversarial politics in which there seems to be no rules of engagement and it is a free for all. Ironically, even in war, where lives are lost and countries decimated, there are still rules of engagement.

Should this Motion be passed, I do not see the Opposition willingly participating in the select committee under the reality that they have been censured for their conduct and behaviour. I know it can be said if they want to stay out, it is their decision. But would the possible lack of participation from Opposition

Senators in this select committee contribute to the broader contexts that we inevitably have to address? And that is to provide comprehensive and effective regulations to guide the conduct of all in the Electoral College for all possibilities that may arise due to partisan and adversarial politics that appear judging from the contribution, particularly of the Opposition Senators to this debate that appear to have no boundaries.

Madam President, the preamble in the Motion states—one of the preambles:

*“And whereas all Opposition Senators who were present at the meeting of the Electoral College on October 21, 2021 made abusive and malicious assertions; imputed false and improper motives, and cast negative reflections on the character and impartiality of all Independent Senators during said proceedings of the Electoral College, and in the media;”*

I would first like to focus on the comments ascribed to the Opposition in the media. I know both Sen. Vieira and Sen. Deyalsingh quoted extensively from various articles appearing in the daily newspapers, and I do not intend to repeat them, Madam President. However, if I would be allowed to just summarize some of these comments, just to set a context for what I would like to say later down in my contribution, and these are some of the statements made:

*“...so-called Independent Senators capitulated to the PNM’s”*—will

*“...Panday called them the parasitic oligarchy...*

*We have in essence invented our own aristocracy, where these little barons and baronesses are handpicked, and they now want to laud it over the rest of us...”*

*“...‘independent’ senators ‘represent only themselves, are unrepresentative of the country, are members of a cloistered group of privileged and narcissistic validating elites who descend ever so often from their ivory*

towers to lecture us lesser mortals on our manners and deportment.’...

‘(PM Dr Keith) Rowley’s rubber stamps...‘PNM puppets...

We cannot count on the eat-ah-food Independent so-called senators to represent the citizens of this country...They are there only representing themselves, the President and the PNM Government’...

This nepotism and eat-ah-food behaviour is what has also made the independent bench into a PNM bench in Parliament...

This is the absolute worst and shameless independent bench in the history of TT” —Trinidad and Tobago—““They have disgraced and debased the status of the independent bench.””

I could go on and on.

Madam President, I would have liked to engage in the debate regarding these comments from the Opposition, but I could not find any substantiation put forward for these claims and, as such, it is difficult for me to engage in parliamentary debate regarding these comments that have been made.

As reported in the media, the Opposition did allude to the number of times some of the present Independent Senators have voted affirmative for legislation brought by the Government, but I consider this to be insufficient justification for the comments made against the present Independent Senators. It would be interesting if the Opposition would have extended their exercise to include how other Independent Senators serving previous terms voted for legislation, particularly, during the time the Opposition was in Government at the time. I am sure that overall the Independent Senators, past and present, have voted, the majority of times, for passing of legislation brought to the Senate. No one can accuse this Independent Bench of lack of diligence, lack of effort in bringing and defending proposed amendments to legislation, and no one can accuse us of

meekly accepting legislation brought by the Government.

About the issue of conduct and behaviour of the Opposition Senators in the Electoral College on October 21 2021, Sen. Vieira did speak extensively about this in piloting his Motion and Sen. Mark and Sen. Roberts said a lot about this in their respective contributions. My time is limited, and I do not intend to get into the semantics of language regarding what is unparliamentary language or get into the gymnastics of the debate about breach of privilege. The capture of the spoken word by *Hansard* and the visual of viewing it on the Parliament Channel, Madam President, in my view, in no way, in no way captures the enormity of what was seen and heard in the Electoral College on that day. I was there. I know what I saw, I know what I heard and I was shocked, I was disturbed and I was saddened by it all and, Madam President, and that is putting it quite mildly.

A lot has been said by the Opposition about the role or the job of Independent Senators during this debate and through their comments in media, and what meaning do we put to the word “independent” in this particular context? It is worth noting that the nine Senators selected by the President are not referred to in the Constitution as “Independent Senators”. Nevertheless, as an Independent Senator, I am guided by certain unwritten principles, and I make my contributions in the Senate and I vote in accordance with what I consider to be the right thing to do, and not because of preference for either the Government or the Opposition.

Madam President, as an Independent Senator, does it mean that I am not expected to have views and opinions which happen to coincide with the thinking of the Government or of the Opposition? Does it mean that I should not favour one party over the other in general and local elections and relinquish my constitutional right to vote in these elections because I sit on the Independent Bench?

In debating legislation, it is inevitable at times that I am critical of

Government policies and actions or lack of it, and at times I have voted against legislation. Does this mean that I am anti-government or anti-PNM? Should I present differing views and opinions about the policies, governance and conduct of the Government or Opposition in public? Does this mean that I am anti-government or anti-Opposition? Does this mean that I have overstepped my boundaries and, in so doing, enter the political gayelle of adversarial politics and I should know my place and bat in my crease? What it all means to me is that I am expected to bring to bear on proceedings in Parliament, the benefit of my personal and professional experience and to approach each and every issue with the sole goal of furthering the public interest and not that of any political party.

**Hon. Senators:** [*Desk thumping*]

**Sen. D. Teemal:** What it means to me is that in seeking that public interest, I can select or I can choose to participate in public forums and also to speak to the media to express my views and opinions. I would support what I think is right based on my experience, my conscience and a sense of values that are necessary to uphold the oath I have taken as a Senator.

Madam President, there is an ideal that I subscribe to in this regard, that of the “Sthitaprajna” mentioned in the Bhagavad Geeta. I would just spell it for the purposes of *Hansard* S-T-H-I-T-A-P-R-A-J-N-A, Sthitaprajna, and this is one who remains unmoved by relationships, preferences, circumstances and conditions and fearlessly maintains calm, clarity of mind, equanimity and clear purpose in doing what has to be done.

Madam President, during the course of the debate, you know, reference have been made several times in this debate and other debates, about the Opposition receiving 309,000 votes, and the thinking that they have been placed here by the voting public, and as Independent Senators, we have not been elected, but we have

be selected. And sometimes I get the impression that the thinking comes through because of this, that we are here to play a subservient role, and as Sen. Lyder put it in his contribution, we are to operate within the confines of being an Independent Senator, whatever that is.

Madam President, all of us here in this Senate have been selected and not elected—

**Hon. Senators:** [*Desk thumping*]

**Sen. D. Teemal:**— and when the PNM lost the election in 2010 to the PP Government, I wonder if we can look at it and say that the PNM at that time was elected to form the Opposition? They lost and, by default, they formed the Opposition.

**6.00 p.m.**

The same way when we talk about 309,000 votes for the UNC, is it a question of being elected to form the Opposition or because of the fact that that party lost the elections and by default they formed the Opposition? So, attempts have been made to really tell us Independent Senators what our job is, what the boundaries of that job is, what the confines of that job is, but, Madam President, as an Independent Senator, I soldier on in the best interest of the public. I soldier on in the best interest of the public.

**Hon. Senators:** [*Desk thumping*]

**Sen. D. Teemal:** I function in this Senate—

**Madam President:** Sen. Teemal, you have five more minutes.

**Sen. D. Teemal:** Thank you, Madam President. I function in this Senate—you know, we do not have the luxury of the resources that are available to the Government or to the Opposition as well and sometimes without being much informed about the legislative agenda, the time that we are given to prepare for

debates is rather limited.

Our ability for research through dedicated research staff, we do not have that luxury but we soldier on. And, you know, if we had to put that all in the context of the role of the Independent Senators, Madam President, as I said, I would continue to offer my service to country in a way that I am unmoved by relationships, preferences, circumstances and conditions and continue to maintain calm, clarity of mind, equanimity and a clear purpose in doing what I have taken an oath to do. I thank you, Madam President, for the opportunity to contribute to this debate.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Bethelmy.

**Sen. Yokymma Bethelmy:** Thank you, Madam President, for allowing me the opportunity to join this very important debate. Madam President, first let me start by addressing some of the statements made by Sen. Lyder during his contribution where he asked the question, “What are we doing here today?” And he even went on to list some of the issues experienced by citizens today because of COVID and all of that, but we are here today because they do not know—sorry—but I would like to tell Sen. Lyder that we are here today because you and your team, you just do not know how to act and you constantly practise misconduct both here and in the other place and you constantly attack our Independent Senators just because they do not want to do what you want them to do or say what you want them to say. Do I always agree with the Independent Senators? No, but I respect them and I respect their role in our democracy, and I think that they have the right—or they have a right to say exactly how they feel and bring their independent contributions and their independent views and opinions to this House.

You see, Madam President, as a Senator it is much more than being hard-working or conscientious; it is much more than being dutiful or having noble

qualities or extreme selflessness; it is about self-discipline and dedication to the people of Trinidad and Tobago—

**Hon. Senators:** [*Desk thumping*]

**Sen. Y. Bethelmy:** — and we have to take our role as parliamentarians very, very seriously. I remember—I just want to share my experience at the Electoral College. That was my first experience at the Electoral College, by the way, and I remember when it was my time to vote, two Members of Parliament—two of the youngest Members of Parliament on the Opposition side actually looked at me and they shouted, “Look at she, look at she, she doh even know what she voting for.” Madam President, at that point I had to say the Rosary because I thought I was dealing with demons.

I was absolutely shocked at the misconduct of young Members of Parliament. And, you know, it is such an honour to be a young Member of Parliament because we have the opportunity to be agents of change, not gangsters. We are not here to gangster anybody into thinking how we want them to think. We are here to debate and we are here to uphold our democracy in a respectful way and to respect each other outside of this honourable House. Outside of PNM and outside of UNC, we are still individuals that have to respect each other. And when we take that oath—that oath is a very, very serious oath, and when we leave these walls, we do not drop the oath by the walls or we do not drop the oath by the entrance or the exit, we carry it with us, Madam President.

As a Senator, as a young Senator, a lot of the times when I am contributing you may hear me stop and think or I might start to stutter and it is because I respect the Standing Orders and it is because in that very moment I am wondering while I am speaking, “Is this something that will cause one of my colleagues to stand and raise a Standing Order?” So, I have the utmost respect for the office and for the



opportunity that I have been given and it is just baffling to me that this is the Second Session that we have to bring someone or a team before the Privileges Committee and it is always the Opposition. Why is that? Like you are not learning? And if we have to still come and bring—after we take that oath that basically tells us exactly how we are supposed to behave, if we still have to come and bring a code of ethics to tell you how you are to behave as a parliamentarian, then what “yuh” doing here? “Yuh” not supposed to be here. This is not the place for you.

I take my job very, very seriously, Madam President. There are things I will not do in my normal life that I used to do and it is because I am a parliamentarian so I always have to act in the best interest of the people of Trinidad and Tobago. And we constantly have to bring Members before the Privileges Committee, or waste time, as Sen. Lyder said, waste time to bring Motions to tell you how you have to behave. How that making any kind of sense? When will we be able to act or when will you be able to behave how you are supposed to behave? How should I have to tell a big man or a big woman or an adult how to conduct yourself within this honourable Chamber?

Sen. John spoke about—she was not aware of why statements of bullying—and Sen. Jowelle even spoke about throwing stones, but they do it constantly, bullying and throwing stones. And then when you are brought before—or let us just say a Motion or an hon. Senator brings a Motion about your behaviour, you are most upset about it. Some of you do not even know the difference between appointed and elected.

**Sen. De Souza:** You throwing that for me?

**Sen. Y. Bethelmy:** Right. And this is a perfect example of not knowing how to behave in the Chamber.

**Hon. Senators:** [*Continuous desk thumping*]

**Sen. Y. Bethelmy:** I am standing here and you want to attack me. How could you attack me? You cannot attack me.

**Madam President:** First of all, let me just interject here, Sen. De Souza—

**Sen. De Souza:** Sorry, Ma'am.

**Madam President:** Yes. Thank you. Sen. Bethelmy—

**Sen. Y. Bethelmy:** Apologies, Madam President.

**Madam President:**— you please have to speak through me. Okay?

**Sen. Y. Bethelmy:** Yes. Madam President, I had so much more to say but Sen. De Souza basically just wrapped up my contribution on why we are here today.

We are here today because the Opposition does not know how to behave. Learn how to behave and it is more than you just taking an oath, you actually have to act out that oath. You are not a gangster. You are a politician. You are not a gangster, Madam President, the Oppositions are not gangsters. You are a politician, you are an officeholder and you are supposed to be an honourable Senator so, please, show the young people of Trinidad and Tobago what a Senator is really supposed to be. Thank you, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Vieira.

**Hon. Senators:** [*Desk thumping*]

**Sen. Mark:** [*Inaudible*]

**Madam President:** I am sorry.?

**Sen. Mark:** [*Inaudible*]

**Madam President:** No, Sen. Mark, if there was—it is clear what the arrangement is. People are able to follow the proceedings throughout the Parliament's precincts and if you know that you have to speak then you have to be in the Chamber to speak. Arrangements—[*Interruption*—no, hold on. Arrangements are made

among Members of all the different benches. So, I am calling on Sen. Vieira to wrap up.

**Sen. Anthony Vieira:** Thank you, Madam President. Let me begin by thanking everyone who participated in this debate for sharing your perspectives and special thanks to those both here and outside the Senate who have offered words of encouragement and support. Labelling a person is objectionable when that labelling is an attempt to discredit and to disempower that person. And given that democracy depends on our ability to reason together we should always avoid lazy and unproductive ways of arguing, such as labelling and ad hominem attacks. Debate is about how to disagree productively and as this is crucial to the parliamentary process, we must, we must protect standards of the way we speak and behave in public. Parliamentarians should be exemplars in showing that we can handle sensitive, we can handle complex issues in a constructive and respectful way.

Now, turning to those who have spoken against this Motion. As usual Sen. Mark was loquacious. He launched a harangue against me for bringing this Motion, for “toting” feelings and was adamant that no one can tell the Opposition how to behave. He generated a lot of heat but shed little light on the central issue in this Motion which has to do with unparliamentary behaviour during the sitting of the Electoral College. And I would respectfully tell Sen. Mark through you, Madam President, that he does not have a monopoly on feelings. Just last week he railed against the hon. Minister of National Security for what he regarded as provocative language, so similarly, just as no one can tell the Opposition how to behave, no one can tell I am not entitled to be angry, especially if I am angry in the right way and for the right reasons. The unprovoked attacks against me, against my fellow Independent Senators, occasion justifiable anger and I make no apology for

it.

Sen. Mark sought to stigmatize me as being in a close relationship and alliance with the Government, a completely false and hysterical acquisition but one I am compelled nonetheless to respond to. He asked, improperly in my view, because it imputes improper motives, whether I sit on any state boards or I am in receipt of any state briefs. Well, Sen. Mark sits with me on the Joint Select Committee of State Enterprises so I was surprised he could ask that question because he knows or he should know full well that I do not sit on the board of any state enterprises. And as to whether I am in receipt of state briefs, may I remind Sen. Mark about the report of the Committee of Privileges of the Senate when a prima facie case had been made out against Sen. Gerald Ramdeen for implying that because Independent Senator, Mr. Justin Junkèr may have been in receipt of state briefs that equated with his being on the Attorney General's payroll and conflicted in his duties as a temporary Senator. Well, the committee by a majority felt that a breach of privilege and a contempt of Parliament had occurred and that the statements made by Mr. Ramdeen had brought the House into odium and disrepute.

So, Sen. Mark is on thin ice here, I believe. And may I also remind Sen. Mark that there is nothing wrong or improper for Independent Senators who are lawyers to accept state briefs—

**Madam President:** May I just ask that we listen to Sen. Vieira in silence.

**Sen. A. Vieira:** Indeed, many of my predecessors have done so but as I have nothing to hide, I have no difficulty in letting Sen. Mark know I am not in receipt of any state briefs.

Now, a question was asked as to whether this Motion can go against the Opposition Bench as a group or whether evidence must be led against each

Member individually. Well, I will rely on two precedents, both of which took place in 2008. In that year the entire PNM Government was referred to the Committee of Privileges for allegedly organizing a crowd of supporters to assault, molest and abuse Opposition Members of Parliament whilst walking from Woodford Square to the Red House and the Speaker ruled that a prima facie case had been made out against the Government as a group. Also, that year the entire Government—the entire Government was referred to the Committee of Privileges for refusing to give answers on a timely basis. The matter of privilege was not directed at any particular individual but with a conduct of Government as a group.

I turn now to Sen. Roberts. Sen. Roberts contends there was no unparliamentary language given; that the words complained about are commonly used. In the chapter dealing with Unparliamentary Language in the Senators’—Members’—handbook that all of us were given, we are advised that unparliamentary language includes making personal allusions to the honour or motives of a Member; the use of abusive or threatening language and may include ordinary words as well as colloquial terms depending on the context. In the Parliament Library there is a textbook on *Unparliamentary Expressions* from the New Delhi, published in 1986, identifying words and expressions which have been declared unparliamentary in the Constituent Assembly of India and other parliaments in the Commonwealth, including our own. And such words include, “afraid”, “half-truth”, “shabby”, “sing an elegy” and “elegy”, “sing the songs of your masters”. And in relation to the Chair or Speaker, “you are partial”, “you are not fair”, “you want to trample on our rights”, and “your ruling is unconstitutional”. Other Parliaments have held words such as those as unparliamentary. Members have a right to speak freely but as we have heard from my fellow Independents, that right is subject to compliance with the Standing

Orders and conventions. And there is ample precedent showing that ordinary words, expressions and terms can be unparliamentary depending on the context.

A good example of this occurred in 2021 when Dr. Rowley who was in Opposition at the time, he was suspended from the Lower House for saying that the then Attorney General, Mr. Ramesh Lawrence Maharaj SC, had pole-vaulted on his principles, and for refusing to withdraw that comment Dr. Rowley was suspended forthwith for unparliamentary language.

In June last year in Canada an NDP leader, Jagmeet Singh, he was expelled from the House of Commons after calling another MP “racist” and then refusing to apologize and withdraw his comments. Now, Sen. De Souza and others have raised issue about some comments that I may have made and to tell you the truth I was shocked at the lengths some will go to find a “gotcha” moment.

I speak now about the shortsighted focus on a single aspect of my contribution where I shared personal communications which, on reflection, I ought not to have done, communications involving observations about comments put out in a public space by one lawyer about another lawyer. Now, as a backdrop to that, let me remind Members that under the Code of Legal Ethics conduct towards fellow attorneys should be characterized by courtesy, fairness and good faith. And when an attorney in public life falls short of this it is not unexpected that readers may form a view of the behaviour in question. And as we have heard, judges like everybody else are entitled to their personal views and that is all that happened. It has absolutely nothing to do with politics. A personal view, not a public view, was shared, but unfortunately there are those who will cherry pick and misattribute this one item in a thinly veiled attempt to detract from the substance of this Motion which has to do with unparliamentary conduct on the part of Opposition Senators. And unfortunate that is how some people respond to criticism on major issues; they

try to threaten, they discredit the critic.

In their desire to disprove the substance of this Motion they connect unconnected dots. They attempt to manufacture controversy and they sow the seeds of confusion. This is mischievous. This is wrong. It is risky and irresponsible behaviour, one that may take us down a pathway with disruptive and destructive consequences. Be that as it may, if anything untoward can be inferred from the observations I shared then it is a miscommunication for which I alone must take responsibility, and I will not be baited into saying anything more on that subject.

The hon. Minister of Tourism, Culture and the Arts and Sen. Teemal indicated that they were a little uncomfortable with the code of conduct and wondered if it was necessary, whether we needed to tell people how to behave. Well, quoting from the *Handbook on Parliamentary Ethics and Conduct*, put out by the Global Task Force on Parliamentary Ethics:

“The purpose of an ethical regime is to ensure certain standards of conduct amongst its members.”

But it takes as a basis the commonly accepted standards that already exist within the institution but it also seeks to establish new ones. And of course, today, you know, we are operating with all kinds of new things, social media, electronic hearings being broadcast, so a legislative code of conduct is a formal document which would regulate the behaviour of legislators by establishing what is considered to be acceptable behaviour and what is not.

It is intended to create—and this is the real purpose of it—it is intended to create a political culture which places considerably emphasis on the propriety, correctness, transparency and honesty of parliamentarians’ behavior, but the code of conduct is not intended to be this behaviour by itself or to create the behaviour by itself. So not telling parliamentarians how to behave but to serve as a guide and

to foster high ethical standards. Having a code of conduct would be consistent with Sen. Dr. Dillon-Remy's laudable goal of looking to build something better from this "Thunder Thursday", decorum and dignity.

As to the way parliamentarians should comport themselves and the need for dignity and decorum, I cannot improve on the very wise words of two of the country's most seasoned politicians, and this is from *Hansard*, dated 29<sup>th</sup> of June, 2001. Madam President, if I may crave your indulgence, I may wish to quote from that *Hansard*. So, I am going to quote two persons. I am going to quote former Prime Minister Basdeo Panday and then Opposition Leader, Mr. Patrick Manning. So this is Prime Minister Panday on the 29<sup>th</sup> of June, 2001; I quote:

"I wish to make it clear, at the outset, that I point a finger at no one. During the past five years this honourable House has been allowed to degenerate to an unprecedented level of venom and spite, malice and vindictiveness. Members were called thieves, rogues, corrupt and criminals, without the slightest shred of evidence and, during the last six months, this trend has not in any way abated, so much so that the public has come to regard this House with disrespect and contempt. I think the time has come to take a good look at ourselves and take serious measures to restore this honourable House to its pristine glory.

Today... No one will disagree that there is need for greater civility in the proceedings of our Parliament than the nation has been witnessing, particularly in recent times. The Parliament is the highest deliberative assembly in our republic. This calls, for manifest reasons, for civility and order as we go about the business of the people.

...Members of Parliament are here to promote the common good....partisan antagonism should subserve the common good, not subvert it. It is as



fundamental as that...”

There is a—“...need for prompt measures on both sides to put an immediate end to the acrimony that has appeared to be intensifying with each sitting of this honourable House. We have no option but for both sides of this House to work together to restore its essential and necessary dignity to Parliament.

We must now undertake to go forward in this honourable House with dignity and, hopefully, with decorum; with candour and not with rancour; with fearless advocacy, but not with acrimony; with righteous indignation if need be, but never with uncontrolled anger; with parliamentary cut-and-thrust...but never with poison; never, never, never with poison. We must above all, respect the rules that govern the conduct of Members of this honourable House.”

“Mr. Speaker, it would be greatly to the common good if in this august assembly of legislators, which is our essential character, we can also be an assembly of exemplars to the nation. I am confident that the hon. Leader of the Opposition will agree with this sentiment.”

And this is what the Leader of the Opposition, Mr. Patrick Manning said, and I quote:

“The two longest serving Members of this Parliament happen to be the Prime Minister and the Leader of the Opposition. We see our responsibility—we discussed the matter—to preserve the dignity of this Parliament and our system of democracy...

...against our vast background of experience”—if—“we do not seek to set an example...not just to the Members of Parliament but to the national community, then we have nobody to blame but ourselves when—not just the Parliament falls into disrepute—but the profession of politics and

politicians...

Mr. Speaker, the role of the Opposition in the Westminster system is not just to oppose—as some people would have us believe—but it is to show the other side. The argument is that as the Government puts over its views and the Opposition shows the other side, those who hear us—the people on whose behalf we operate—are in a position to listen to both sides and to come to their conclusion as to where right may...”—be.

**6.30 p.m.**

“I would just like to make one final comment and it has to do with the role of the Speaker. No Parliament could operate without a president officer whose authority is accepted and respected. It is just not possible. The system of government under which we operate is a system that recognizes the need to have a Speaker. Without a Speaker, the Parliament cannot progress properly; there must be a presiding officer. I want to assure you, Mr. Speaker, that it is our intention on this side—whatever the antecedents may have been—to respect the office of Speaker and to respect the occupant of that office. I assure you of that.”

Madam President, this timeless exchange is profound and on point. Few could have said it better.

In the recitals of our Constitution we assert our belief in a democratic society where all persons may to the extent of their capacity play some part in the institutions of national life and thus develop and maintain due respect for lawfully constituted authority. Parliament is supposed to be a safe zone where we can resolve thorny issues and differences through peaceful and respectful discourse. If we lose or compromise this, democracy suffers. Members of the Independent Bench went to the Electoral College in peace. We did not expect to be attacked in

the performance of our duties. And for speaking out against unprovoked attacks, some of us have been attacked even more.

Sen. Mark says that no one can tell the UNC how to behave. But that is not what this is about. This is not about, as someone else has said, about browbeating the Opposition. This is about maintaining the dignity and decorum of our Parliament. Sen. John says politics is messy and we have to do what we have to do. Well, I do not agree, respectfully. This is not a free-for-all. This is about maintaining due respect and playing by the rules. In competitive sports you play by the rules of the game. In litigation you follow the rules of the court and in Parliament you follow the Standing Orders and the rules of parliamentary practice. Rules matter.

I am not in any way determining the Opposition's conduct as has been suggested by Sen. Roberts. I am calling on the Senate to do so. If you agree with me that the conduct exhibited by Members of the Opposition Bench fell below the required standards during the sitting of the Electoral College and thereafter, then I ask you to officially condemn such behaviour as unparliamentary. That is the meaning of censure; an official condemnation of the conduct.

This is not about supporting me. It is not about supporting the Independent Bench or any party. This is bigger than all of us. How we vote today will form part of a historical record. In years to come enquiring minds may analyse this moment and they will judge us accordingly. This defines how we will be seen then. How the world sees us now and what it means for the standing of our Parliament. Madam President, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Resolved:*

That this Senate censure the unparliamentary conduct of said Opposition

Senators who by threat or molestation have attempted to obstruct, impede, influence or interfere with said Independent Senators in the performance of their duties;

That a Select Committee be established to consider and report on a code of ethical conduct and behaviour for Senators.

**Hon. Senators:** [*Desk thumping*]

### ADJOURNMENT

**Madam President:** Leader of Government Business.

**The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):** Thank you, Madam President. Madam President, I beg to move that this House do now adjourn to Tuesday, March 08, 2022, at 1.30 p.m. On that date we propose to deal with the Caricom Bill that is on the Order Paper. Thank you.

**Madam President:** You did say Thursday, March the 8<sup>th</sup>?

**Sen. The Hon. C. Rambharat:** Tuesday.

**Madam President:** Tuesday.

**Sen. The Hon. C. Rambharat:** At 1.30 p.m.

**Madam President:** Hon. Senators, before I treat with the Motion for the Adjournment, there are two matters that have been approved. Sen. Mark.

**Hon. Senators:** [*Desk thumping*]

### Vandalism of Copper Lines (Government's Failure to Address)

**Sen. Wade Mark:** Thank you, Madam President. Madam President, the first matter I would like to address deals with the decision of the TSTT to pursue a zero-copper drive and the resulting rise in copper cable vandalism and theft. Madam President, ever since the Chief Executive Officer, one Lisa Agard of the TSTT announced a zero-copper drive, this country—and this would have been done, Madam President, sometime, I believe, in 2021 and it was told to the country

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that that copper drive will come to an end on the 30<sup>th</sup> of September, 2021. That is my information. I stand corrected.

Madam President, ever since that announcement this country has witnessed large-scale theft and vandalism of copper wire or cable wires. Maybe we do not know where it is coming from, whether it is being orchestrated within TSTT or from without TSTT. What we do know that there has been large-scale theft and vandalism of copper wires. And what is even more amazing is the deafening silence on the part of the management and the directors and the Minister of Public Utilities on this particular matter. Madam President, we have estimated that Trinidad and Tobago may have lost close to \$100 million in cable theft. Madam President, this is extremely worrying and troubling. How can a company that is seeking to retrench close to another 600 workers where, Madam President, on the international copper market today, a tonne of copper is US \$10,000 and we have the company doing nothing, Madam President, on this matter. They are doing nothing. They have made no statement of condemnation on this matter and the vandalism continues.

But, Madam President, the vandalism is affecting consumers because the consumers who are still tied up with this thing called copper cable or copper wire arrangements, they are without service. There is no telephone, there is no Internet, there is no entertainment, there is no security, Madam President. It is affecting both residential, as well as business operations in our country. I do not know if TSTT has a death wish and the death wish, Madam President, is to run TSTT into the ground so that at the end of the day Massy Communications, ANSA McAl or Agostini may come in and take charge of TSTT in some kind of partnership. We do not know what is behind this thing.

So, Madam President, this matter has frustrated customers. You have phones

but they are not working. And, Madam President, particularly in the rural communities where there are no cell towers, the population depends or is depending on cable, on the copper-wire network, on land lines. What TSTT has done is to introduce a wireless service. But, Madam President, the weakness of this WTTx arrangement is that it only provides one source of service which is telephone. That is my information. So there is no entertainment. There is no data or Internet and there is no security. So what is going on at TSTT? We want answers. We want to know if there are Trojan horses operating within the TSTT. We want to know if there is internal sabotage taking place in TSTT. These are matters that people are asking and drawing to our attention.

Madam President, you would not believe and whilst they are stealing and vandalizing our network, that is, when I say our, TSTT belongs to us, 51 per cent. So it belongs to the people of Trinidad and Tobago. But you know what? Whilst the TSTT management and the Minister and the Government and the board of directors sit idly by and allow TSTT cable to be vandalized in this country, the same company, Madam President, is busy raising \$500 million to retrench, terminate the services of over 600 workers.

Madam President, not only this, the Government has to explain to this country, why over the last six years TSTT has written off over \$2.4 billion, Madam President, \$2.4 billion. This is madness and we would like the Government to indicate how can you justify writing off \$2.4 billion in the last six years and you are now seeking to retrench over six or 500 workers, Madam President.

**Madam President:** Sen. Mark. Sen. Mark, you have few minutes but I will ask you to get back please to what you have filed.

**Sen. W. Mark:** Yes, Madam President. Madam President, let me just get back as you have rightly advised. Madam President, we have information that cable

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vandalism and damaged plant are occurring in Arima, in Caparo, in Chaguanas, in Freeport, in Manzanilla, in Maracas, in Mausica, in Nelson, Port of Spain that is Dock Road, also San Juan, Sans Souci, Sangre Grande, St. Augustine, Cumuto, Talparo, Valencia and, Madam President, in a place called Dibe Long Circular, St. James. These are areas where cables are being destroyed, Madam President. I have the areas that are involved in these specific areas that I mentioned.

And in south Trinidad, Madam President, it is in Barrackpore, Basse Terre, Penal, Siparia, Claxton Bay, Couva and places like Debe, Flanagin Town, Madam President, Penitence Street, Hubert Rance Street, Marabella. Madam President, why are we permitting this thing to take place in our country? So the TSTT has a lot to answer. The Communication Workers' Union has asked for a meeting of the management since December to deal with vandalism. And up to now, not a date has been arranged. No meeting has been called. So we ask, Madam President—

**Madam President:** Sen. Mark, you have one more minute.

**Sen. W. Mark:** Yeah. What is the present asset value or book value of the copper plan? What is the present market value of the copper plant? What is the book value and market value to date and has been vandalized and stolen? What is the plan for the decommissioning cables? What plans are there for ducts and manhole facilities? Madam President, is there any plan to retain copper facilities for network backup or redundancy? Will the possibility of revenue obtained from the sale of decommissioned cables after the company instituted cable wrecking initiatives be channelled to erect cell sites to enhance the WTTx experience to drive a lean FTTx initiative to be explored.

Madam President, I raise these matters to get clarification, to get action, to get some decision from the Government on this very serious and troubling matter. I thank you very much, Madam President.

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**Hon. Senators:** [*Desk thumping*]

**Madam President:** Minister of Public Utilities.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Public Utilities (Hon. Marvin Gonzales):** Thank you very much, Madam President. Madam President, first let me say that I am more than ready and I am more than prepared to answer Sen. Wade Mark on the list of questions that he posed. I was invited under the Standing Orders of this House to come and answer a specific Motion and it reads as follows, because I realize that Sen. Mark has a habit and a penchant to file specific questions and in arguing his Motion, he brings in all kinds of extraneous matters that do not have anything to do with the Motion that is before the House.

**Hon. Senators:** [*Desk thumping*]

**Hon. M. Gonzales:** And therefore, Madam President, I will respond to the Motion that I was asked to come and respond to, and I will invite Sen. Mark to file the respective questions under the relevant Standing Orders and I will gladly come here and respond accordingly.

And therefore, Madam President, the question that was filed is:

The decision of TSTT to pursue a zero-copper drive and the resulting raise in copper vandalism and theft.

Very, very pointed and a straightforward question.

With respect to what Sen. Mark said as it relates to Ms. Lisa Agard the CEO of TSTT and her announcements with respect to copper vandalism and the moving out of the operation of copper into fibre optic technology, let me say abundantly clear and make it absolutely clear that that issue of copper vandalism has absolutely nothing to do with any recent statement made by the TSTT CEO recently. So therefore, Madam President, the decision to pursue a zero-copper



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drive and the rise in copper vandalism and theft are two discrete and totally unrelated issues.

Madam President, over the last few decades the world has been witnessing a digital revolution driven by new technologies, high speed Internet activity and innovative products and services. This revolution has significantly impacted the entire telecommunications ecosystem and fundamentally altered the telecommunication infrastructure. High quality, energy-efficient optical fibre telecommunications network has become the backbone infrastructure to enable the digitalization that would allow telecommunication networks to meet the speed and bandwidth requirements of the new gigabit society. To stay competitive, telecommunication companies like TSTT will have to continuously invest in advanced-digital infrastructures to meet existing and future demand or risk falling behind.

It is against this backdrop that TSTT commenced its zero-copper migration programme in 2017 and not in 2021. In 2017 as a key strategic initiative focused on migrating all customers from the legacy copper network to either TSTT's modern fixed wireless WTTx network or to TSTT's robust fibre FTTx network for residential and business customers. TSTT's aged copper network is outdated and is no longer future-proof technology to provide the necessary broadband speeds required for its customers. The actual migration of customers began in January 2019 and this exercise will result in the decommissioning and dismantling of TSTT's copper plant network and its facilities in the financial year 2022 to 2023.

Madam President, copper vandalism and theft are problems that have impacted not just TSTT but other utility companies in the country over many years. It is a worldwide phenomenon with copper thieves targeting electrical

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substations, cellular towers, telephone landlines, railroads, water wells, construction sites and vacant homes for lucrative profits. Such incidents have intensified with significant increase in the experience in the commodity price of copper on the international market.

Madam President, I can tell you, not only TSTT but presently there is a water crisis affecting the communities of Tunapuna and environs. And the result of that is a number of wells, water wells operating in the Tacarigua area, they have been vandalized by copper thieves. And therefore, as a result of that over five wells went out of operation thereby impacting the water supply of thousands of people in the Tunapuna area. And therefore, it is not a TSTT problem. Other utility companies are faced with the same problem. The Ministry of Works and infrastructure, some of their road signage, et cetera, all experiencing the rise in vandalism in this particular sector.

And in this regard, Madam President, it should be noted that next to aluminium and steel, as the Senator alluded, copper is the most widely used metal in the construction, telecommunications, transportation and automobile manufacturing sectors. Rising demands and short supply as a result of the decline in mining activities due to the COVID-19 pandemic have contributed to copper prices skyrocketing from an average of \$5,875 a tonne in the fourth quarter of 2019, to the highest level in nearly a decade in 2021 with spot prices reaching an all-time high of US \$10,512 on the London market.

Despite the challenges faced by TSTT and other utility companies, Madam President, TSTT working with the TTPS was successful in the prosecution of several violators over the years. Its remote monitoring systems continue to assist in the detection and the prosecution of cases before the courts.

And I also take this opportunity, Madam President, to implore all citizens to

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report all suspicious activities of copper vandalism to TSTT and/or the Trinidad and Tobago Police Service. I thank you.

**Hon. Senators:** [*Desk thumping*]

**UDeCOTT's COVID-19 Policy  
(Government's Lack of Explanation)**

**Madam President:** Sen. Mark.

**Hon. Senators:** [*Desk thumping*]

**Sen. Wade Mark:** Yeah. Madam President, thank you again. Madam President, the second matter that I would like to raise deals with the need for the Prime Minister to explain Government's human resource COVID-19 policy at the Urban Development Company of Trinidad and Tobago.

Madam President, I have seen a document stamped, dated the 30<sup>th</sup> of—let me just get the specific date here, Madam President, the 30<sup>th</sup> of December, 2021. It is titled COVID-19 Vaccination Policy. And this policy has some extremely dangerous features. And the reason why I have brought this to your attention and to this honourable Senate's attention is to get from the Government whether this policy has been formerly approved by the Cabinet. Because we know, Madam President, as we speak, the Government wishes to bring to Parliament a so-called quasi safe zone policy which, I believe, they cannot bring again. But you know what, Madam President? UDeCOTT has proceeded and I believe unilaterally to impose a vaccination policy. I call it a mandatory, forced-vaccination policy on their workers.

And that is why, Madam President, I have brought this matter, this Motion so that we can get clarification from the Government as to whether UDeCOTT has the blessings of the Government because we are advised that there are workers at UDeCOTT who have been fired, whose services have been terminated because they refused to take a vaccine. And there is no law in this country that forces any

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citizen to take a vaccine. The Government has repeatedly said it is voluntary. So why is UDeCOTT dismissing workers because of their failure to be vaccinated? This cannot be fair.

And that is why, Madam President, I have brought this matter to the attention of your good self and to this honourable Senate. So we need to get from the Government, as I said today, what is their policy. Because we know, I have documentation from the World Health Organization that speaks not to mandatory vaccination but to encourage workers and citizens to become vaccinated. So why is UDeCOTT not pursuing a policy, Madam President, to encourage workers to become vaccinated? Why are they forcing workers? And if they refuse, Madam President, these workers are not being furloughed, you know. They are being dismissed. That cannot be right. That cannot be fair. And that is why, Madam President, I would like answers to this particular issue that is before us. Madam President, I do not want to call names of people because I want to protect the interest of these people and workers. But I think this is extremely difficult.

Madam President, we all know that with this vaccination policy even our hon. Attorney General who has been boosted, gotten his two primary doses, he like many other citizens in this country have fallen victim to COVID. I wish him a speedy recovery.

So, Madam President, there is no—let us say, isolated arrangement or no policy arrangement I should say, that would allow you not to be affected by this particular virus. So why is this company conscious of what the reality is, it is refusing to allow workers to continue working even though the Government of Trinidad and Tobago has said openly and publicly, that vaccination is a matter of choice. Vaccination is a matter “voluntaryism” or being voluntary, if I may say so. It is about voluntary arrangements, Madam President. So I have raised this matter

today with you, Madam President, and through you to my hon. colleagues.

Madam President, what is even more amazing, when we look at the vaccination policy, we are seeing where the Occupational Safety and Health Act is being used as a pretext for this policy.

**7.00 p.m.**

Now, Madam President, tell me what the Occupational Safety and Health Act has do with this vaccination policy? And did the Government give this company the all-clear to impose this kind of mandatory—now, Madam President, you know they are not calling it mandatory. The Government is very wise in the selection of their words, their language, so they are running away from mandatory. But when you begin to dismiss workers because they have not taken the vaccine and some of them for religious purposes and reasons their religion does not permit them to take the vaccine—Madam President, you would be aware also that there are many citizens who have gotten the COVID naturally without getting a vaccine. They got COVID, they got back into their normal strides, you know the company is still insisting that that worker or those workers be vaccinated?

Madam President, that has to be madness. So I am calling on the Government to rein in this rouge company called UDeCOTT and whoever they have fired, they have to reinstate. You cannot be moving outside of the ambit of the Government's policy. And the Government policy is not mandatory. The policy is voluntary. And therefore, Madam President, I ask the Government to look at this policy. If the Minister who is to speak in a short while does not have a copy, I will make a copy available to the Minister of Agriculture, Land and Fisheries so he can understand what we are dealing with. I am seeking guidance, I am seeking direction, I am seeking clarification from the Government as it relates to this policy that is being mandatorily implemented by UDeCOTT, headed by my good friend,

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Noel Garcia, at this time, and I reject it, I condemn it, I call on the Government to withdraw this policy.

And, Madam President, in closing, the workers who have been dismissed and/or retrenched or sent home because they refused to take the vaccine, they must be reinstated immediately. And I call on the Government to take action on this matter. I thank you very much, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Leader of Government Business.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):** Thank you very much, Madam President. And, Madam President, I reject any offer from Sen. Mark to provide me with a copy of what he has in his hand. Clearly, he is reading from blank paper. There is nothing written there.

**Sen. Mark:** “Look it here”. It is here.

**Sen. The Hon. C. Rambharat:** Because, Madam President—

**Sen. Mark:** Madam President, can I show him? It is here. It is here. Here. Here.

[*Holds up document*]

**Madam President:** Sen. Mark. [*Laughs*]

**Hon. Senators:** [*Laughter*]

**Sen. Mark:** [*Inaudible*]—read—[*Inaudible*] It is here.

**Madam President:** Sen. Mark.

**Sen. Mark:** [*Inaudible*]

**Madam President:** Sen. Mark.

**Sen. Mark:** Sorry, Madam President.

**Madam President:** No, you are not sorry, you know. I know you are not sorry because you gave about 10 “here’s” when you were brandishing it. Now, you

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know—

**Sen. Mark:** I am sorry.

**Madam President:** Please.

**Sen. Mark:** I apologize to you, Madam President.

**Hon. Senators:** [*Laughter*]

**Madam President:** Thank you. Minister.

**Sen. The Hon. C. Rambharat:** Madam President, I have seen my friend read for 40 minutes from one sheet of paper. And in fact—

**Hon. Senators:** [*Laughter*]

**Sen. Mark:** [*Inaudible*]

**Sen. The Hon. C. Rambharat:** In fact, once I asked him to refer me to his stationery shop so I could get a ream of that magic paper.

**Hon. Senators:** [*Laughter*]

**Sen. The Hon. C. Rambharat:** Because, Madam President, having opened with the allegation that this blank sheet of paper had extremely dangerous features, Sen. Mark made no reference to those dangerous features. He has talked about a mandatory policy without making a single reference to anything held in his hand relating to mandatory vaccination policy. He has talked about dismissed workers without a single name. That must be worse than a ghost gang.

**Hon. Senators:** [*Laughter*]

**Sen. The Hon. C. Rambharat:** And what struck me as the most incredible part of this fable, Sen. Mark knows in 2006, we were opposite each other battling on the amendment to the 2004 OSHA legislation that had not been proclaimed. Sen. Mark was amongst the trade unionists and I led the employer delegation. He knows that. We battled for about two years. And he knows that fundamental to OSHA legislation is the requirement for an employer to maintain a safe system of work

which must include protecting its workers from a pandemic that has shut down the world.

Sen. Mark must know, Madam President, that UDeCOTT is not required to seek Cabinet's approval for approval of a policy document that is part of its operation. There is no need for UDeCOTT to bring a human resource policy to the Cabinet for approval. Sen. Mark knows, Madam President, that there is nothing in the Government policy about a quasi safe zone policy. The Government has a safe zone policy. The country has operated—restaurant and bars and now aspects of the carnival operate because of a safe zone. There is nothing quasi about that. There is nothing planned. That is in place.

What, Madam President, my friend should have been saying in his request for the Prime Minister to explain UDeCOTT's COVID policy, he should have been saying these things: one, UDeCOTT has been involved, like most entities, in the continuous monitoring of COVID-19, effecting the modifications to its policies, its processes, its arrangement based on the COVID regulations in place at the time, the WHO guidelines, OSHA legislation and the other arrangements within UDeCOTT.

The priority of UDeCOTT has been to safeguard its employees and given the nature of the operations of UDeCOTT, its various consultants, stakeholders, contractors, contractors/employees, visitors to the sites and visitors to the offices of UDeCOTT.

A third priority has been to ensure this financial viability of the organization and to use the words of the UDeCOTT policy—which I have—"commercial survival".

And the fourth element of the policy has been conformity with public health and other laws, guidelines and requirements imposed on UDeCOTT from time to



time.

In getting to a COVID policy there were two significant steps: the first was a risk assessment, and as I said before, taking into consideration the modifications which were required from time to time. And the second step involved the development of the policy. And the policy contains several areas which are now common language and common to COVID-19: matters relating to quarantine and isolation of employees; matters relating to leave; matters relating to work from home, travel and a wide range of things.

And, Madam President, I am pleased to say that the policy, the management approach, the risk assessment, the exchanges between the employees and the management and leadership of UDeCOTT, including the board, and I dare say the oversight of line Minister, the hon. Prime Minister, there has been no debt amongst UDeCOTT employees. UDeCOTT has had an uninterrupted flow of its operations except for the period May/July 2021, when construction activities were stopped as part of the Government's policy.

So, Madam President, these are the things my friend should have been asking about. Instead, he chose to venture in his usual way, of course. And I am happy to have brought this House and the country back on course and say that UDeCOTT has a policy that represents the best interest of its employees and its stakeholders. Thank you very much.

**Hon. Senators:** [*Desk thumping*]

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 7.10 p.m.*