

STATEMENT

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ATTORNEY GENERAL & MINISTER OF LEGAL AFFAIRS

Status of the Tobago Self Government Bills

Madam Speaker, I have been authorized by the Cabinet to make the following statement.

Madam Speaker, at a Press Conference, the Leader of the Opposition informed the citizens of Trinidad and Tobago that she had in her possession a document which she claimed was a list of amendments before the Committee of the Whole of this House presented to the Committee of the Whole House of Representatives. Madam Speaker, the Leader of the Opposition went on to tell the citizens of Trinidad and Tobago that the Government had effectively 'gutted' the Tobago Autonomy Bills which were before the House, by removing critically essential clauses of the Bills, using its simple majority. In punctuating her theatrical act of protestation, the Leader of the Opposition then proceeded to tear up the papers that she demonstrated in aid of her statements. Madam Speaker, the Member cannot deny that she in fact affirmed to the whole country that what she was saying was truthful and a matter of fact within her personal knowledge.

Madam Speaker, as Attorney General and Minister of Legal Affairs, with responsibility for the drafting of the laws and amendments to be brought before this House I can state, without contradiction, that no amendments mirroring anything purported by the Leader of the Opposition to the nation at her Press Conference, was ever presented to Cabinet, was ever circulated in Parliament and laid before the Committee of the Whole and, certainly, no amendments of the type alleged by the Member were in fact raised or discussed in the Committee of the House.

No list of amendments in Committee to cause the type of ‘gutting’ amendments as alleged by the Leader of the Opposition ever took place therefore does not exist in the records of the Parliament.

I have checked with the Secretariat of this House and the officials there have indicated that the Parliament was not in receipt of any such amendments, presented for laying by any member of the Government and circulation in the nature of what the Leader of the Opposition referred to, Madam Speaker.

It is therefore disconcerting and inexplicable that the Leader of the Opposition, for reasons that I will come to, will seek to willfully deceive the population and attempt to place in the public domain false impressions of the records of this House.

Madam Speaker, the law of Parliament to be found in the treatise of Erskine May, establishes that any person who falsifies, alters or misrepresents the records of this House commits the offence of contempt of this House.

Madam Speaker, the records of this House will show that subsequent to the Constitution Amendment (Tobago Self Government) Bill being laid in this House in 2018 and sent to a Joint Select Committee, that Committee carefully studied the policy behind this Bill which was contained in a document from the Forum of Political Parties in Tobago and received numerous comments and proposals from stakeholders largely resident in Tobago. In studying the Bill, that Committee invited submissions from the public as well as focused individuals and groups whose input Members of the Committee felt would be beneficial to their work. That Committee, Madam Speaker held consultations in public in Tobago.

Madam Speaker, when a new Committee was appointed in 2020 by this House, in accordance with the procedure set out in the Standing Orders of this House, that Committee engaged in clause by clause reviews of the Bill and considered the records of this Parliament containing all the submissions and consultations held on the

Bill. Madam Speaker, the deliberations of that Committee were at all times focused on the mandate assigned to it which was to recommend a legislative formula that would accord self-government to Tobago.

Therefore Madam Speaker, the process of discussions and consultations on the Bill before this House spanned a period of some three (3) years and took account of centuries old laws as well as decades old materials, reports, papers, submissions and also involved the people to be most affected by the measures in the proposed law considering the most recent of proposals and draft laws being considered.

In due course Madam Speaker, the Committee published its first redrafts of the legislative proposals, which by then comprised two Bills viz. a revised Constitution Amendment Bill, 2020 and a proposed Tobago Island Government Bill. Madam Speaker, the purpose of dividing the original Bill received from Tobago was thoroughly explained to this House during the recent debate held on June 29th and June 30th 2021 and was also explained to the stakeholders from Tobago.

Madam Speaker, the records will also reveal that the work of the Committee did not end with the redrafts because the Committee embarked on a new round of discussions, this time the subject being the redrafted proposal. The Committee also issued fresh Calls for comments and submissions targeting the whole of Trinidad and Tobago. Those Calls, Madam Speaker, resulted in very comprehensive and useful written submissions from a wide cross-section of Trinidad and Tobago interested in this matter.

I say all this Madam Speaker, to re-emphasize that every decision related to amendments to the legislative proposals concerning the matter of self-government for the people of Tobago always involved the people of Trinidad and Tobago, especially the people of Tobago.

Madam Speaker, among those consulted were political leaders in Tobago as well as the average citizen of Tobago and Trinidad who registered an interest in this matter. Madam Speaker, history and more particularly the records of the House will confirm that every step was taken to ensure that all citizens were made aware of the Bills and their importance and invited to be involved, should they so desire.

Madam Speaker, as you are aware, following the consultations by the Committee on the redrafts, the Members resumed their review of the clauses of the Bills and made substantial amendments based on comments received. Even then, Madam Speaker, the records reveal that the Committee held a final meeting with political leaders in Tobago to explain the proposals that will be submitted in its report and invited them to send in amendments if they so desire as the legislative process evolves.

Madam Speaker, as it stands now, for the benefit of the public I must emphasize that the Bills before the Committee of the Whole of this House propose the following for deep entrenchment into the Constitution of the Republic of Trinidad and Tobago, which stands as the Supreme law of our beloved country, inter alia:

1. A Legislature for Tobago with law making powers to make law for the peace order and good government of Tobago over a wide list of areas anchored in s 53 of the Constitution;
2. An Executive Council to manage the affairs of Tobago to the exclusion of the Cabinet anchored in s 75 of the Constitution;
3. The inclusion of Tobago representatives in reconfigured Public and Teaching Service Commissions anchored in ss 121 and 124 of the Constitution;

4. The duty of the President to consult with the Tobago Executive Council in the making of key certain decisions affecting Tobago anchored in s 80 of the Constitution.

5. The entrenchment of the constitutional protection for the reform to provide Tobago with autonomy anchored in s 54 of the Constitution;

6. Dispute resolution mechanisms and interpretation guidelines to dealing with conflicts of law and emergencies and other matters.

Additionally, key institutions and statutes will be amended to ensure recognition of Tobago and its governing institutions. Fundamentally Madam Speaker, the Tobago Island Government will have the ability in law to manage funds allocated to Tobago, raised and/or collected by a Tobago Island Government for the exclusive use of Tobago. Madam Speaker, no one, outside of Tobago, will be able to arbitrarily interfere in the legal authorities of Tobago.

That is what is before a Committee of this House, Madam Speaker and nothing else.

Madam Speaker, all these essential elements of self-government for Tobago are in keeping with the aspirations expressed by the good people of Tobago.

The act of the Leader of the Opposition telling the people of Trinidad and Tobago and the world at large that the Government in the Committee of the Whole of the House gutted the Bills to deal with granting Tobago hard fought for and long deliberated upon autonomy and protection is distressing.

The Member for Siparia is a long-standing Member of Parliament having entered the House in 1995 and now serving as the constitutionally recognized Leader of the Opposition of the Republic of Trinidad and Tobago. Her statements at the said Press

Conference stand as a contemptuous blot on our Westminster Parliamentary democracy.

Madam Speaker, as I end, let me say that the Government of Trinidad and Tobago and the right-thinking people of this country are fortified that by a majority, our people are able to discern what is decent from what is not, what is truthful from what is false and to recognize those elements that seek to divide us one from another.

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