



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2015/16 SESSION

13 August 2015
*Second Sitting of the Second
Meeting*
(Pages 331-360)

**Hon Juliana Y O'Connor-Connolly, JP, MLA,
Speaker**

PRESENT WERE:

SPEAKER

Hon Juliana Y O'Connor- Connolly, JP, MLA
Speaker of the Legislative Assembly

MINISTERS OF THE CABINET

Hon Alden McLaughlin, MBE, JP, MLA *Premier*, Minister of Home Affairs, Health and Culture
Hon Moses I Kirkconnell, JP, MLA *Deputy Premier*, Minister of District Administration,
Tourism and Transport
Hon D Kurt Tibbetts, OBE, JP, MLA Minister of Planning, Lands, Agriculture, Housing and Infrastructure
Hon Osbourne V Bodden, JP, MLA Minister of Community Affairs, Youth and Sports
Hon Marco S Archer, JP, MLA Minister of Finance and Economic Development
Hon G Wayne Panton, JP, MLA Financial Services, Commerce and Environment
Hon Tara A Rivers, JP, MLA Minister of Education, Employment and Gender Affairs

EX OFFICIO MEMBERS OF THE CABINET

Hon Stran Ashton Bodden *Temporary Deputy Governor*, ex officio Member responsible for
the Civil Service
Hon Samuel Bulgin, QC, JP Attorney General, ex officio Member responsible for
Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Mr Anthony S Eden, OBE, MLA *Deputy Speaker*, First Elected Member for Bodden Town
Mr Roy McTaggart, MLA Second Elected Member for George Town
Mr Winston C Connolly, Jr, MLA Fifth Elected Member for George Town
Mr Alva H Suckoo, MLA Fourth Elected Member for Bodden Town

OPPOSITION MEMBERS

Hon. W. McKeeva Bush, OBE, JP, MLA *Leader of the Opposition*, First Elected Member for
West Bay
Mr Bernie A Bush, MLA *Deputy Leader of the Opposition*, Third Elected Member
for West Bay
Capt A Eugene Ebanks, JP, MLA Fourth Elected Member for West Bay

INDEPENDENT MEMBERS

Mr D Ezzard Miller, MLA Elected Member for North Side
Mr V Arden McLean, JP, MLA Elected Member for East End

APOLOGIES

Mr Joseph X Hew, MLA Sixth Elected Member for George Town

**OFFICIAL HANSARD REPORT
SECOND MEETING 2015/16 SESSION
THURSDAY
13 AUGUST 2015
10:42AM
Second Sitting**

[Hon. Juliana Y. O'Connor-Connolly, Speaker, presiding]

The Speaker: Good morning. I will invite the Honourable Attorney General to grace us with prayers.

PRAYERS

The Attorney General, Hon. Samuel W. Bulgin:
Good morning. Let us pray:

Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.

Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Premier, the Speaker of the Legislative Assembly, Ministers of the Cabinet, Ex-officio Members, and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.

The Speaker: Please be seated.
The House is now in session.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

APOLOGIES

The Speaker: We have received apologies for the absence of the Sixth Elected Member for George Town.

PRESENTATION OF PAPERS AND OF REPORTS

GOVERNMENT OF THE CAYMAN ISLANDS CABINET OFFICE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2014

The Speaker: I recognise the Honourable Premier, Minister of Home Affairs, Health and Culture.

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker.

I beg leave to lay on the Table of this honourable House the Financial Statements of the Cabinet Office of the Cayman Islands Government for the year ended 30th June 2014.

The Speaker: So ordered.

Does the Honourable Premier wish to speak to his report?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker. Thank you.

MINISTRY OF FINANCE AND ECONOMIC DEVELOPMENT ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30TH JUNE 2014

The Speaker: I recognise the Honourable Minister of Finance and Economic Development.

Hon. Marco S. Archer, Minister of Finance and Economic Development: I beg to lay on the Table of this honourable House the Annual Financial Statements for the Ministry of Finance and Economic Development for the year ending 30th June 2014.

The Speaker: So ordered.

Does the Honourable Minister of Finance wish to speak to his report?

Hon. Marco S. Archer: No, thank you, Madam Speaker.

FINANCIAL STATEMENTS OF THE CAYMAN ISLANDS NATIONAL MUSEUM – YEAR ENDED 30TH JUNE 2013

The Speaker: I recognise the Honourable Premier, Minister of Home Affairs, Health and Culture.

The Premier, Hon. Alden McLaughlin: I beg to lay on the Table of this honourable House the Financial Statements of the Cayman Islands National Museum for the year ended 30th June 2013.

The Speaker: So ordered.

Does the Honourable Premier wish to speak to his report?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker. Thank you.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

The Speaker: I noted a statement to be delivered by the Honourable Minister responsible for Planning.

FUEL PRICES AND ITS IMPACT ON THE LOCAL ECONOMY—GOVERNMENT'S INITIATIVE TO ENSURE COMPETITION IN THE FUEL MARKET SECTOR

Hon. D. Kurt Tibbetts, Minister of Planning, Lands, Agriculture, Housing and Infrastructure: Madam Speaker, this short statement is regarding fuel prices and the Impact on the Local Economy.

Madam Speaker it is not an embellished or exaggerated statement to say fuel is one of the most important drivers of the Cayman Islands' economy or any modern economy for that fact. Fuel prices (or, good fuel prices) are essential for the economy's competitive advantage and any negative or anti-competitive behaviour by the industry has a colossal impact on the country's entire economy.

Successive administrations have struggled for years now to come to grips with the pricing structure of fuel by the local bulk distributors. Certainly, no longer can we turn a blind eye to what's taking place locally within the fuel market. There is no proper way to explain the unbalanced and arbitrary behaviour of the local prices as they relate to what is taking place on the global market. The public's perception is that the local market prices are immediately reflected when prices increase on the world market but very slow to respond when prices have the opposite effect globally.

This Government is committed to requiring the fuel importers to explain their apparently irrational behaviour as it relates to global fuel prices.

The Government's first step to regularising this sector of our economy will be the embedding of a monitoring and oversight mechanism in the new Public Utilities Commission, which is currently being developed. This is an essential step as we believe that the availability of fuels at reasonable prices is vital to the national economic wellbeing.

The current laissez-faire approach (or lack of oversight) of the fuel market is clearly not working and it is obvious that the industry is not doing a great job of communicating to their consumers. Based on frequent public outcry of foul play and, for that matter, Government outcry, and market failure, it appears that the public's view is that there is absolutely no clear correlation to the international market or justification for local fuel prices.

We are certain that market fair play is perhaps the key ingredient for the country's continued economic growth. When we factor in the recent reduction of government duty on fuel and the currently low global fuel prices, we still see that there has been no noticeable relief of local fuel market pressure. In fact, in very recent times we have seen some increases. So it is evident that the Cayman Islands residents and businesses are not seeing these savings from global trends and reduction in fuel prices indicated in the Platts fuel postings.

It is the Government's firm position that we must first determine if competition truly exists in the local fuel market. If it is determined—as I suspect it will be—that the market is not competitive, then Government will promote and ensure true competition by creating a suitable framework with a view to carrying out and promoting effective competition. If these measures fail to ignite competition amongst the participants, then the Government's next step will be outright market price regulation. Let me repeat that: If these measures fail to ignite competition amongst the participants, then the Government's next step will be outright market price regulation.

In order to ensure true competition within the local market the Government must collect data from the bulk importers and immediately conduct analysis of historical data comparing and contrasting. Going forward, the agency responsible will develop the necessary database and data mining tools and skills to properly monitor the fuel market. We also need to evaluate and perform analysis of trends observed in the market on a continuous basis. We need to understand the dynamic of fuel prices together with the parallels between the local market prices and the Platts fuel prices. We need to better understand the commercial strategy of the local companies. Madam Speaker, in short, we need transparency.

Madam Speaker, just to interject (although this is not part of the written statement which you and other Members may have), one of the things that is proving to be a disadvantage, but at the same time I am confident that we have no desire at present to

change, is the fact that duty on fuel is charged on a per gallon basis, rather than on a dollar value basis. That makes it much easier for Government to assist with regard to lowering the duty whenever it is possible for the Government to do so. But by doing that, Madam Speaker, what it means is that Customs does not have any need to check the dollar value of the fuel that the duty is paid on. All they really need to check is the volume. And I think I have made public utterances to this effect already. So, we get to understand now that the invoices for the purposes of Customs to clear the fuel in Cayman are generated by the Cayman office. So we have no idea of knowing at this point in time whether those invoices truly display what the purchase price of the fuel was. So, hence the need for discovery before anything else because if we simply set a regulated price cap, then we would still have no idea of knowing whether the prices that are being used are correct or inflated.

Currently, legislation is being drafted to enable market oversight and is to be presented at the meeting of this House. This legislation will permit the gathering of data from the industry for the economic monitoring of the importation of fuel to determine the level of competition. The main objective of the legislation is to protect the economic wellbeing of the Cayman Islands. The proposed Competition policy espoused in the legislation will allow the government to fairly quickly build an adequate institutional and legislative framework for competition to determine the market efficiency and act after it determines that companies in the market activities are anti-competitive or inefficient. The Government policy will escalate to regulation of the market once we determine outright market failure in the fuel sector.

Madam Speaker, whilst some may quickly grab to say we don't need to talk about this anymore, we simply need to regulate the prices, we cannot regulate the prices and get the right effect until we are sure that we are dealing with the facts and hence, the process I have outlined.

In Conclusion, a competitive economy is the basis for Government action. An economy that can compete globally based on fair prices for external inputs or resources is a healthy economy. The more competitive an economy is, the more potential it has for economic growth and higher income, especially disposable income for citizens. This Government will look to regularise any factors that negatively influence the productivity of the economy of the Cayman Islands. And right now, we are pointing everything in the direction of fuel.

The old argument that the Cayman market is too small is one that is stale and certainly, no longer an acceptable premise to leave it alone. It is a truism that our per capita fuel usage is significant and surpasses many countries in our region. So, we have to find a way to achieve fuel prices that are fair and indicative of the international markets. The fuel suppli-

ers need to be good corporate citizens and work with Government to find a balance. And I can tell you, Madam Speaker, so far they have not shown good faith in that regard. We the Government will remain vigilant on the issue and will adapt our policies to attain this end.

If this initiative to establish fair market prices is unsuccessful, meaning that the bulk suppliers do not involve themselves in fair competition in very short order, then it is crucial that the Government pursues other policies that will promote an attractive competitive environment for the local fuel importation market.

For example, the Government will look at relaxing or reducing some of these formal and informal barriers to encourage more competition and diminish the market concentration which is the situation that currently obtains. And, Madam Speaker, the Government will also look to attract investors for a storage facility that will have the capability to store a larger volume of fuel than currently imported. And so that that is not misunderstood, Madam Speaker, I am not necessarily talking about the bulk fuel storage facility that we have talked about prior to this, I am simply talking about additional competition to what obtains in the market at present. In any such arrangement the Government will seriously consider setting rates for fuel that is for local consumption. This will help to stabilise local fuel prices and create revenue for the Islands, depending on what type of situation evolves.

The Government will also look at incentives to promote the importation of substitute goods to reduce the negative impact of fuel on the consumer and the economy caused by unfair market prices.

So, Madam Speaker, let the industry take note that we as a Government will take all necessary actions, all necessary steps, to ensure that the economy of these Islands continues to grow across all sectors and that one segment of the economy does not intentionally or unintentionally stifle growth for the others. Or, for that matter, hold everyone to ransom.

Madam Speaker, just to say, the consultant who is with us at present, and who is far along in setting the groundwork and developing the framework for the public utilities commission (I mentioned this also, Madam Speaker), part of his remit is assisting us because he also have experience in this field. He is assisting us in this area to create fair fuel competition. Certainly, we are acting on his expert advice.

Again, Madam Speaker, to make it very clear, this is not something that we can arrive at the end of the objective we seek in a day, because it has to be able to be achieved by way of an informed position. So, Madam Speaker, let the bulk distributors know that we, as a Government, are not going to sit idly and let them continue to act in the manner they have been acting. And regardless—and I say this publicly today, regardless of how they refute anything we might say—until we have clear evidence from them that what we are dealing with are the facts, by way of fuel prices,

then we will continue to assume that they are involving themselves in unfair practices and in unfair competition in this market.

Thank You.

The Speaker: Member for East End, were you trying to catch my eye, under [Standing Order] 30(2)?

SHORT QUESTIONS

[Standing Order 30(2)]

Mr. V. Arden McLean, Elected Member for East End: Madam Speaker, that is precisely what I was trying to do.

The Speaker: You may proceed with your brief questions.

Mr. V. Arden McLean: Madam Speaker, in accordance with Standing Order 30(2), I thank you for allowing me to ask the Minister a few short questions.

Sometime ago, within this year I believe, the Minister announced that he had had meetings with the importers of fuel and he had given them a timeframe to get back to the Government with a plan on moving forward. My first question is: What is the status with that?

The Speaker: Honourable Minister.

Hon. D. Kurt Tibbetts: Madam Speaker, I have had no response, so I have given up on that and we are moving forward with what we have to do as a Government.

The Speaker: Elected Member for East End.

Mr. V. Arden McLean: Thank you, Madam Speaker.

In the Minister's statement he says that the first step is to try to create competition in the market. There is no competition now. There is collusion, it appears like. And the second step is regulation. Why are we going to try to get these people, to ask these people any longer to come forward? They were given a fair opportunity. Is it not right; is it not fair now for us to go into regulation of these suppliers?

The Speaker: Honourable Minister.

Hon. D. Kurt Tibbetts: Madam Speaker, I will explain again. The Member feels no different from how I feel. But our advice is that if we simply move to regulation we are still not going to be with a process in place which allows us to have continuous factual evidence of what these people are really paying for, or what the purchase price is for this fuel. The Member knows as well, or perhaps even better than I do, that there are different ways and means of them using all kinds of shell companies and otherwise to passage the invoic-

es through that by the time it gets to Cayman the prices are inflated. I am saying that for us to regulate we have to get to the point where we determine by way of a system the correct prices all the time and have them reporting regularly whenever shipments come what those actual prices are.

So when we use the term in the statement "create the competition" we simply mean by the Government knowing what the real prices are it is going to be impossible for them to collude (with the assumption we are talking about now). So we are not on any different plane. And I suspect getting around or getting through all of those muddy waters is going to cause difficulty with us and them, which is fine. I am almost certain that is what we are going to end up with. But I am simply saying that the way we crafted the statement was to . . . they will have their opportunity to provide us the facts willingly, otherwise we will use other means to determine those facts and then we will simply do what we have to do.

The Speaker: Member for East End, I will allow two more short questions.

Mr. V. Arden McLean: Thank you, Madam Speaker.

I want to be on the same page as the Minister, but would the Minister not agree that there are established global guidelines? He mentioned at least twice in here about Platt prices, that is, oil prices that they buy out of the Gulf at. And then there are established transportation costs as well by virtue of ship transportation that could be used to establish our baseline. And then present that to them and tell them what we are going to allow them to do. The time for pussyfooting is over.

The Speaker: Honourable Minister.

Hon. D. Kurt Tibbetts: Madam Speaker, all that the Member has said are facts, but all that he has said, while that gives us a baseline to say this is in and around what it has to be, it still does not give us an exact price when it is purchased at its refined stage as to exactly what it should be. All we are saying is that we want to know what they pay for it every time they buy and it comes to Cayman. And we have the right to know that. And what they are considering to be proprietary information will no longer be proprietary information because of the legislation we are bringing in place.

All I am saying is that when we set that stage . . . because we need a legislative framework. We cannot just depend on their good will. And even when we say that to them, the Member will also appreciate that depending on whether there is a glut or the opposite of that in any market conditions, the prices could have enough of a variation between the baseline prices where they would either be at an advantage or a disadvantage, depending on when the purchase is. So,

we want to know what the price is when they buy it. We are going to be using what the Member just mentioned as our check and balance. But we don't want to use that as the figure to go by all the time. We want the exact invoice prices. That is what we are seeking.

The Speaker: Final question, Member for East End.

Mr. V. Arden McLean: Madam Speaker, I hear the Minister. Ideally, we would like to have a price and a day, i.e., that it is bought on the 13th of August, and we would like that day's price. However, Platt is based on world oil price delayed by two months, and that's what they pay for it. We can use that as a baseline, which is how they sell fuel to CUC, two months delayed and based on the world oil price. It is two months delayed. Now, if they do not want that, then they will come up with a correct invoice from those refineries as to the day they paid for it and if . . . that is the bottom line. And we are going to place a percentage on that. We are going to find the average price of transportation getting it to Cayman, which is probably 8 cents or 9 cents per gallon, we are going to calculate that in it, and we are going to put a reasonable price on it, or you don't bring it in. And then we bring the barges in and unload fuel to our country and supply our country which, Madam Speaker, I want to know if we can't use Platt, an average, which is two months delayed as a stock market price.

The Speaker: Honourable Minister.

Hon. D. Kurt Tibbetts: Madam Speaker, just to answer what the Member is saying. I understand everything the Member is saying. And that is not something that we are not going to do. The difference in the steps that I have talked about, which he thinks, obviously, is something that is going to take too long, is that if we do it like that, there are times when possibly they still would have advantage—

[Inaudible interjection]

Hon. D. Kurt Tibbetts: No. But we are going to bring them to the table with the legislation that we are going to put in place now, because it is going to be illegal for them to hide the true figures—illegal for them. And there will be sanctions, once it can be proven. So they are going to know that it is not anybody playing around. So we are not arguing with what the Member is saying; all we want is, first of all, to try to create a situation by way of legislation where on a regular basis this is how we get it. And what the Member is talking about is how we check it to make sure no Tom foolery is going on.

So, while the Member may feel we go straight to that stage, Madam Speaker, the advice that we have, and I understand what is being said, is that the process we are going through now, is not going to do

any different because we need to put the legislation in place in any case, and that is the step we are working on right now with legal drafting to have it ready for the next meeting of the House which begins with them providing this information. And by the next step, when the public utilities commission will be up and active, they will then have the responsibility to make sure it is run in a manner that the Government has full knowledge all the time and will set price caps and whenever they want to adjust any prices they will have to go to this body to justify it one way or the other. That is what we are looking towards.

PERSONAL EXPLANATIONS

The Speaker: I recognise the Honourable Leader of the Opposition.

WHO WATCHES THE WATCHMAN

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, thank you for allowing this personal explanation.

Madam Speaker, I rise to make this personal explanation and I think I need to explain why, before I get to correcting some of what Members may have read.

Madam Speaker, while at the hospital (and I did not give you this in the statement, but I need to say this to clearly let the House know why I am making this statement). While at the hospital two weeks ago in Miami with my wife, I received an email from the Honourable Deputy Governor, which contained the Auditor General's report on Nation Building. I immediately replied to tell him that I could not open the report, but as soon as I got home I would come back to him. I arrived home that Friday to email him, to tell him that I needed time to discuss with the former staff the details of the report's accusations and the misinformation, and to let the Deputy Governor know that none of them, none of the staff were consulted, even though they were the people who ran the committee for the programme.

Later I learned that the Auditor General planned to release the report on the 10th (which would have been Monday gone). So, I contacted the Deputy Governor and he said he had not been informed of the press conference. In the meantime, the former chief of staff, Mr. Dilbert, contacted the Deputy Governor and made his complaint of not being contacted or interviewed.

The Deputy Governor sent an email back saying that the release of the report would be held back. But up until now, there is no invitation to be interviewed by the Auditor General, nor have there been any questions to me and/or any of those staff members who dealt with the committee.

The *Compass* wrote a story. And then, of course, on top of that they wrote a rather tongue in

cheek editorial. Madam Speaker, I thought it best, since Members have the report and I have no doubt that (and I am not accusing anybody here) some members of the press will have it. And he said he was going to release it. The House is not going to meet, there are accusations against former civil servants and present civil servants and myself, and I believe that I ought to make this personal explanation of that report.

Madam Speaker, I am going to say some words you may never hear me repeat, as long as the status quo remains: I want to thank the Auditor General. I want to thank that Office, for making my job today so straightforward, because, really, I have no choice, and any fair minded person examining this so called report on the Nation Building Programme (NBP) would likewise have no choice, but to utterly reject it as a being wrong, to say the least (I could say it's a fraud, but let's say it is wrong to say the least).

The report purports to be an audit. It was sent to Members. As I said, the *Compass* has written an editorial and a story around it. But it was not sent to the former civil servants, or present ones who were involved to check for accuracy on what he says. He has failed, as he always does to interview the persons he accuses. We do know that the former Sr. Chief Financial Officer, Ms. Josephine Sambula, the former Chief of Staff, Mr. Leonard Dilbert, Ms. Shadee [PHONETIC] Wood, who was the—

The Speaker: I recognise the Second Elected Member for George Town. Do you have a point of order?

POINT OF ORDER
[*Standing Order 73(4)*]

Mr. Roy M. McTaggart, Second Elected Member for George Town: Madam Speaker, I do want to raise a point of order, and ask for your ruling on it, Madam Speaker.

No deference to the Leader of the Opposition, but Madam Speaker, I would refer you to Standing Order 73(4) which states, "**The proceedings of and evidence taken before any select committee and any documents presented thereto, and decisions of such a committee, shall not be published by any Member thereof or by any person until after the committee has presented its report to the House**".

Madam Speaker, this report has been submitted to, and Members of this honourable House have copies of it. It has not been made public. It is therefore, effectively, a matter that the Public Accounts Committee needs to take up at some point. But this document is now before the committee, and I just question and ask for your ruling as to why it is appropriate for the Leader of the Opposition, who is a member of this committee, to be making these public utterances at this time with regard to the report.

Thank you, Madam Speaker.

SPEAKER'S RULING

The Speaker: Honourable Members, the letter that was written to the attention of the Chair was that the report was being circulated to Members. It did not indicate that it was going to the Public Accounts Committee in a formal submission, and that the embargo was until the 6th of August, which was what I saw when I gave permission for the personal explanation. And I did consult the Standing Orders, as well as Erskine May when I gave the Leader of the Opposition permission to do it, and it was to be done within the strict ambit of interpretation that he had to stick to the personal statement as was submitted, and he could not make any other utterances except what was submitted to the Chair prior in a written format.

Mr. Roy M. McTaggart: Thank you, Madam Speaker.

The Speaker: Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I thank you.

It was sent to other people, and therefore, I don't know why some other people need to be so cut up about it—

The Speaker: Leader of the Opposition, please stick to your statement.

Hon. W. McKeeva Bush, Leader of the Opposition: Well, Madam Speaker, I am going to ask you to be mindful of what is being said around me then, okay?

The Speaker: But it was a point—

Hon. W. McKeeva Bush, Leader of the Opposition: No, no, no, I am not talking about that.

The Speaker: Let me just finish. It was a point of order, which I dealt with as a point of order and the Chair will not entertain debate from either side on the ruling. So please stay within the ambit and stick to the statement as has been approved, sir.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes, Ma'am. It's not an immediate interjection you will get by point of order. It is the grumbling that distracts you.

So, he has failed to interview the persons he has accused, and I said who those persons are. Nor were the coordinator and another civil servant who were a part of the authorising committee, and myself as the former Minister, were not interviewed or contacted or sent any questions. The report was sent to the House and embargoed to a certain date. At that time, Madam Speaker, the public will get it and I

would not have an opportunity to speak to it to this House until later on, to make an explanation.

When does a supposed audit cease to be a genuine audit? I think it is when it becomes a witch hunt. What are some of the signs of that? When serious allegations are made against specified parties without those parties being given any opportunity to present any evidence or explanation; when available evidence is either said to not exist, or is acknowledged only partially, and then twisted to suit a pre-existing agenda; when professionally neutral language is abandoned and replaced by language clearly selected to inflame negative opinions and create a bulwark of bias.

The gravity of the wrongs perpetrated by this so-called audit may only be fully grasped by detailed explanation. I will therefore explain at least the beginning of such an examination. The former senior CFO and the former Chief of Staff, the former coordinators of the programme and the other civil servants who served on the committee will be called upon to give evidence to the Public Accounts Committee when that time comes, if it comes. I hope it does, because that is where we can give detailed examination.

Throughout the report, allegations are repeatedly made to the effect that "all decisions about the Programme and how it would operate were made by the former Premier and his Chief of Staff".

The report concludes that **"Senior Government officials failed to discharge their duties to safeguard public funds, failed to protect the public interest and, ultimately, failed in their duties under the law"**.

Since "the former Premier and his Chief of Staff" are deemed throughout the report to be wholly and solely responsible, obviously the conclusion of the report is that it is those persons who are guilty of these very serious charges. Now, let's be clear from the outset, that this corporate persona, "the former Premier and his Chief of Staff" is a fictional creation; a fictional two-headed lead character (let me put it that way) in an almost completely fictional presentation by the Auditor General. The fact is that in the reporting period of the report 2009 to 2013, the Office of the Premier, and the post of Chief of Staff, was only created in November 2011.

Similarly, the first installation of the first Premier took place in November 2009 and the second Premier (the present Speaker at the time) was installed in December 2012. The report is written in such a way as to mislead the public into believing that two specific individuals carried on a consistent set of actions from beginning to end of the period. Like every other piece of foundational material, that fabrication ignores certain facts and distorts others, because the truth obviously is too complicated to serve the purpose of laying blame on two specific persons, as the report seeks to do. So the report glosses over the truth.

I have already noted the first fatal counter charge against the authors of this report; that they would purport to accuse, try and find persons guilty, without advising them of the charges or otherwise allowing them to present their case. The reason for this is that the Office of the Auditor General never intended to allow the truth to interfere with that witch hunt—and others. This is why they would claim that the Office of the Premier failed to secure proper Legislative Assembly authorisation for NBP funding, when the facts are that the Nation Building Fund description and funding levels were explained and both granted LA approval in successive budgets, and Finance Committee and argued about beginning from December 2009 the first interim expenditure after the election.

I lay on the Table copies of several—and there are more—copies of the Hansards, which are the proof of the many times that I made statements to this Honorable House of the criteria and reasoning for the Nation Building Fund. And I lay them on the Table.

The Speaker: So ordered.

Hon. W. McKeeva Bush, Leader of the Opposition:

Also, Madam Speaker, Members would know that there are variances in the Nation Building Fund for urgent expenses were authorised through Cabinet and subsequently ratified by the Legislative Assembly, and that covers the cases of the ICO, CCTV, Randyke Gardens flooding, that the fund had to assist and that Cabinet agreed to allow to happen. The report claims there was unlawful ministerial involvement in the administration of the programme. In fact, the rule is that ministers are permitted wide and direct discretion over the use of Executive Asset funds. Transfer Payments (TPs) fall within that category and, accordingly, so does the Nation Building Programme (TP 52 in the Budget) of the day.

It is also the fact that within the NBP scholarships, a detailed ongoing administration was required and in place, virtually all other grants from the fund being one-off payments. The Minister (or Premier) was naturally kept informed of progress of scholarship holders from time to time, but the only direct involvement in the administration came at points where probation or termination had to be considered.

With respect to that particular point, I should note that there again the report states, blatantly contrary to the truth, that there was no consequence for failing grades among scholarship holders. While there certainly were consequences, and the recipients adhered to the possibility, what I did as the minister and a representative of the people was to ensure that funding was available and I gave specific instructions (and I have no apologies about it) that no child was to be turned away at any time without getting some assistance.

With reference to grants made to churches, the report alleges that beneficiaries were handpicked,

and no attempt was made to ensure accountability for the use of the funds. It fails to acknowledge Government's openly declared policy of greater support for churches and misrepresents what actually unfolded; that is, a combination of ministers identifying needs through normal constituency work, and institutions coming forward with requests, having come to know that Government was more willing to consider granting such assistance.

The Speaker: Honourable Leader of the Opposition, I recognise the Fifth Elected Member for George Town. Do you have a point of order?

POINT OF ORDER

Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town: Madam Speaker, yes, a point of order.

The Speaker: Please state your point of order.

Mr. Winston C. Connolly, Jr.: The statement is going into some personal opinions on a process. And a process is still being deliberated and considered by the Public Accounts Committee. Again, to reiterate what the Chairman [of the Public Accounts Committee] said, this is not an explanation; this is making statements on the process and validity of the Nation Building Fund. I cannot see where that is an explanation, Madam Speaker.

The Speaker: Leader of the Opposition, please proceed, that is not a proper point of order within the context of our Standing Orders.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

They need to read the *Compass* editorial. That is what I am getting to.

The Speaker: Please stick to your script, Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you very much, Madam Speaker.

The report singles out two cases. One appears to be the only instance of the 26 examined as to the churches, where he says any actual wrong use was made of the funds received. Our outlook is that this reinforces the validity of the reliance placed on the integrity of our religious institutions to self-regulate, even if there was some lax in external oversight. Nevertheless, in fact there were a number of site visits done to verify the progress in the use of the funds for identified projects, even though this report claims there were no such inspections. How can that man say that, when there were inspections by the Chief

Officer at the time, and the Chief of Staff and the Minister of those properties?

In the other case singled out by the report, the allegation is made that the Premier paid out a \$1.3 million grant to a church, on the basis of their claim that the previous Government had made a verbal promise of such funds. This is a falsehood. The previous Government prior to May 2009 had, in fact, provided this undertaking to the church in writing. This is a matter that has in fact been publicly aired already, and the letter of commitment which we sought to honour is on record. And I want to read that in full, Madam Speaker, because the Auditor General says that the letter does not exist and never happened. Here is what I read to this honourable House and it's in the Hansard.

Madam Speaker, this is the Hansard of Wednesday, 29 August 2012.

The Speaker: So ordered.

Hon. W. McKeeva Bush, Leader of the Opposition: [Quoting from page 212 of the *Official Hansard Report* of 29 August 2012]

“The Honourable Premier, W. McKeeva Bush: Madam Speaker, this letter was written on 24 April 2009, to ‘Pastor Winston Rose, Church of God in the Cayman Islands—Bodden Town, P.O. Box 172 KY1-1601.’ And it is entitled ‘PROPOSED NEW CHURCH HALL, Government Financial Assistance.’”

And the letter goes on, Madam Speaker: **“I refer to the meeting between your good self, two of your congregants, Mr. McCleary Frederick, Deputy Director, HMCI and myself on Thursday, 09th April 2009 in my offices and wish to confirm the following points:**

“The Cayman Islands government (CIG) remains committed to supporting the efforts of your church to build a new church hall in Bodden Town to standards and specifications that will allow the facility to serve as a Category ‘A’ hurricane shelter, i.e., capable of accommodating persons during the passage of a major hurricane.

“We had previously indicated to you that CIG would consider funding up to 25% of the cost of such a facility on the basis that there are additional costs in providing a building of this standard and for this purpose rather than one which would simply be expected to survive a severe hurricane.

“Both the cost estimate provided by a firm engaged by yourselves and that provided by PWD have set the additional cost of upgrading the building at more than 25%. In any case, in order for this funding to be made available for you, the government will have to make a specific budgetary provision for the purpose of the ‘09/10 budget, preparation for which is expected to get underway

very soon after the upcoming 20th May general election.

“We discussed that there will undoubtedly be fierce competition for the resources available for disbursement by the government. In turn, it should not be expected that the government will be willing to commit its scarce resources unless there is confidence that your institution has access to the counterpart funds.

“Accordingly, and on the basis that the overall cost of the project is likely to be of the order of \$3.5 – \$4.0M, we agreed that:

“–You would seek to secure access to \$2.5– \$2.75M by the beginning of June 2009; and

“–We would, armed with this assurance, seek to have the government appropriate \$1.0–\$1.25M in its’09/’10 Budget.

“Yours sincerely, Donovan Ebanks, Deputy Chief Secretary and Chief Officer, Portfolio of Internal and External Affairs.”

And this was copied to the Hon. Kurt Tibbetts, Leader of Government Business; the Hon. A. Eden, Minister of Health; Hon. C. Clifford, Minister of Tourism; and Mr. McCleary Frederick, Deputy Director HMCI.

And I want to lay that on the Table of this honourable House.

That church started their building on the strength of the letter and the commitment gave to them by the Government of 2005 to 2009. In April 2009 the letter was presented to this honourable House in a statement. It was laid on the Table and I have just read it.

The contribution of our churches to Cayman's social cohesion is deserving of a more robust partnership with Government. The services the churches render to the community, and the influence they exert on our moral and ethical standards, our sense of justice and equity suggests how much improved public governance might be if Government worked more closely with them, rather than condemning them, as this report does, for having difficulty in completing major projects, which in the end will be assets to the population at large.

It must be noted that from 2000 until 2013 my manifestos carried the commitment to assist the churches with their programs and facilities. If there was any corruption it is those persons who claim so, for political reasons and those who don't believe in God, those atheists. We campaigned on the basis that we would help people, especially those who were falling through the cracks and had no assistance to help them up and give them a chance or a second chance.

We campaigned to help our churches and reach our people through that medium. We thought it was easier for a church to have a building that could be utilised and not locked up all week. We thought it was best for the Government to assist the churches

with buildings and programmes, as this is where many of our people congregate all week. As an example of the many ways that the Government has used funds in such ways over the years, Government has given grants to the Tourism industry to sink ships so that tourists have something to look at while in the water! Why is it wrong to give churches so that they can build a building and create programmes, so that our people are given some real guidance in their lives?

Well, we've had a mandate. And I want to table at least some of those manifestos carrying that pledge to work with our churches. We have had that mandate from 2000, 2005, 2009 and 2013. I lay a copy of the copies of the planks in our manifestos since 2000 which states our intention.

The Speaker: So ordered.

Hon. W. McKeever Bush, Leader of the Opposition:

It must be noted that all over the Island churches took direct hits in Hurricane Ivan. In West Bay four churches went down, including the one I attend. Even though we (Government) gave some assistance, members are still struggling to complete three of those churches. During Ivan, people had to shelter in the church bus at the Wesleyan Church, which was sheltered in the garage. The Mission home could not hold any more people. With West Bay not having a civic center, we agreed with the church to help build one together that would provide the upkeep over the years, saving Government money. It never got off the ground and the church even though used some of the funds, gave back the balance to Government.

Other churches gave back due to the accusations and shellacking they took from certain quarters. They gave the money back, even though they needed it. Madam Speaker, the report on the NBP seeks to build its case against "the former Premier and his Chief of Staff" by making a number of other allegations which conflict with the facts. It is claimed that no information about the NBP was available to the public, thus enabling these individuals to hand-pick who they wished to give grants to, taking fullest advantage of the situation by not establishing any policy. That's what he said.

The report contradicts itself, however, since its very justification is seemingly based on the high public interest in the NBP. Most importantly, it flies in the face of the facts, once again. Just because they say so doesn't mean that the public did not hear the policy statements made in this very House on the matter, or the debate on those, or other statements. The public also saw and heard the press releases and the media articles and radio shows. Many telephone calls and many meetings conveyed further information by word of mouth, when the enquiries started to come in, whether to the Ministry or the Office of the Premier. There was no need to seek people out, nor were they hand-picked. Those are the facts.

This leads on to the next major allegation, that the NBP operated without any criteria and that no controls were exercised on how funds were dispersed or to whom. Again, the report contradicts itself. At one point it says there was no application process, but then it goes on to assert that applications for scholarships were received, reviewed and approved by, of course, "the former Premier and his Chief of Staff."

It also notes that requests from churches and others were accompanied by project details, estimates from suppliers, et cetera. The fact is that all requests were required to be in writing. Scholarships being granted to individuals, and requiring repeated disbursements over extended periods, were handled most rigorously. Various details were required, including letters of acceptance, pro forma invoices, and cost estimates from schools.

Bonds had to be signed by the scholar prior to any disbursements. In a few instances the recipients were minors, so counter signatures were required from parents, and payments were made to the parents for certain expenses. Care was taken, contrary to the sinister impression the report tries to convey, to keep such payments to a minimum, and to pay as much as possible directly to schools, et cetera, providing the scholarship holder with services. Semester by semester reviews were conducted with each student to validate expenses and affirm satisfactory grades performance.

Over \$3.6 million were granted for scholarships. They say there was only one-point-something. They are talking foolishness! That is why the report is not correct. Another area of control was critical to the Nation Building Programme, though perhaps more difficult to verify. This was the aspect of nation building itself. I have already alluded to the significant social contribution of our churches. However, according to this report 185 in total scholarships (that is what he says) were issued that were of no benefit to the people of the Cayman Islands. Of no benefit!

The bond signed by all successful applicants contained a pledge to contribute to nation building. A few students began to give back immediately, from playing in musical concerts to volunteer sports coaching. Beyond that, however, if 184 more young Caymanians who were granted \$3,676,000.00 gained further and higher education, could any responsible auditor say, *carte blanche*, that such training and exposure produces no benefit to our community?

Scholarships granted were for various levels of study in various careers. Those scholarships, Madam Speaker: Accounting, Special Needs Training, Professional Flight Training, Business and Finance, Culinary Studies, degree in Criminal Justice, teaching, among others, Madam Speaker. I do not have the copies. I thought I had them where just this week, or last week, several students were on Facebook congratulating the fund, graduating from universities with honors. The man says they are of no value. And how

can you put a monetary value to that kind of experience a child gets from such a program?

So, we spend \$70,000.00 per year, approximately, per prisoner, but according to the Auditor General we must not spend on the churches or that kind of expenditure on students is of no value. What kind of forensic evidence could support such an insult to the students and their families? Let alone the institutions they attended, and the several civil servants who supported and guided them along the way. This is but yet another of the wild and irresponsible claims made in a report that supposedly has been prepared in accordance with international Audit Standards.

I wish to God all 185 students, all the churches, every beneficiary of NBP funding, including the hundreds of school children who took part in the Cayman Traditional Arts afterschool lessons, would come and stand before us here today, and see if the Auditor General would accuse and belittle them to their faces as he does in that report.

The report's conclusion repeats the allegations made throughout. As previously demonstrated in detail, those sweeping and potentially damaging claims of wrong doing are based on weak or non-existent foundations in fact; and a failure to take cognisance of whole swathes of evidence contrary to the claims made. The resulting shambles of this so-called audit renders the report virtually worthless. Indeed, the Office of the Auditor General should be called on to demonstrate, if anybody needs to talk about value for money, such poor performance where value for money may be shown in relation to the preparation of this audit. That Office should also apologise for any damage to reputations arising from the many grave, but unfounded allegations in the report.

In its closing, the report invokes good governance but makes no real contribution to it. Supposedly, the public service culture existing during the audit period, made it very difficult to challenge Ministers about their actions. That's what he says. According to him at no point in this report is any properly assessed evidence presented to support such claims about the state of the public service culture in general, and absolutely no basis is shown for believing that if such problems did exist, they neither existed before this period nor continue to exist even now. His, and others', *Modus Operandi* has been to paint some civil servants as incompetent as possible and Politicians in as bad a light that he could find language to say. That has been his *modus operandi*.

This is a further demonstration of the carelessness and bias with which this report is thrown together. Does the Office of the Auditor General truly believe, and expect the public to believe, that the challenges of setting boundaries of propriety and authority between civil servants and ministers were not previously an issue, and does not remain one now? That with the advent of the current administration all is now sweetness and light?

I know that the present Government knows different. I know. I hear them saying so. Surely, we are not meant to take seriously the no tolerance assurances apparently provided by the Deputy Governor? Is this really a matter for the Deputy Governor or for the Governor for that matter? I believe to change a public service culture requires commitment from both the political and administrative leadership, and the ability on their part to carry all concerned along with them.

If the Office of the Auditor General wants to contribute to improved governance, it could begin by withdrawing any inference that the Deputy Governor has any right to provide a management response to a National Building Fund audit. It is the persons who were responsible for and who managed the Nation Building Programme who should provide a management response. Since this so-called audit did not provide the opportunity, Madam Speaker, what I have just explained may be regarded as a management response: In summary, the report is biased. It fails to properly assess available evidence, and makes grave and unfounded allegations against public officers. This toxic report should therefore be struck from the record. Or he should withdraw this report. It should never be published the way that it is. He should try and rectify some of the damage done to the privileged position of his Office.

Withdraw this report, and I would have reason to offer him real thanks in the interests of the good governance of these blessed Cayman Islands. This is meant to damage myself and our other civil servants and other politicians. He is not far off, I must tell this House, from being sued. And there are those who want to join me in putting forward a formal case of defamation and slander against him and anybody who publishes the report in the way it is.

We cannot allow him to wrongfully influence public opinion without rebuttal. That is his modus operandi. It is doing nothing to build confidence and certainly cannot improve good governance. This country ought to be careful in who they hire—

The Speaker: Leader—

Hon. W. McKeeva Bush, Leader of the Opposition:—especially one who is going out to an institution—

The Speaker: Honourable Leader—

Hon. W. McKeeva Bush, Leader of the Opposition:—that he has every document to kill us with.

Thank you, for your personal explanation, Madam Speaker, or allowing this personal explanation against the objection of those who believe otherwise.

The Speaker: Leader of the Opposition, that terminates the approved personal explanation.

Madam Clerk.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 2/2015-2016— AMENDMENT TO THE ANTI-CORRUPTION LAW (2014 REVISION)

The Speaker: I recognise the Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

I rise to move Private Member's Motion No. 2/2015-2016—Amendment to the Anti-Corruption Law (2014 Revision), which reads as follows:

WHEREAS the Anti-Corruption Commission was designed as an independent and transparent commission;

AND WHEREAS the Commissioner of Police is Chairman and a member of the Anti-Corruption Commission;

AND WHEREAS the Commissioner is a member of the Anti-Corruption Commission;

AND WHEREAS the Auditor General is a Member of the Anti-Corruption Commission;

AND WHEREAS there is evidence that by the fact of their membership on the Anti-Corruption Commission that there is serious conflict of interest with their positions as Commissioner of Police, Complaints Commissioner and Auditor General which do not confirm to the good practice of the Rule of Law, and Rules of Natural Justice;

BE IT NOW THEREFORE RESOLVED that the Anti-Corruption Law (2014 Revision) is changed to reflect the removal from the Commission of the Commissioner of Police as Chairman and member, the Complaints Commissioner and the Auditor General as a member.

AND BE IT FURTHER RESOLVED that the Government consider amending Schedule 4 of the Anti-Corruption Law (2014 Revision) accordingly.

The Speaker: Can I have a seconder?

Mr. Bernie A. Bush, Third Elected Member for West Bay: I second the Motion.

The Speaker: The Motion is duly moved. Does the Honourable Leader of the Opposition wish to debate the Motion?

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

The Anti-Corruption Commission was intended to be an independent and transparent body, free from conflicts of interest. The law provided, amongst other things, that government employees and other

public officials should not place themselves in position of conflict and, in fact, civil servants, no matter in what position, are required to act in such a manner as to avoid even an impression that they are conflicted or influenced by the acceptance of the smallest and most insignificant matter.

The Anti-Corruption Commission is tasked with investigating and dealing with situations of conflict of interest which may or can be seen to amount to what the law defines as corruption. The Commission as established has members which have very significant conflicts. For example, the Auditor General reports any matters to the Commission which he believes may breach the law. He is a member of the Commission tasked with investigating his own reports and as a member has influence over other members of the Commission. This, in and of itself, relates a lack of transparency, good governance and a very serious conflict.

Similarly, the Commissioner of Police, whose job it is to investigate matters impartially which may breach our criminal statutes and in so doing has a responsibility to gather evidence on the full circumstances of the matter being investigated and to make a decision whether the info gathered warrants a referral to the DPP [Director of Public Prosecutions].

The Anti-Corruption Commission job is to independently investigate complaints. And where such investigations warrant further action, that Commission must refer the matter to the DPP whose responsibility it is, without any influence from the executive, the political arm or others, to make a decision whether there is sufficient evidence to institute criminal proceedings.

The Anti-Corruption Commission as currently established now, has members such as the Auditor General, who refers matters to it and sits as a member of the Commission which makes a decision on the very matter which he referred to the Commission. This does not accord with the principle of independence, transparency, good governance and the rule of law.

The Commissioner of Police also sits on the Anti-Corruption Commission as the chairman; a most powerful and influential position. He then, as the Chair of the independent Commission investigates matters coming before it, refers them to the DPP's office and then, as Commissioner of Police, using his extensive powers, prosecutes his own referrals. This, Madam Speaker, is so far from transparency and independence and the rule of law, it is difficult to describe those who have ordered and carried out such appointments unless there was an agenda.

As James Madison, one of the founders of the American Constitution and the age-old separation of powers said, and I quote, **“No political truth is certainly of more intrinsic value, or is stamped with the authority of more enlightened patrons of liberty, than that . . . the accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and**

whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

Madam Speaker, what we have here is the beginning of the foundation of that. Power vested in the few who investigate their own complaints and then cause action to be brought against others to substantiate their own complaint. They end up as the complainant, they end up as the investigator, and they end up as part of the prosecution.

There is now substantial and proven evidence of this tyranny in the public domain and I am living proof of it.

After the formation of the plan to remove the Premier from power, the Auditor General then referred the matter to the Anti-Corruption Commission for investigation. And the Commissioner of Police, who was part of the plan, then investigated it as Chairman of the Corruption Commission and the rest is an important part of our history today.

This House, hopefully, will pass this Motion to straighten out this matter, remove the Commissioner of Police and the Auditor General which, on appointment to the Commission, which must be completely independent, and some persons with international experience and repute be appointed, hopefully. Failing this, the integrity and the trust in the Commission will be lost. And Madison's worst fears will be realised. The principles of democracy apply to us all, including those endowed by the Constitution's exorbitant powers over whom there is no oversight. They are a law unto themselves. Well, it is not right; it is not democratic and, certainly, ought to be changed.

Madam Speaker, this matter came before us some time ago. We agreed it never got final details. Certainly, I do not remember it coming back to Cabinet. So it did not happen. I hope it happens now.

The Speaker: Does any other Member wish to speak?

I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker.

The Anti-Corruption Law was passed in 2008 and came into effect in 2010. Since then there have been a significant number of investigations and, indeed, a number of prosecutions brought under the law, some with success, others not.

But over the course of the existence of the legislation and the Commission, a number of issues have been identified and shortcomings have been identified by the Commission itself. The Commission has made various representations to the Attorney General and, indeed, Madam Speaker, Cabinet has been apprised of a number of these and we have mandated, as I have indicated publicly before, the Attorney General to consider the various issues and shortcomings that have been identified and to report

to Cabinet with a list of recommended changes to improve the operations and constitution of Anti-Corruption Commission and the law more generally. That work is currently underway.

Madam Speaker, we believe that the Motion brought by the Honourable Leader of the Opposition is too circumscribed, it is too narrow in what it seeks to do, and, indeed, Madam Speaker, as I think today's events have indicated, the Leader of the Opposition himself is too closely involved and considers himself a victim, indeed, of the law. I believe . . . I will not go so far as to say that it is improper for him to have brought such a motion, but, certainly, this House must have real concerns and proceed with real care when motions appear to be motivated by the personal experiences of Members with respect to legislation as important as this.

So, Madam Speaker, the Government will not accede to the Motion. The Government is already—indeed, before the Motion was brought—taking steps to have the legislation, itself, looked at, considered with a view to improving both its legislation and the makeup, if I should say, of the Commission.

The one thing that I can say we all agree on is that we believe that the constitution, the makeup of the Commission is too narrow and that it needs to include significant number of persons who are not public officers as well. So, we hope perhaps by the end of the year to be in a position where we can bring to this House the amending legislation to address the issues, concerns, some identified by the Commission, others identified by the rest of us, including Members of this House, and hopefully we will wind up with a renewed Anti-Corruption Law which does the purpose for which the law was first created, prevents or punishes corruption within the public service and by public officers, and that it can continue to be regarded as one of the important features in what is, I think, a growing and impressive arsenal, legislatively, of the Cayman Islands in our continued efforts to ensure that Cayman is transparent, open, accountable and certainly not the corrupt creature which Mr. Legge of the *Compass* has clearly determined that we are. Thank you.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? Final call, does any other Member wish to speak?

If not, I recognise the Honourable Leader of the Opposition, if he wishes to reply.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I must say that I didn't expect the Government to accede to my Motion. I just didn't know what pitch the Premier would take because, of course, I knew he had to be the one to answer. He wasn't going to allow the Attorney General to answer, because, Madam Speaker, they perhaps themselves were too involved and don't want to get into anything here in this House.

He says I was too closely involved and consider myself a victim. Evidence shows that; not nothing about "consider". Fact! But that doesn't stop me from doing my job. If I don't stand up to point out some of the things, who else is going to do it? No, they would not. They would not. But what happened to me should serve to remind all of them that those people are no respecters of anyone of us in this House, unless, Madam Speaker, the Premier has some special dispensation going. I don't know, but I can tell you, they would pitch on any one of them as soon as they get a chance, the way they pitched on me.

Now, Madam Speaker, I know this, regardless of what any editor writes in the editorial, Mr. Legge is not the only one that accused us. The Auditor General does it every chance he gets. But because it is not pointed to the present political party in power, they say nothing. They accept it, because it is now pointed at a previous administration, the one they want to keep out. So they say nothing. But they would pounce on Legge because he had a point to make. He saw some lion like to grab. And so, that is what he did. But now to come and point out Legge again, while there are so many others that are accusing Cayman and who are using Cayman, and that's what I was trying to say in ending up, Madam Speaker; that we ought to be careful who we hire in this country, particularly so when they can get up and get a job.

It is no coincidence that one who have access to major documents in these Islands, all kinds of confidential papers, end up with a job in one of the institutions that is widely critical of the major business we do, financial services. Are you all listening? Are you all seeing? Or you all don't see that? Or you pitch on Legge, because he's small enough to beat up? No! Beat all of them that take us to task. You all don't see? Well, you all better. It's no coincidence they can take up those jobs. They have enough to kill us with.

So, Madam Speaker, there is great relevance in what I have said—great relevance. The relevance is to show how the Anti-Corruption Commission can be used in a corrupt manner because of not having completely independent persons on it, but have as its members appointed persons who investigate their own complaints with a specific objective in mind.

The Auditor General and the Commissioner of Police, in written documentation before our courts, met and formulated a plan to remove the Premier. And in executing the plan the Auditor General made a request for an investigation to the Corruption Commission and to the same people who formulated the plan; that is the Auditor General and the Commissioner of Police with their Corruption Commission hats on. And they then, investigated their own plan which resulted in an arrest, charges brought carefully timed prior to the 2013 election. That is exactly what James Madison was referring to.

On top of that, the Governor . . . on top of the pile of investigations going on, [INAUDIBLE] the Audi-

tor General who has to go to him, they claim, and the Commissioner of Police, were heading the matter for the Governor who was also giving the Attorney General instructions from 2011 to carry out as part of his employment responsibilities. The then Leader of the Opposition's job . . . what was his job? He made the Auditor General's job easier. That's all he did. That's all it did. So, I have every right—

The Speaker: Leader of the Opposition—

Hon. W. McKeeva Bush, Leader of the Opposition:—and there is great relevance in what I am saying—

The Speaker: Leader of the Opposition—

Hon. W. McKeeva Bush, Leader of the Opposition:—in linking the two together.

The Speaker: Please ensure that as you endeavour to explain your Motion, which is before the House, that you do not enter into the arena of anticipation of a motion which has not gone through the Business Committee yet, with specific reference to your last two statements.

Please continue.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes, Madam Speaker, I am taking careful pains to not go down that road. But I thank you for your reminder. And I did not plan to go any further than what I have said, because it is in the record. But, Madam Speaker, here . . . I will lay these on the Table since they think that the Auditor General and them were not involved. These are proof coming out of my trial, Madam Speaker. But this one I am going to read into the report.

The Speaker: Are these already public documents?

Hon. W. McKeeva Bush, Leader of the Opposition: Public knowledge.

So what are you saying, Madam Speaker, that I should not say anything about anything that is not public knowledge? Is that what you are saying, Madam Speaker?

The Speaker: No, I am not saying that; I am just trying to find out what it is to ensure—

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: All the emails.

The Speaker: Leader of the Opposition, before you lay it, could you refer to it, so that I can have an idea what it is you are purporting to table?

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, these are the emails, some of them, that were laid in my trial to show what I have just said, that one who sits as investigator, sits as prosecutor, sits as the evidence maker. That is what I am saying.

This one, says: "Tony, I have made a few suggested amendments on the attached—

The Speaker: Who is it to? Who is it from, and the date please.

Hon. W. McKeeva Bush, Leader of the Opposition: Oh, that was . . . they marked out . . . it is from Duncan Taylor. It is an email to "Tony," Tony Bates, that's who "Tony" was in the FCO.

"Tony, I have made" . . . and this was the only one I will purport to read. The rest of them are, as I said, already public knowledge. "I have made a few suggested amendments on the attached. One of the difficulties in all of this is the way we are not being in a position to tell McKeeva's MLA colleagues what the police believe he has been up to. Even if he is charged, all that will be made public is the offence. I think without any detail, at least initially, I believe that if he is arrested, especially if he is charged, the parliament will finally ask him to step aside. But I think the odds of that would be greater if we would find a way to let them know what he has been up to. The Commissioner is giving some thought to that." [UNVERIFIED QUOTE]

I am not going any further, Madam Speaker.

"Having said that, though, the view of some senior and trusted contacts here is that the arrest itself would be a game-changing event, even before any charge the more so if the police are seen carting away boxes from McKeeva's office and office at home et cetera." [UNVERIFIED QUOTE]

Just lay them on the Table, Madam Speaker.

The Speaker: So ordered.

Hon. W. McKeeva Bush, Leader of the Opposition: The next one that I want to lay on the Table is that one to the Governor from the Commissioner of Police.

The Speaker: What is the date, please?

Hon. W. McKeeva Bush, Leader of the Opposition: This is 10 December 2012.

"I have concluded the discussion with the Honourable Alden McLaughlin. He is in full agreement—

The Speaker: Honourable Leader of the Opposition—

The Premier, Hon. Alden McLaughlin: Madam Speaker, Madam Speaker—

The Speaker: One minute, Honourable Premier.

Honourable Leader of the Opposition, you are aware, as much as all Honourable Members are aware, that there is a prosecution ensuing between the Honourable Premier and yourself. There is a current motion which has not gone through the Business Committee yet, so any reference to the Honourable Premier, insofar as it relates to those proceedings, please refrain from making.

Honourable Premier?

The Premier, Hon. Alden McLaughlin: Madam Speaker, the . . . he has gone beyond, Madam Speaker. The Leader of the Opposition knows that in response to the writ and statement of claim, which I have had filed against him for defamation, he filed a defence on 19 June in which he claims, among other things, that he is in possession of documentation which tends to show my involvement in the conspiracy which he has alleged. My lawyers served on his lawyers a notice to produce this evidence. They have produced four documents, the one just referred to, which purports to be from the Commissioner of Police to the Governor, on 10 December, the day before Mr. Bush was arrested, 10 December 2012, is one of those such documents.

The Leader of the Opposition knows full well that my lawyers have asked his lawyers repeatedly to explain the provenance of those documents. Madam Speaker, there is a police investigation underway because the documents are fabricated, they are fraudulent. The document which the Leader of the Opposition is proposing to read is a document that has been made up. And the question for him, which he must answer, if not here, somewhere else, is: Where did it come from? Who fabricated it? And how did it come into his possession?

These are very, very serious matters, Madam Speaker. This matter is sub judice. If the Leader of the Opposition continues down this road, I am sorry but I am going to pursue it to its finality.

The Speaker: Thank you, Honourable Premier.

The Premier, Hon. Alden McLaughlin: Because, Madam Speaker, what we now have is a situation where allegations about me are being based on what we now know to be fabricated documents. Fabricated documents in the possession of the Leader of the Opposition and he needs—and he can do it now—to tell the country where those documents came from. They were not disclosed in the context of the criminal trial against him, they have been disclosed now in the context of the civil trial, and no one on his side is prepared to say to my lawyers where they got them from.

Perhaps he and others will tell the police how they came to have fabricated documents, with forged signatures on them.

[Inaudible interjections]

The Speaker: Members of the House, it has now been brought to the Chair's attention by the Honourable Premier that there is an investigation going on, which the Chair had no way of being privy to, nor should be privy to. With that being the case, I will not allow any further comments to be made by any side relating to this particular case. So all Members, please refrain from that.

Leader of the Opposition, I will ask you to wind up your Motion.

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, I thank you for your ruling. The only way I can say anything is if he allowed me to read it into the record. You have made your ruling. Now, my lawyer is dealing with it and we are ever ready to defend anything that they have produced. Certainly, from our knowledge we get information and we use it accordingly. Then the courts will have to decide who and what is right and wrong. We get information and we use it accordingly.

[Inaudible interjection]

The Speaker: Please let the courts decide and let the Legislative Assembly continue—

Hon. W. McKeever Bush, Leader of the Opposition: You can say what it is.

The Speaker: Members, I have made a ruling. I expect not to hear any more on this matter.

There is a separation. The executive, the judicial and the legislative each has its own distinct role to play. Let us play ours this morning and continue with the legislative role now that this has been brought to the attention of the Chair.

Leader of the Opposition, please continue, sir.

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, as I said . . . the Motion that I brought here is clear. It is out of the concerns of what I know have been going on, what I know has taken place, what I know that they will say, and what I know they are capable of doing. And the heated exchange this morning, Madam Speaker, does nothing to frighten me. As I said, I know that we get information, as other people do, and we use it accordingly. They can test it in a court of law if they want. My lawyers are dealing with it.

I wish I could read into this Motion that correspondence that he speaks to and then other Members will know how much went on.

Madam Speaker, I sat and listened to some public utterances about what the Government intends to do as far as the Corruption Commission is concerned. I did not expect that they would not . . . I felt that they would not agree to it, but I didn't know on what basis. Anyway, he says it is going to be done.

Let's take him at his word and see what changes are going to be made. So, let's wait. This matter of the Commission was the subject of a motion, once which we amended under instructions from the legal entities at that time, one which we agreed and which they have mentioned at some point, but it was passed in this House by all of us. Having agreed to it, it is not left up to us to bring legislation to Cabinet, and particularly of that nature, it is one of the reserved subjects which the Governor has full and immediate responsibility for, legal affairs and those on needed commissions. Those are matters to be dealt with by the Governor and in the Cabinet and this legislature are answerable by the Honourable Attorney General and the Deputy Governor.

Politicians do not have responsibility for drafting of laws and the changes and amendments to them of that nature. If there are changes to the tourism law, then the Minister of Tourism is responsible to bring it to Cabinet after he has written and asked for it, sometimes through Cabinet. The Minister of Tourism then brings it to the honourable legislature. As it is, the elected arm has no ability, no responsibility and cannot draft legislation. We have to ask for it. Most of us know this, so I don't know that anybody can lay the blame on us. But I do believe we could have had it if the Governor wanted it. But he did not give any instructions, I believe, to the Honourable Attorney General, to bring it, because they didn't want it changed. They wanted the whole thing to remain as is so that they could carry on their vendetta and have the powers that they have. That is what and why the matter didn't come to Cabinet; not that we could bring it there. If the Governor wanted it there, it would have been done.

Madam Speaker, all kinds of information came to us in the trial. We didn't have to use it because the Crown didn't make any case. So, we didn't have to use our information. But it came. And it is still coming, and more is to come. Those that know, know; and those that don't, well, they don't. But we will find out one of these days. I leave the Motion to the House.

The Premier, Hon. Alden McLaughlin: Madam Speaker, before—

The Speaker: I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, before we go to the vote, I just want to ensure that the documents which the Leader of the Opposition sought permission to lay on the Table of the House do not include the document I referred to, or that the Leader of the Opposition started to read, the purported correspondence from the Commissioner of Police to the former Governor of 10 December 2012.

The Speaker: Serjeant, would you just show the Honourable Premier the documents that have been laid before the House.

The Premier, Hon. Alden McLaughlin: Or, indeed, the others. Madam Speaker, I am aware from other sources that the Leader of the Opposition has shared these documents with some people in the media, but the matter is not generally in the public domain. And there is a defamation suit on foot.

The Speaker: I recognise the Member for East End.

Mr. V. Arden McLean: Thank you, Madam Speaker.

In the interest of transparency, is it intended, since it is now laid, that other Members will receive copies also?

The Speaker: That is the normal procedure. So, Serjeant, at your convenience, just ensure that all Members have copies as it is now a public document. Let me now put the question—

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, before you do, let me make it absolutely clear that what were laid on the Table of the House were those . . . some of the emails that were produced in court from Duncan Taylor to Tony Bates and others. The memo that I was going to lay, which they do not want laid, was of the 10 December 2012, to HE the Governor. And it is not laid.

The Speaker: Thank you—the question is: BE IT NOW THEREFORE RESOLVED—

Mr. V. Arden McLean: Madam Speaker.

The Speaker: Member for East End?

Mr. V. Arden McLean: Madam Speaker, whilst I was not in the Chamber I was listening, and my recollection is that you ordered that it be laid.

Some Hon. Members: No. Not that one.

The Speaker: That is an incorrect recollection. The ones that I ordered are laid, and the Premier has had an opportunity to clarify it is not the document being objected to, which I did not permit to be laid.

So I now put the question is: BE IT NOW THEREFORE RESOLVED that the Anti-Corruption Law (2014 Revision) is changed to reflect the removal from the Commission of the Commissioner of Police as Chairman and member, the Complaints Commissioner and the Auditor General as a member.

AND BE IT FURTHER RESOLVED that the Government consider amending Schedule 4 of the Anti-Corruption Law (2014 Revision) accordingly.

All those in favour please say Aye. Those against, No.

Ayes and Noes.

The Speaker: The Noes have it.

Hon. W. McKeeva Bush, Leader of the Opposition: Can we have a division please?

The Speaker: Madam Clerk, please call a division.

The Clerk:

Division No. 3

Ayes: 3

Hon. W. McKeeva Bush
Mr. Bernie A. Bush
Capt. A. Eugene Ebanks

Noes: 11

Hon. A. M McLaughlin
Hon. M. I. Kirkconnell
Hon. D. Kurt Tibbetts
Hon. Osbourne V. Bodden
Hon. Marco S. Archer
Hon. Tara A. Rivers
Hon. Anthony S. Eden
Mr. Winston C. Connolly
Mr. Roy M. McTaggart
Mr. Alva H. Suckoo
Mr. V. Arden McLean*

Absent: 3

Hon. G. Wayne Panton
Mr. Joseph X. Hew
Mr. D. Ezzard Miller

***Mr. V. Arden McLean:** *No!* [Very loud]

[Laughter]

Hon. W. McKeeva Bush, Leader of the Opposition: Yeah, you would say no. And say it loud too.

[Laughter]

Mr. V. Arden McLean: You remember this that we wanted to [INAUDIBLE] and you wouldn't do it?

Hon. W. McKeeva Bush, Leader of the Opposition: You're a mad man.

Mr. V. Arden McLean: I'm a mad man and—

The Speaker: Order!

Hon. W. McKeeva Bush, Leader of the Opposition: I just explained why it wasn't done. But I believe—

The Speaker: Members, I called order and I do not intend to say it again.

Hon. W. McKeeva Bush, Leader of the Opposition: I wish you would call it on him a little bit more.

The Speaker: Leader of the Opposition that includes both of you.

Hon. W. McKeeva Bush, Leader of the Opposition: That's right, all two of us. He got what he wanted, a little exchange; can't help himself.

The Speaker: The result of the division: Ayes 3; Noes 11 and absent 3.

Negated by majority on Division: Private Member's Motion No. 2/2015-2016 – Amendment to the Anti-Corruption Law (2014 Revision) failed.

The Speaker: At this time we will take the luncheon break. We will reconvene at 2:00 pm.

Proceedings suspended at 12:36 pm

Proceedings resumed at 2:22 pm

The Speaker: Please be seated. Proceedings are resumed.

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO 3 OF 2015/2016 – PRESERVATION OF TRADITIONAL MARRIAGES

The Speaker: First Elected Member for Bodden Town.

Hon. Anthony S. Eden, First Elected Member for Bodden Town: Thank you, Madam Speaker.

I want to move Private Member's Motion No 3 of 2015/2016 – Preservation of Traditional Marriages, and it reads:

“WHEREAS THE CAYMAN ISLANDS CONSTITUTION ORDER 2009, BILL OF RIGHTS, FREEDOMS AND RESPONSIBILITIES Section 14 (“the Constitution) “. . . respect *the right of every unmarried man and woman of marriageable age (as determined by law) freely to marry a person of the opposite sex and found a family*”;

AND WHEREAS THE MARRIAGE LAW (2010 Revision), Section 2 (“the Law”) defines “*marriage*” as “*...the union between a man and a woman as husband and wife*”;

BE IT THEREFORE RESOLVED THAT this Honourable House do affirm to maintain the definition of marriage to be as expressly provided for by the Constitution and Law as being between persons of the opposite sex.”

The Speaker: I recognise the seconder of the Motion.

Mr. Alva H. Suckoo, Jr., Fourth Elected Member for Bodden Town: Madam Speaker, I rise to second Private Member's Motion No. 3 2015/2016—Preservation of Traditional Marriages.

The Speaker: Thank you.

The Motion has been duly moved and is open for debate. Does the Honourable First Elected Member for the district of Bodden Town wish to expound further on his Motion?

Hon. Anthony S. Eden: Thank you, Madam Speaker.

I would beg that you bear with me, because to me, this is one of the most important motions for this House and the people of the Cayman Islands. I just hope, understand, and trust that the people out there will understand the gravity of what is happening; not only in Cayman, Madam Speaker, but throughout the world.

Madam Speaker, because of the importance of this Motion and my personal feelings of this, I will beg the understanding of this House as I extensively quote from certain articles that I have had the opportunity to read and understand.

Madam Speaker, from May of this year, I talked about this Motion being laid and brought to this House. Of course, that was in the Budget session so I did not want to fill up the whole area. What I would like to do is to firstly look at, as determined by law in the Motion referring to the Marriage Law (2010 Revision), section 24. And, as I read from that Law, it is about "consent to marriage and who may give it".

Section 24 (1) reads: "**Persons who have reached the age of eighteen years and widowers or widows may marry without the consent of others.**"

Section 24(2) reads: "**Where a person under the age of eighteen years not being a widower or widow intends to marry, the father, or if the father is dead the lawful guardian or guardians, or if there is no such guardian, the mother, if unmarried, of such person shall have authority to consent to the marriage of such person, and such consent is hereby required unless there is no person authorised to give it resident in the Islands.**"

Section 24(3) reads: "**If the parent or guardian whose consent is necessary is *non compos mentis*, or unreasonably withholds consent to the marriage of any person, either party to the intended marriage may refer the matter to a Judge of the Grand Court who shall decide upon the same in a summary way, and if the proposed marriage appears upon examination to be proper, the Judge shall certify the same, and his certificate shall be as good and effectual as if the necessary consent had been given.**"

Section 24(4) reads: "**Where either of the parties to a marriage is under eighteen years of age, not being a widower or widow, and is married under this Law without the consent of the person having authority to consent, it shall be lawful for the Grand Court, on an information by the Clerk of the Court, to declare a forfeiture of all interest in any property acquired by such marriage by the**

other party thereto, and to secure the same for the benefit of the party so under eighteen years of age, and of the issue of the marriage."

Madam Speaker, earlier this year, what really bothered me and got to me was, as indicated in the Cayman Reporter on 15th January, captioned:— "**Lecture series to tackle homophobia and gender equality**". It indicates: "**The Student Society of the Truman Bodden Law School has decided to launch its new series of public lectures entitled, "Legal matters that matter to all" with one of the most controversial topics in the Cayman Islands. Gender and Lesbian, Gay, Bisexual and Transgender (LGBT)**" (and until then I thought it was a sports car or something) "**equality will be the focus of the opening lectures to be delivered in January 2015 under the heading of "Misogyny (when I looked this up it is having one husband or one spouse) "and homophobia: What is the Cayman Islands doing to promote gender and LGBT equality?"**"

"**The launch of the series is the law school's way of giving back to the local community part of the knowledge and understanding that its students earn.**"

I am corrected, Madam Speaker, and I thank my colleague here on the left, because I wrote it down but did not put it on my piece of paper. "Misogyny" means "hate for women". How can that ever happen in this world?

Madam Speaker, I look around and see people losing their homes, kids going to school and to bed hungry, places [are needed] for the elderly to stay in, the need for mental health facilities and for raising our education standards. Madam Speaker, with the number of lawyers that we have in these Islands (and I am not being critical of lawyers, by the way; I have too many good friends in here), I really think that the focus of some of these people that come here does not go with the way that we Caymanians who have lived here for the past over 500 years.

I now refer, Madam Speaker, to 19th January [*Caymanian Compass*]: "**Cayman may have to sanction same-sex union expert says**".

"**Professor Robert Wintemute delivers his lecture.**

"**During his presentation, Professor Wintemute outlined two categories of reforms, which he said the Cayman Islands government, should be looking at.**

"**The first set of reforms he said, were required for Cayman Islands law, which he said was 14 years behind established case law, to comply with the European Convention.**"

I've heard enough about the European Convention to last the rest of my lifetime, Madam Speaker, and not to mention my first 70.

This is what really blew my mind, Madam Speaker.

“These include:

- Lowering the age of consent for homosexual activity from 18 to 16 so it is equal regardless of sexual orientation.”

Madam Speaker, he goes on to outline a second set of “desirable reforms”—and there are others but these are the ones that really stand out to me—“for which he said there was currently no clear legal requirement but would help to ensure Cayman remained a modern, welcoming diversity-respecting jurisdiction.”

Who are these people to come here and tell us that we are a respectable jurisdiction?

Madam Speaker, as you know, I believe in my Bible and I need to preface this: If we do not believe—which I know most of us have been raised on that Holy Word, and I believe in it—what I am saying will not matter to those who do not believe in it.

Madam Speaker, “Those reforms include:

- Amending anti-discrimination legislation to add sexual orientation and gender identity as prohibited grounds for discrimination.”

The next article, Madam Speaker, is in the *Caymanian Compass* on the 12th February 2015—“Cayman has legal duty to amend discriminatory laws”. And my friend here, I would not know him from a bat in hell, Mr. Austin Smith.

Mr. V. Arden McLean: Alden put him on there.

Hon. Anthony S. Eden: Oh boy!

Hon. Anthony S. Eden: “Mr. Austin-Smith said the Human Rights Commission has identified a list of laws that need to be “introduced immediately” to remove discrimination to the LGBT community in the Cayman Islands.

“Mr. Austin-Smith said the Human Rights Commission believes public education is necessary alongside legislation. “Legislation alone can’t resolve a discrimination issue,” he said. It is also important to tackle cultural attitudes, and this begins with education.

“He added that many of the same arguments now being used against LGBT rights were levelled against African-Americans fighting for equality in the civil rights movement in the U.S.”

The comparison, Madam Speaker, I do not know where he is coming from because evidence came out recently that under the leadership of an African-American President, the United States are further behind of 20, 40 years than where they were before. So, I don’t understand where the comparison is coming from there.

He goes on to say: ““We owe it to ourselves, and our children and grandchildren to be on the right side of this argument.””

Mr. V. Arden McLean: What about our side?

Hon. Anthony S. Eden: We do not count anymore.

[Inaudible interjection]

Hon. Anthony S. Eden: Father help us.

Mr. V. Arden McLean: Fire and Brimstone my brother.

Hon. Anthony S. Eden: As was alluded to earlier, Mr. Wintemute also talked about lowering the age of consent for homosexual activity from 18 to 16 so that it is equal, regardless of sexual orientation.

Madam Speaker, rest assured, some of these people that I should find out are around my children or grandchildren, in Lower Valley we have some long hard tamarind switches—

Hon. D. Kurt Tibbetts: Mm-hmm.

[Laughter and inaudible interjection]

Hon. D. Kurt Tibbetts: I hear ya chief.

Hon. Anthony S. Eden: I will. But you never know what can happen when people get vex.

Hon. D. Kurt Tibbetts: Mm-hmm.

Hon. Anthony S. Eden: Madam Speaker, I warn them: stay away from my grandchildren.

I know, Madam Speaker, that, people like the late Mr. Craddock Ebanks, the late Mr. Berkley Bush and my cousin, the late Jim Bodden, would turnover in their graves if they knew that people were out there trying to influence us Caymanians who dug out from mosquitoes and sandflies to one of the most successful nations on earth. The amount of time being spent to influence people and the money that is spent . . .

As I said earlier, Madam Speaker, my presentation is based on my Holy Bible evidence. And I am not speaking to talk about myself or to brag, but I have now read it six times. And, as I said, if we do not believe in the Holy and inspired Word of God, Madam Speaker, we might as well be like the United States trying to fight ISIS and these other terrorist groups who have no value of life. But, Madam Speaker, as a Representative of the people for over two decades, almost 23 years to be exact, I feel it is incumbent on me to share with my people what I believe. Naturally, Madam Speaker, I cannot impose my beliefs. Individuals must make their decisions.

I found it interesting, Madam Speaker, in an article in the *Miami Herald* on the 4th May 2015 captioned—“Supreme Court should not usurp the voice of the people”. Chief Justice John Roberts of the Supreme Court of the United States is quoted and

it reads: **“John Roberts cut through the semantics and the florid prose about “dignity” when he said this to one of the attorneys arguing in favor of same-sex marriage: ‘You’re not seeking to join the institution. You’re seeking to change what the institution is.’”**

Do we understand the difference, Madam Speaker?

Madam Speaker, I now move to what I indicated of articles I have read about how the religious and the Bible people defend this situation.

The first one says: **“Beware of satanic confusion”.**

“Our Bible tells us that Satan is the “god” of this present world (2 Corinthians 4:4). He is called the “prince of the power of the air”. This evil being has an entire cadre of false ministers! And he clearly uses many other people as well to confuse and to deceive this world and blind them to the Truth of God.” How well we know it here and around the world.

“In addition to using his own ministers, Satan will especially use “opinion makers” in our confused society—the so-called “educators,” the psychologists and psychiatrists, and certainly the media moguls who simply want to “make money” even at the expense of destroying the entire moral fabric of our society. These people are usually very clever. For, they will often use words that sound good for something that is terribly evil. As Almighty God warned about such people: “Woe to those who call evil good, and good evil; who put darkness for light, and light for darkness; who put bitter for sweet, and sweet for bitter! Woe to those who are wise in their own eyes, and prudent in their own sight!”

Madam Speaker, this is the one that—*whew!*—really, if I had hair on the back of my head, it would have stuck up when I read this article.

“What Kind of Love”? “Homosexual activist constantly appeal to ‘love’ in describing their relationships, yet the way they go about their ‘love’ is essentially misusing various parts of the body.” Madam Speaker, this stunned me to the core. **“Consider that many males who take the part of the female in homosexual contact eventually need to wear diapers (pampers) because of the permanent damage they have done to their body by using it in a way that their Creator never designed it for!”**

Madam Speaker, I really don’t think that when Pampers and Huggies and those, chose those articles, they were not for that.

Madam Speaker, I beg apologies from this House that I have to bring out some of this stuff in the wording that it comes, but we need to awaken our people in Cayman to know that there is a design out there in so many ways, financial and whatever to destroy these Islands from the highest levels. We had

better wake up, Madam Speaker, because what I might say may not matter, but when my Heavenly Father comes, his justice is sure and fast.

“Sadly, using various words and terms to confuse the public will obviously evolve not only into more and more “same-sex marriage” but into polyandry, polygamy and even “group marriages.” Already, some activists are promoting “man-boy love” as something normal and desirable. All of this will lead to untold physical and mental suffering that—unless God intervenes—will absolutely ruin people for the male-female monogamous marriages that are the only kind of marriages that can produce children as the Creator intended.”

I always wonder, Madam Speaker, how we deal with that aspect. How will life on earth as we know it . . . because, as you know, Madam Speaker, and all of us in here and throughout these Islands and whoever else are listening, that people of the same-sex cannot procreate.

“Yet Satan is so clever with his various “word games” that he is able to twist the idea of “love” and confuse human beings into practicing almost anything.

“The next step? Bestiality! Yes, it is now reported that increasing numbers of people in Germany” (and I understand Mexico also) “and other countries are practicing bestiality and are ‘offended’ that people would dare stop them from making ‘love’ to their own animals!”

Do you think the God that dealt with Sodom and Gomorrah is going to sit and make this keep going on?

Where are we heading to, Madam Speaker?

Over the last six thousand years, Madam Speaker, we have been cut off from God and his magnificent Law. Mankind would have tried everything under Satan’s influence.

“The very terms of reference used to explain all kinds of deviant behaviours are being so twisted and perverted that the invisible Satan, the devil—the “god” of this present world—is easily able to seduce gullible human beings into a way of life that is totally degenerate, destructive of the family” (and that is the ultimate effort that is behind all of this, Madam Speaker) “and ultimately destructive of all human life unless the creator intervenes.”

The Bible talks about scoffers, Madam Speaker: **“Two thousand years ago, Jesus told His disciples to watch for specific signs that would indicate His return was near—widespread religious deception, increasing violence, spreading ethnic strife and wars, famines, disease epidemics and increasingly severe natural disasters—events that are making headlines today.”** And for those of you doubting what he can do, just check out California. Four years and some of those areas, Madam

Speaker, have not had a drop of rain. Do you think that is just happening so?

“Peter foresaw a future time at the end of the age when skeptics and critics would mock the plain statements of Scripture. Jude, the brother of Jesus, mentions this same sign, “remember the words which were spoken before by the apostles... how they told you that there would be mockers in the last time who would walk according to their own ungodly lusts” (Jude 17–20). A major sign of the end of the age will be the emergence of scoffers and critics who will attack the Bible and the teachings of Jesus just before His return. We are witnessing this growing phenomenon and its consequences today!

“Behaviors once frowned upon and punished—lying, stealing, fornication, adultery and divorce—are now promoted as normal. In the last few years, political leaders, secular academics and liberal theologians, aided by the media, have actively promoted the acceptance of homosexuality and same-sex marriage—practices that the Bible has long-labeled “evil” and “an abomination” to God (Leviticus 18:22; 1 Corinthians 6:9–10).”

It goes on to say: **“If you do not obey Me ... and if you despise My statutes... I will even appoint terror over you... you shall be defeated by your enemies. Those who hate you shall reign over you... I will even break the pride of your power.”**

I will mention here, Madam Speaker, that for those of you who have the interest this weekend, read Leviticus 26 and Deuteronomy 28 of what can happen when we get out of line with our Heavenly Father.

I will briefly touch on Sodom and Gomorrah and beyond: **“Both the Bible and history demonstrate that human civilizations have a tendency to turn away from biblical standards of conduct. The cities of Sodom and Gomorrah provide a vivid example of how human wickedness results in divine punishment. The Bible records that a major reason why God destroyed the cities of Sodom and Gomorrah was the people's rampant homosexuality. When two angels visited Lot, who lived in Sodom, “the men of Sodom, both old and young... surrounded the house... they called to Lot and said to him, ‘Where are the men who came to you tonight? Bring them out to us that we may have sex with them.’”**

For those who may think that this may have been a fable, **“the biblical account refers to the activities that characterized the cities of Sodom and Gomorrah as an “abomination” to God—which is how God views perverted sexual practices (Leviticus 18:6–24). As a result of these sins, “the LORD rained brimstone and fire (and in this instance it was described as) burning sulfur on Sodom and Gomorrah. Archeologists have found ancient settlement remains (Early Bronze III), located near Bab**

edh-Dhra on the southeastern edge of the Dead Sea, showing evidence of destruction by earthquake and fire (see Archeological Study Bible). God’s punishment for wickedness was final!”

When societies ignore the lessons of history and begin to live as if there is no God, as if there is no such thing as right or wrong, there will be consequences. None other than the Great King David wrote in the Psalms that only fools say there is no God (Psalms 14:1). And nations that forget God will be destroyed. What great authority.

There was a gentleman by the name of George Santayana—“May the soul bring observation”. **“Those who fail to learn from history are [doomed] to repeat it.”**

As the world approaches another critical turning point, the question is: Will we forget it? God’s Word forgotten!

Sadly, what is really historic, Madam Speaker, about our modern era is that the behaviour for thousands of years was understood as a social and moral evil, a perversion and an abomination in God’s sight, is now being promoted; not only as normal behaviour, but as something everyone should accept as good, that is now trying to be pushed down the throats of the people of the Cayman Islands. Moreover, people are being told that those who cling to Biblical beliefs regarding good and evil are actually bad people who are stubbornly holding on to what our dear President to the North of us says—President Obama—which is labelled **“worn arguments and old attitudes”**.

Madam Speaker, the Bible clearly reveals that God created a woman for a man and a man for a woman, and that marriage is to be between a man and a woman.

What progressive social reformatories do not seem to understand is that God predicted in the pages of the Bible, what is *actually* happening today. In the modern Israelite nations long ago, God inspired Moses to warn the Israelite people. **“For I know that after my death you will act corruptly and turn from the way which I have commanded you; and evil will befall you in the latter days, for you will do that which is evil in the sight of the LORD, provoking Him to anger with the work of your hands.”**

Once again, he says: **“Woe to those who call evil good, and good evil; . . .”** which is what many of these people are saying today. It can’t be, Madam Speaker, it is either right or wrong! You can’t be half pregnant, Madam Speaker! And they are preying on the minds of our young people.

God reveals in the Scripture that these misguided actions will bring consequences in the years ahead. God warned, if you do not obey me, **“I will break the pride of your power; I will make your heavens like iron and your earth like bronze” (Leviticus 26-19). “I will scatter you among the nations and bring out a sword after you” (Leviticus 26-33).**

It is no wonder, Madam Speaker, the transgressors of these nations, the great United States and the United Kingdom, are now subject to increasing problems. The God of the Bible does not tolerate leaders of blessed nations that promote evil and condemn good.

Continuing on my last religious article, Madam Speaker: **“Today, by contrast, the modern God-rejecting slogan is, ‘If it feels good, do it!’”**

“Practically an entire generation of Americans, Canadians and other English-speaking peoples has been educated and propagandized to basically despise the God of the Bible and the standards of conduct to which hundreds of millions of our ancestors at least gave lip service—and frankly followed, at least partly, according to their understanding [in their daily lives].

“There are a handful of thoughtful commentators who have recognized this trend and spoken out to expose it, more than I can acknowledge in this brief article. One such exposé is found in a book titled *The Marketing of Evil*. Author David Kupelian, in this fascinating and very important document, lays bare the reality of the agenda behind those who are—whether knowingly or unknowingly—helping Satan undermine long-held biblical values in the Western nations.

“Many will find Kupelian’s claims unbelievable, unless they approach his book with an open mind. He goes on to explain the propaganda plan of certain [homosexual] activists who are ‘following an in-depth, published plan laid out by professional Harvard-trained marketers.’ Kupelian asks, ‘How can this be happening in America? How does child molesting become ‘man-boy love’? How does crushing a baby’s skull and sucking out his brains become a ‘constitutional right’? How does quoting the Bible become ‘hate speech’?”

I will pause there, Madam Speaker, because as you and some of us are probably aware, there are some rough days ahead for those Evangelists in the United States. They are not going to be able to preach openly as they did before. As a matter of fact, in Houston they were already starting to tell the Ministers that they had to see what they were going to preach about and to put it into the programme. They will be prosecuted when these things come about.

“How has America—which still boasts an 80 percent Christian population—seen fit to embrace what can only be called a culture of death, rather than a culture of life?”

We may be shocked, Madam Speaker, to learn that our Bible clearly reveals that before the end of this age, the great United States and the British descended nations will actually become slaves of nations that have not weakened themselves as we are doing.

Madam Speaker, there is a lot more that I could go into on this, but from my perspective, and, as I said, I cannot force this down the throats of people, but I felt that I was obligated to share my feelings. This is democracy, you choose what you do. But I had to let people know the ultimate consequence.

A short paragraph here, Madam Speaker, and this comes from the British Journal of Education Society and Behavioural Science. I will ask that this be tabled once I read these couple of sentences.

“Aims: To test whether small non-random sample findings that children with same-sex parents suffer no disadvantage in emotional wellbeing can be replicated in a large population sample; and examine the correlates of any differences discovered.

“Methodology: Using a representative sample of 207,007 children . . .

“Results: Emotional problems were over twice as prevalent for children with same-sex parents than for children with opposite-sex parents. Risk was elevated in the presence of parent psychological distress, moderated by family instability and unaffected by stigmatization, though these all had significant direct effects on emotional problems. Joint biological parents are associated with the lowest rate of child emotional problems by a factor of 4 relative to same-sex parents, accounting for the bulk of the overall same-sex/opposite-sex difference.

“Conclusion: Joint biological parentage, the modal condition for opposite-sex parents but not possible for same-sex parents, sharply differentiates between the two groups on child emotional problem outcomes.” For child wellbeing, “the two groups are different by definition. Intact opposite-sex marriage ensures children of the persistent presence of their joint biological parents; same-sex marriage ensures the opposite. . . ”

On the 29th January, Madam Speaker, there was an editorial by the new newspaper, the *Cayman Reporter*. And I would like to read portions of it with your permission, Madam Speaker.

The Speaker: Please proceed.

Hon. Anthony S. Eden: **“In a society and country that has been founded on Judeo-Christian principles and morals and among a people who are somewhat non-contentious and passive, it has been understandingly challenging to discuss on a national level concerns and issues surrounding homosexuality.**

“Now, we are being told that we must extend additional rights to the LGBT community under the banner of equality, modernisation and diversity, and that various laws in Cayman and sections of our Constitution are not in line with the

European Convention on Human Rights when it comes to LGBT rights.

As has come out in these lectures—“**There seems to be no room for discussion on whether or not additional rights, over and above the absolute rights contained in our Constitution**” (which I alluded to earlier) “**should be created and extended to a specific, minority group . . . What makes the LGBT community more deserving than other communities- let’s say Caymanians- who are repeatedly told they are not entitled to employment rights –which are stipulated in much contested ‘protectionist legislation’.**”

“**Another issue brought to the public’s attention has to do with amending laws so that the age of consent for homosexual activity is the same as that of heterosexual activity; this would not prove much of an issue perhaps if the age of heterosexual consent was raised to 18 versus the age of homosexual activity being lowered to 16.**”

On that, Madam Speaker—not on my watch Bobo!

I caved in on some of the other stuff from when they did away with capital punishment and put on tariffs. Not this time, Madam Speaker.

“**Changing legislation to recognise and authorise civil partnerships [or gay marriage] in order to provide benefits to same sex partners will lead to permanent changes for the entire society and some that will not be in the best interests of the society at large.**”

The editor goes on to say: “**We are talking about re-defining marriage- the foundational relationship for the family unit and the society.**”

“**. . . A view that espoused that marriage is a comprehensive union between a man and a woman who make a permanent and exclusive commitment to each other, which is fulfilled naturally through the bearing and raising of children.**”

Madam Speaker, I won’t need to table this because it is public knowledge.

The last one I want to read from briefly, Madam Speaker, and will ask that you allow me to table it for those who may be interested. It comes from the Journal of American Physicians and Surgeons—Volume 10 No. 3/2005 by Dr. Nathaniel S. Lehrman, M.D., in an abstract.

“**In recent decades, American perceptions of homosexuality have changed significantly, largely because of the questionable concept of the homosexual orientation: a genetic or biological, rather than a behavioral, etiology. These newer beliefs greatly influence how its morbidity, mortality, and social impact are seen, often causing us to overlook how the gay male lifestyle significantly increases the incidence of infectious disease and shortens life expectancy by about 20 years.**”

I guess by now it is not that short. They are saying back then, it shortened by 20 years.

“**Morbidity, Mortality, and Morality: the Social Impact of Homosexuality**”. It sounds like one little thing my brother-in-law said the other night.

“**A striking but little-discussed aspect of homosexual activity today is its associated reduction in behavioral control. We all have forbidden sexual drives that we restrain, but for those engaging in homosexual behavior, that restraint seems much reduced.**” These figures are found quite interesting, Madam Speaker.

“**One result has been blatant promiscuity among homosexuals. A 1978 study reported that 75 percent of male [homosexuals] had been with 100 or more partners; 28 percent, the largest sub-category, reported more than 1,000 partners; 79 percent said more than half their partners were strangers; and 79 percent said more than half their partners were men with whom they had sex only once.**” Talk about activity.

“**Another survey 16 years later found that while 67.6 percent of men and 75.5 percent of women had only one sex partner in the previous year, only 2.6 percent of men and 1.2 percent of women engaging in same-sex relationships had thus limited themselves. Supporters of homosexuality, and advocates of gay marriage, rarely acknowledge the many partners gays have—including those living together as couples.**”

The medical dangers, Madam Speaker, of this activity are also underemphasised.

“**Its devotees show much higher rates of sexually transmitted disease, substance abuse, and mental illness. While they comprise only about 2 percent of the population, homosexuals represented 21 per cent of hepatitis cases in 1988, and 44 per cent of new human immunodeficiency virus (HIV) cases between 2000 and 2003. They contract syphilis at a rate three to four times higher than non-homosexuals.**”

Another rough one here, Madam Speaker—“**Anal intercourse causes hemorrhoids, anal fissures, anorectal trauma, and retained foreign bodies, and creates high risk for anal cancer. Among male homosexuals engaging in oral-to-anal contact, an extremely high rate of parasitic and other intestinal infections exists.**”

“**Homosexuality is also associated with higher mortality (alluded to earlier). A major Canadian medical center found the life expectancy at age 20 years for gay and bisexual men was 8 to 20 years less than that for all men. It further estimated that nearly half of today’s gay and bisexual 20-year-olds would not reach their 65th birthday.**”

And then, Madam Speaker, these people are going to come here and hold these lectures and say that we must start to educate our children and so on and so forth; it is not going to happen, Madam Speaker. And I am pretty sure that the people whom I have around me will have something to say about it.

Hon. D. Kurt Tibbetts: Put it to the vote. Let's go.

Hon. Anthony S. Eden: I have already mentioned at another occasion and have spoken to the Minister of Education, that to just make sure that people do not come with any nonsense in our education system.

Madam Speaker, I was relieved just last month, 31st July, in the *Cayman Reporter*, and I will read briefly that short paragraph: **"Asked if the issue of legalising same-sex unions could become a self-determination issue if the CI Government decides not to legally protect and recognise them, the FCO said, 'The UK has always respected the right of the Overseas Territories to self-determination.'"**

I was relieved, Madam Speaker, a few days ago when our present Leader and past leader indicated their stands on this—"Political leaders say 'No' to same-sex unions".

For our leaders, Madam Speaker, I just want to read from Luke 17:1-2. I've used this once before in this honourable House when things were running off the track, and I urge all of you to listen. And this, Madam Speaker, as we know, the red writing in the Bible comes direct from Jesus.

"Jesus said to his disciples: 'It is impossible that no offences will come: but woe unto him, through whom they do come!'" "Offences"—referring to stumbling blocks.

Listen up colleagues. Please listen up: **"It would be better for him that a millstone were hanged about his neck, and be cast into the sea, than that he should offend one of these little ones."**

Madam Speaker, I put this here for what it is worth. I cannot direct people what to do, but it was placed on my mind to share with those who may be interested and wanted to check on it to see what can happen in this type of lifestyle.

I commend this Motion to the House, and I will listen.

The Speaker: Does any other Member wish to speak?

I recognise the Fourth Elected Member for Bodden Town.

Mr. Alva H. Suckoo, Jr.: Thank you, Madam Speaker.

Madam Speaker, I do not intend to speak for very long on this Motion, because I think my colleague has covered the majority of the important points. I should say, all of the important points. But I want to begin by thanking him for bringing this issue to the forefront because I think it is an important discussion that we have to have as a Legislature and as a country. It seems that the majority of the rest of the world has been promoting the idea of same sex marriages, and eventually, by virtue of us being part of or under

the British Government, we will end up having to have this discussion at some point in time. And I think we have to spend the time discussing what it is that our people actually want us to do in relation to this important issue.

Even the President of the United States, Obama, has lately changed his opinion on same sex marriages and now he is advocate for promoting same-sex marriage. I personally believe that was political expedience for him. However, I do not think that we live under the same circumstances here in the Cayman Islands. We have different cultural values and I think that us as Representatives need to explore those values and make sure that any decisions we make in relation to issues such as this, are not against what the people who put us here want us to do.

This issue, I think, is not reflective of our cultural values. And just because other jurisdictions happen to be adopting the concept of same-sex marriage, same-sex unions, it does not mean that we must go out and embrace it. What is good for them does not necessarily mean it has to be good for us. We are culturally unique, Madam Speaker, and I think that our laws and our Constitution must reflect the values that our people think are important. I know there are those out there who will say that we are being bigots and homophobes and probably worse, but I, as a Representative, cannot support a lifestyle or a concept that I think clashes with our chosen value systems here in the Cayman Islands as per our religious values. If I did it would make me a hypocrite.

Madam Speaker, we are a traditionally Christian society and yes, in my Bible, it is a sin; same-sex unions are a sin. And the last time that I read the words on our Court-of-Arms, I do not think those words changed—"He hath founded it upon the seas". I think that underpins that we are a Christian society and we embrace Christian values.

Madam Speaker, I am not going to stand here today and launch an assault on homosexuals; that is not my purpose here today. I know several individuals who are gay or lesbian. I went to school in the United States and the lifestyle was obviously much more prevalent there. And I lived and learned among people who were gay and lesbian. But just as a homosexual chooses to live a particular lifestyle, the fact that they are living that lifestyle does not make it right; it is still a sin. And that is my personal belief. However, I do not feel that me, as a Representative and legislator should be expected to support any sort of change in legislation or a Constitution that would legislate and allow sin. It is a simple as that. As long as we hold ourselves up to be a Christian society, I think we must choose to enforce Christian values. If we open that door, Madam Speaker, I honestly believe that pressure will come for us to start to support other sins, and in my mind, we would then have to consider legally allowing adultery and other sins. I am not a Bible thumping Christian, Madam Speaker. I go to Church

regularly, and I am not going to stand here with a “holier than thou attitude”. I do not think that I am qualified to do that. But I do know the values that I was taught through my family and my Church. And I believe that sometimes we have to stand on principle. We know what it is that the people whom we represent want, and there are times like this that we have to stand. We cannot allow a small minority to speak for the majority.

Madam Speaker, my colleague, the First Elected Member for Bodden Town, gave quite a few examples of studies that proved that same-sex unions are not necessarily healthy for raising children. And there are a number of social issues that we should think about when we consider whether or not we should allow same-sex unions. The one I think is probably most significant here is the reduction in the importance in the role of the father in a family unit. If we allow same-sex unions, by virtue of doing that, we allow lesbian marriages, that eliminates the male or father from that equation, and in doing that we reduce the importance of a man’s role in raising children. This in itself could encourage individuals who are in opposite sex marriages to adopt the attitude that the father is not significant in those relationships as well.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: And it is bad enough as is now. We have a big enough problem with deadbeat fathers and fathers not taking care of their children. Let’s not do anything that would encourage that sort of attitude.

Madam Speaker, I have had no representation from any Caymanians that they are unhappy with the current constitutional definition of marriage. If I had received representation, I may have been a bit more of a mind to listen to the arguments, but I cannot get away from the fact that I do not believe that this is something the majority of Caymanians are looking for us to adopt.

There are other concerns, Madam Speaker. Some of them are quite obvious in terms of the effect same-sex unions on children. And I want to focus more on the children, Madam Speaker, because I think that is where the most profound effect will be felt. There have been numerous studies which have proven that fathers excel in reducing anti-social behaviour and delinquency on boys and in sexual activity in girls. Fathers exercise a unique social and biological influence on their children. In a recent study of fathers’ absence from girls, it was found that girls who grew up apart from their biological father were much more likely to experience early puberty and teen pregnancy than girls who spent their entire childhood in an intact family.

The other side of that argument is that children need mothers. Among other things, mothers excel in providing children with emotional security, and

in reading their physical and emotional cues as infants. Obviously, they also give their daughters unique council as they confront the physical and emotional and social challenges associated with puberty and adolescence.

“**“Judith Stacey, a Sociologist and an advocate for same-sex civil marriage, reviewed the literature and child outcomes and found the following: “lesbian parenting may free daughters and sons from a broad but uneven range of traditional gender prescriptions.” Her conclusion here is based on studies that show that sons of lesbians are less masculine and that daughters of lesbians are more masculine.”**” Again, this introduces some very complex social issues, Madam Speaker, which I do not think the Cayman Islands is prepared to deal with at this point in time. I would caution going down this road as we have enough social issues to deal with as is. Introducing more would be like throwing fuel on a fire. I know that there have even been some examples of same-sex unions pointed out. People who want to promote their position on same-sex union have pointed to the animal world and said that animals practice homosexual activity and have same-sex unions. But that argument, I think, does not really carry much weight. We are not animals, we are human beings.

It is sad, Madam Speaker, that persons who stand against same-sex unions (and I saw this when I lived in the United States) are often vilified and made almost afraid to speak up to say that they oppose such unions. There has been a long running campaign, Madam Speaker, and this is what makes me suspicious, to say the least, of what it is that is afoot when seeing individuals or groups running campaigns promoting this lifestyle and behaviour. I do not think that heterosexuals have put much effort into promoting their lifestyle and behaviour, but it seems to have grown and grown and gathered strength and it is now creeping into our part of the world. And I have to wonder sometimes what the agenda is.

Madam Speaker, even those who silently oppose same-sex marriages will sometimes feel pressured into advocating for it, simply out of fear of being labelled a hate-monger or a bigot. But it is wrong for us to label individuals as such when they are simply up for the values that they believe in. And this powerful lobby effort that I have witnessed has deliberately created the environment where we feel wrong to speak up and voice our opinions. And, as I earlier said, I saw this when I lived in the United States.

Madam Speaker, changing the definition of marriage might not necessarily be the end of the world and there are more pressing issues that we need to focus on as a Government; that being, employment, homelessness, hunger, mental illness, gang violence, foreclosures, and the list goes on. So, I do not want this issue to distract us from what it is we are supposed to be doing, but I think it is important enough

that we place it up there, as my colleague said, with those other issues.

I personally oppose the oppression of any human being, Madam Speaker, including homosexuals. Not because they are homosexuals but because they are human beings. So, no one has anything to fear that this is an attempt to restrict and limit the rights of individuals who are not heterosexual. That is definitely not my intention. But in the same way that I oppose the oppression of drug addicts, alcoholics, adulteresses, we are here to help, not oppress.

I know there are those who say we are being hypocritical, Madam Speaker, because we legislate to allow for the consumption of alcohol and other sins, but the difference is that we do not actually legislate to allow drunkenness. In fact, we legislate against it. So, we have to be responsible in what it is that we bring into our country and the way we bring it in. I do not think the Cayman Islands are at the point where we should be even entertaining this idea.

Allowing same-sex marriages, Madam Speaker, effectively and radically changes the definition of marriage, as we have traditionally recognised it. And I think that this would effectively be an attack against the fabric of our traditional definition of marriage between male and female, against parenting, and against families. A marriage is the start of a family union. This means eventually children should be a result of this marriage, and that means that the two individuals involved in the marriage should be able to appropriate. And they must serve two distinct roles; equally important but distinct. These roles are complimentary between a man and woman, husband and wife. And, in my opinion, anything else would be unnatural. A child is the tangible result of a marriage between persons of the opposite sex and removing that sexual specificity from marriage, removes the key components that make up a successful marriage.

Madam Speaker, this Motion represents what I think is the majority view of Caymanians, which preserves marriage as a union between a man and woman. There are those who may want to import the values of other countries and societies, to overlook our cultural significance, cultural differences, and our traditional and Christian way of life, and would want us to promote something that goes against the grain of what is Caymanian culture; that, Madam Speaker, is where I have an issue. So, as a Representative of the people of the Cayman Islands I must stand for what I think my people believe in and what they wish to preserve. And again, this was no attack on anyone; this is simply a motion asking us to confirm that we all agree that that is the way it should.

Madam Speaker, I said I would be brief, so with those few words, I thank you and ask this House to please support this Motion. I think it is important and I thank my colleague for raising this issue so that we could air our opinions and concerns and have this conversation. Thank you.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak?

I recognise the Honourable Minister responsible for Finance.

Hon. Marco S. Archer: Thank you, Madam Speaker.

Madam Speaker, I have made no secret of the fact that I worship the Holy Triune God, and that does not mean that I am perfect, but it means that I have certain beliefs and I live my life a certain way. And, Madam Speaker, this is a very difficult issue to speak on because it is an emotive topic. There are those who, in this Chamber, are for this, and there are those who are against it. And by definition, since we are Representatives, presumably, we then reflect the views of those who are not in here, but whom we represent.

Madam Speaker, this matter of unions between man and woman and people of the same-sex, depending on what country we are in,—well, here we are in the Cayman Islands—I think the Motion brought by the First Elected Member for Bodden Town speaks of preserving traditional marriages as defined by the Cayman Islands Constitution, and the Marriage Law. So, Madam Speaker, as I have said before, this is an emotive topic. It has the potential, or perhaps it already has, of dividing families; perhaps even friends, and possibly even members of the Church, and certainly, nations as we have seen most recently in Israel where there were violent attacks against people who were just simply demonstrating peacefully.

Madam Speaker, what I am about to say has nothing to do with victimisation or victims or villains. It has nothing to do with that because what I want to say is not meant to hurt anyone's feelings, and certainly, it cannot be termed as hate-speech because I will say nothing that should offend anyone. What I will say is what I have read in the Bible and understood, and what everyone in this room, except for one or two, have all stood before a priest who read from the Bible and we were all willing to accept those words in order to legitimise our union of husband and wife.

Madam Speaker, we often speak of Christian values in this country and I never use anything as my own or claim anything to be my own if I have not taken a public stand to identify with that. So, the Lord Jesus himself was quite clear when he said to the woman caught in adultery, or he used that parable—sorry, it is not a parable—but I will explain in a minute. But our Christian values, Madam Speaker, say that the second greatest Commandment is to love your neighbor as yourself. Madam Speaker, for anyone wanting to make notes or whatever the case may be, or wanting to read the Bible for the first time, it is in Matthew 22:39; the second greatest Commandment—“**Love your neighbour as yourself**”. Therefore, Madam Speaker, for me, what that means is not to intentionally do harm or wrong to anyone because no one would want anyone to do harm or wrong to them. And, as to

perfection, Madam Speaker, none of us are perfect. Christian or non-Christian, none of us are perfect. For Christians we are a work in progress. On a daily basis every one of us commits some sin or the other, and whether we want to admit it or not, the fact is we do it. And we are reminded in the Word of God, Romans 3:23; that “. . . **all have sinned and fall short of the glory of God.**”

Madam Speaker, I am making these statements to demonstrate that what I am saying is not about anyone being better than the other or anyone being less than the other, or whatever term anyone would like to use. It is about what I believe and why I believe it. So, love your neighbour as yourself. And, all have sinned and have fallen short of the glory of God.

Madam Speaker, with respect to hypocrisy, when the self-righteous caught the woman in adultery and brought her to Jesus, it was for two reasons; (1) to test Him and (2) to execute judgement under Mosaic Law. He did two things: he demonstrated love and mercy, but he also demonstrated the hypocrisy of the crowd who was calling for her to be stoned to death. He simply said to them, “Whichever one of you is without sin, then, you be the first one to cast the first stone.” And upon realizing, Madam Speaker, that they were all guilty of some sin or the other, and therefore all subject to some judgement of some kind or the other, they all turned and walked away. But then he did something else, Madam Speaker, in demonstrating his mercy. He asked, “Is there anyone who condemns you?” She said, “No, they have all gone.” He said, “Neither do I.” But he did not leave it there. He said to her, “Now go and sin no more.” He demonstrated love and mercy. He put to death—not death—he demonstrated his dislike for hypocrisy, but he also demonstrated his lack of tolerance or his intolerance for certain behaviours, and so he said to her, “Go and sin no more.”

So, Madam Speaker, what I am saying is that the heterosexual who is promiscuous is not demonstrating any better behaviour than the homosexual on whom they may look down upon. There are people in the LGBT community who demonstrate greater respect for their relationship than others who may be in a heterosexual relationship. Therefore, Madam Speaker, this is not about one being better than the next. This is not about anyone feeling as though they are being victimised. This is simply, in my opinion, setting it straight. Sexual immorality and the condemnation thereof, apply equally to the homosexual as it does to the heterosexual community. Neither one is any better than the other when done outside of marriage.

Madam Speaker, it raises the question as to whether to marry or not to marry. And in the Book of 1st Corinthians when Paul is writing to the Corinthian Church concerning married life, he said to them: “**But if they cannot control themselves, they should marry, for it is better to marry than to burn with**

passion.” So, the Bible promotes the institution of marriage. Therefore, we ask the question: Well, what is marriage? Madam Speaker, I have always believed and my belief is supported by what I read in the Bible, what is found in our Constitution, and what is provided for in our Marriage Law. Mark 10:6-9—and I hope I do not have to table the Bible because I know we already have one on the table.

The Speaker: No, Minister, but you may have to read it since the reading thereof becomes less frequent as the day passes.

Hon. Marco S. Archer: Thank you, Madam Speaker. I thank you for that privilege.

Madam Speaker, I want to continue to reiterate that this is nothing about hate for anyone or anything of the sort.

Mr. V. Arden McLean: I hear you Chaplain.

Hon. Marco S. Archer: In Mark 10:6-9 says: “**But from the beginning of creation, God made them male and female. For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.**” He is speaking clearly to the sanctity of marriage. And we are all adults so we know what it means when it says that they shall become one flesh.

Madam Speaker, in Genesis, and perhaps I should have read Genesis first. But in Genesis 2:22—and I don’t know how many people know this, Madam Speaker, but God did not name woman you know. Man named woman. I will actually read it from verse 21-24, and it says: “**And the Lord God caused a deep sleep to fall on Adam, and he slept: and he took one of his ribs, and closed up the flesh instead thereof; and the rib which the Lord God had taken from man, made he a woman, and brought her unto the man. And Adam said, ‘This is now bone of my bones, and flesh of my flesh: she shall be called Woman because she was taken out of Man’. Therefore a man shall leave his father and mother and be joined to his wife and they shall become one flesh.**”

Madam Speaker, as I said, I should have read Genesis first. And I will repeat Mark Chapter 10 so that it flows logically: “**But from the beginning of creation, God made them male and female. For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh. So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.**”

Madam Speaker, I know we are not talking about divorce today but if we were, that would be an appropriate scripture for it.

So, Genesis speaks of the origin of marriage. Mark Chapter 10 speaks of the sanctity of marriage. And in Matthew Chapter 19 in response to a question, Jesus confirms that marriage is between a man and woman. In Matthew 19:4-6: **“And he answered and said to them, Have you not read that He who made them at the beginning, ‘made them male and female,’ and said ‘For this reason a man shall leave his father and mother and be joined to his wife and the two shall become one flesh’? So then, they are no longer two but one flesh. Therefore what God has joined together, let no man separate.”**

Finally, with respect to those authorities—I want to call them authorities because in the Court of Law they hold fast to what judges have said and call it precedent. And sometimes those judgements are considered infallible and people will quote them. Well, I believe that the Word of God is infallible. So, for me, this is my authority.

In the Book of Ephesians 5:21-33 the relationship between the Lord Jesus and the Church is compared to the relationship between a man and woman—husband and wife. Madam Speaker, as you have asked me to read, with your indulgence, I will read it. The reading is from verse 21: **“Submitting to one another in the fear of God. Marriage—Christ and the Church**

“Wives, submit to your own husbands, as to the Lord. For the husband is head of the wife,” (and I do not want this to come across as sexist. I am using this to demonstrate the relationship between the Church and Christ is like that of a relationship between the husband and wife in a loving marriage) **“as also Christ is head of the church; and He is the Saviour of the body. Therefore, just as the church is subject to Christ, so let the wives be to their own husbands in everything.”**

It does not just place the responsibility on the wife. In the sake of equality, it places the responsibility on husbands as well. **“Husbands love your wives just as Christ also loved the Church and gave Himself for her, that He might sanctify and cleanse her with the washing of water by the word, that He might present her to Himself a glorious church, not having spot or wrinkle or any such thing, but that she should be holy and without blemish. So husbands ought to love their own wives as their own bodies; he who loves his wife loves himself.”** (Love thy neighbor as thyself) **“For no one ever hated his own flesh, but nourishes and cherishes it, just as the Lord does the church. For we are members of His body, of His flesh and of His bones. ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.’ This is a great mystery, but I speak concerning Christ and the church. Nevertheless, let each one of you in par-**

ticular so love his own wife as himself, and let the wife see that she respects her husband.”

Madam Speaker, those are the authorities which I would refer to as to what is meant by marriage. It is between a husband and a wife. And, as I have said before, my authority is the infallible Word of the Holy triune God.

So, Madam Speaker, our Constitution and our Marriage Law merely reflect the belief and value systems of our citizens. And I know full well that it is quite possible that while I have tried to explain my reasons as to what I have said and not point fingers at anyone, and clearly demonstrated that the misbehaving heterosexual is no better than the homosexual, and it is not the case of one being better than the next, it is what the Lord accepts as decent behaviour, and what he has termed marriage and those who are within the marriage are husband and wife, male and female.

Madam Speaker, I know that there has not been a formal petition or referendum or anything on the subject, but as was said in the early days of human rights in the United Kingdom, it was called a slow incoming tide. I have forgotten the exact words, but that was the crux of what was said. It was termed a slow incoming tide. I want it to be clear that my belief is that it should be between a man and a woman as was intended by God and as is stated into our Constitution and our Marriage Law.

Madam Speaker, I would like to think that I am a fair person. And I would fight to defend the rights of the LGBT community, not to be persecuted by anyone or for any reason, Madam Speaker, because they are human just like we are and they have feelings just like we do. But, I believe that if the desire is for equality with respect to the protection of their rights, with respect to ownership of property and the transfer of that property to their loved ones, Madam Speaker, it is possible for us to review our laws and see in what ways that can be done without considering or interfering or changing the definition of what God always intended to be marriage between a man and a woman, and what our Constitution and our Marriage Laws currently provide for.

So, Madam Speaker, I realise, as I have said before, that this is an emotive topic. This is a topic that has the potential to separate friends, to drive a wedge between members of the Church, and to even drive a wedge between colleagues in this Chamber. I have seen lesser things do so. So, I would not be surprised if this issue also does that.

As I am guided by my own morals, spiritual beliefs and values, I will say to my colleagues on this topic, just as Joshua said in Chapter 24:15 when the Israelites wanted to follow the ways of their neighbours when he said to them: **“. . . choose for yourselves this day whom you will worship But as for me and my household, we will worship the Lord.”**

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? Does any other Member wish to speak? Final call, does any other Member wish to speak?

If not, I will call on the Mover of the Motion, the Honourable First Elected Member for Bodden Town, to wind up.

Hon. Anthony S. Eden: Thank you, Madam Speaker.

Madam Speaker, I am a bit baffled. What happens to the resolve of the Motion No. 3 2015/16? I want to thank my colleague the Fourth Elected Member for Bodden Town for seconding and pointing out as I also saw in certain information the adverse effect it has on children. I want to thank the Minister of Finance for reading the Bible's definition of marriage and indicating also that God loves the transgressors, but not the sin.

Madam Speaker, I brought this Motion with the intention of trying to make people aware, my Caymanian people, if we don't follow the guidance that my Bible has told me over and over . . . I rest my case. I tried to do my best. I have always done that. And whatever happens, so be it. But I can assure you, Madam Speaker, no rainbow flag is going to be flying in my yard. Thank you.

The Speaker: The question is: BE IT THEREFORE RESOLVED THAT this Honourable House do affirm to maintain the definition of marriage to be as expressly provided for by the Constitution and Law as being between persons of the opposite sex."

All those in favour please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, can we have a division?

The Speaker: Madam Clerk, please call a division.

The Clerk:

Division No. 4

Ayes: 13

Hon. Moses I. Kirkconnell
Hon. D. Kurt Tibbetts
Hon. Osbourne V. Bodden
Hon. Marco S. Archer
Hon. Tara A. Rivers
Hon. Anthony S. Eden
Mr. Winston C. Connolly
Mr. Roy M. McTaggart
Mr. Alva H. Suckoo
Hon. W. McKeeva Bush
Mr. Bernie A. Bush

Noes: 0

Capt. A. Eugene Ebanks
Mr. V. Arden McLean

Absentees: 4

Hon. Alden McLaughlin
Hon. G. Wayne Panton
Mr. Joseph X. Hew
Mr. D. Ezzard Miller

The Speaker: The results of the division: 13 Ayes; 0 Noes, and 4 absent. The Motion has been approved.

Agreed by majority on division: Private Member's Motion No. 3/2015-2016 – Preservation of Traditional Marriages passed.

The Speaker: Members, I just wanted to reserve my right on this particular Motion. As the Speaker I do not have the privilege to speak. Therefore, I did not do it before the Motion. As the vote has been taken, it cannot influence anybody's [vote], but for the avoidance of doubt, I want to go publicly on record with my good friend the First Elected Member for Bodden Town to say that if I could vote today, I would have supported the Motion.

Hon. Anthony S. Eden: Thank you, very much, Madam Speaker.

ADJOURNMENT

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker.

I wish to indicate to Members that we have tentatively fixed Wednesday, 14 October, for the start of the next Meeting of this honourable House, unless something else intervenes. I wanted to give Members as much notice as I possibly could.

I should indicate that there will be a number of substantive Bills and Motions being brought by the Government for consideration. So, I think we will have quite a busy meeting.

Madam Speaker, with that, I wish to move the adjournment of this honourable house sine die, to what I said about the tentative date notwithstanding.

The Speaker: The question is that this House be adjourned sine die.

All those in favour please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

At 4:15 pm the House adjourned sine die.

