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### **STATEMENT BY MR KENNETH GORDON, CHAIRMAN**

Coupled with the Oath of Secrecy which Commissioners are required to take, Part II, Section 5(2)(a) and (c) of the Integrity in Public Life Act (IPLA) states in part that in the exercise of its functions under the Act the Commission (and by extension, all Commissioners):

- (a) *shall not be subject to the direction or control of any other person or authority.*
- (c) *the Commission shall have the power to do all such things as it considers necessary or expedient for the purpose of carrying out its functions.*

When Dr. Keith Rowley, Leader of the Opposition, called my office at approximately 2.23 p.m. on Wednesday May 15<sup>th</sup>, 2013, I was not available. He left a message with his cell number requesting an URGENT meeting. We later attempted to return his call and in turn left a message on his machine. At around 6.00 p.m. it occurred to me that he may not have received the return call message. I was by that time at home and called him myself. He advised that he was on his way home. In response to my question, he confirmed that the "URGENCY" continued to exist.

I have known Dr. Rowley professionally for some time but until that afternoon he had never visited my home. My understanding was that he wished to communicate with me on an URGENT matter. Such a matter could have been about anything, given the extreme times in which we live. I could have said no, not today, see me at the office tomorrow. But then I could have been faulted for not making the time to even listen to what the Leader of the Opposition considered URGENT. Also mindful of the remit quoted above from the IPLA Section 5(2)(a) and (c) which clearly provides the authority to proceed in accordance with what was considered necessary I concluded that in all the circumstances I would see Dr. Rowley briefly and right away: a decision I would have taken in similar circumstances had it been the Prime Minister, the Attorney

General or any other public official... and I add they would most certainly have expected me to do so.

I suggested to Dr. Rowley who does not live far from my house in Glencoe that he meet me at my home. He arrived a few minutes later. The contents of the conversation which we had are set out in the *Aide Memoire* which has been previously circulated. The brief meeting ended and he departed.

I immediately wrote by hand the *Aide Memoire* which was typed the following day. I personally handed the document to the Registrar later that day to await the appointment of the new Commissioners and the Commission's first meeting.

It is with regret that I now turn to some unfortunate statements and distortions of fact which have been reported in the media. In the first instance when I confirmed the meeting had taken place and the *Aide Memoire* was made available to the public, the absurd charge was made that the meeting was part of a political conspiracy which, if only for the record, I categorically deny.

It has also been suggested that the same lawyer used by Dr. Rowley at the Privileges Committee may have been retained by the Commission to render an Opinion on jurisdiction in the e-mail matter. It was reported and I quote "*when you connect the dots it reveals a frightening picture of an attempt by high office holders to topple the Government.*" This amounts to an accusation of treason, one of the most serious crimes on the books. Like so many of the other accusations, there is not an iota of truth in that reckless charge.

In fact the Opinion on jurisdiction in the E-mail matter which has been the subject of the most incredible speculation was provided by Mrs. Deborah Peake, Senior Counsel who is not Dr. Rowley's representative at the Privileges Committee.

Let me make it clear that I accept that in a perfect world the meeting with Dr. Rowley ought to have taken place at the Office of the Integrity Commission with an officer present. But that world seldom exists. In the circumstances which existed on Wednesday May 15<sup>th</sup>, meeting briefly with the Leader of the Opposition and recording what had transpired for the Commission's attention was the rational thing to do. If a Commissioner can be entrusted to honour the Oath of Secrecy he can be entrusted to faithfully report on what transpired at a brief meeting with a public official. The question really is integrity, and if he or she does not have it he or she should not be a Commissioner in the first place. The simple fact is that try as we might, we cannot legislate for integrity.

I end by emphasising:

- That the decision to meet with Dr. Rowley was taken without regard to any form of partisan consideration. It was the fair and rational thing to do and it was not secret.
- The meeting was held in full accordance with the Integrity in Public Life Act, one of the Laws of Trinidad and Tobago.
- A report on what took place at the meeting was made and preserved for the New Commission when appointed, to ensure full transparency.
- The inflammatory and highly irresponsible statements which have been made coupled with the distortions of fact are to be deeply regretted.

**June 21<sup>st</sup> 2013**