

## **ANNEX 2 - MINUTES – 2<sup>ND</sup> JUNE, 2016**







## PARLIAMENT OF THE REPUBLIC OF FIJI

MINUTES OF THE PRIVILEGES COMMITTEE MEETING HELD ON TUESDAY HELD ON 2<sup>ND</sup> JUNE 2016, AT 5:05 P.M. IN THE PARLIAMENT COMPLEX COMMITTEE ROOM, WEST WING.

### MEMBERS PRESENT

Hon. Ruveni Nadalo, Deputy Speaker (Chairperson)  
Hon. Faiyaz Koya, Minister for Industry, Trade and Tourism  
Hon. Inia Seruiratu, Minister for Agriculture, Rural & Maritime Development and National Disaster Management  
Hon. Rosy Sophia Akbar, Minister for Women, Children and Poverty Alleviation  
Hon. Aiyaz Sayed-Khaiyum, Attorney General and Minister for Finance, Public Enterprises, Civil Service and Communications (*Withdrew from the meeting*)  
Hon. Semesa Karavaki, Member (*Withdrew from the meeting*)

### IN ATTENDANCE

Mrs. Viniana Namosimalua, Secretary-General to Parliament  
Mr. Joeli Ditoka, Director Legislature  
Mr. Josua Namoce, Manager Research and Library  
Ms Heather Lyall, Consultant  
Mrs Kalo Galuvakadua, Manager Committees  
Ms. Laisa Masirewa, Assistant Editor - Hansard

### 1.0 WELCOME

1.1 The Hon. Deputy Speaker welcomed members of the Privileges Committee and informed them of the purpose of the meeting which was to deliberate on the matter of privilege raised with the Hon. Speaker.

### 2.0 APOLOGIES

2.1 There were no apologies received.

### 3.0 DELIBERATIONS ON COMMITTEE PROCEEDINGS

3.1 The Hon. Attorney-General was of the view that since the Committee was meeting to discuss a matter of breach of privilege by the Hon. Roko Tupou Draunidalo, it was only fair that someone should be sent in to replace her on the Committee.

- 3.2 The Hon. Deputy Speaker mentioned that he was lead to believe that there would be a substitute and informed the Hon. Draunidalo that she would not be allowed to be part of the meeting but could only give her side of the story.
- 3.3 The Hon. Semesa Karavaki stated that he had also objected to the presence of the complainant at the last Privileges Committee meeting, but the complainant refused to leave so the two members from the Opposition were taking the same stance. When questioned on whether they had read the correspondence by the Hon. Speaker, the Hon. Karavaki informed the Committee that their presence at the meeting was deliberate as they wished to seek an audience with the Committee and make their request.
- 3.4 The Hon. Attorney General suggested that in order to resolve the matter, he and the Hon. Draunidalo should both absent themselves from the meeting and be replaced by substitutes, and that both of them be allowed to present their cases before the Committee.
- 3.5 The Hon. Deputy Speaker agreed with the decision made and also informed the Committee that he had received a directive from the Hon. Speaker that the Hon. Draunidalo was not to sit in as a member of the Committee but another member of the Opposition was to be called in as her replacement.
- 3.6 Leave was granted and the meeting was suspended to allow the Hon. Attorney General and the Hon. Draunidalo to look for substitutes to replace them on the Committee.

### **3.0 GENERAL BUSINESS**

- 3.1 The Hon. Deputy Speaker called the meeting to order and was informed by the Hon. Karavaki that due to the shortage of time, they were unable to get a replacement for the Hon. Draunidalo. He mentioned that it was unfortunate that the Hon. Attorney General had stated that the Hansard report was very clear as this was an indication to him that Hon. Draunidalo's case had already been prejudged.
- 3.2 The Hon. Karavaki sought leave from Deputy Speaker to absent himself from any further deliberations of the Committee as he felt that the outcome of the meeting had already been determined.
- 3.3 The Hon. Inia Seruiratu, the Hon. Rosy Akbar and the Hon. Faiyaz Koya pleaded with the Hon. Karavaki to remain at the meeting to hear what they had to say but despite the views of the Hon. Government Members, Hon. Karavaki stated that he would respect the decision of the Committee and would express his views when it would be debated in Parliament.

### **4.0 SUBMISSIONS BY WITNESSES**

- 4.1 The Hon. Deputy Speaker called upon the Hon. Attorney General and the Hon. Roko Tupou Draunidalo to present their views on the matter of privilege that had been raised.
- 4.1.1 The Hon. Attorney General was of the view that there was a severe breach of privilege by the Hon. Draunidalo under Standing Orders 62(4)(d) and the matter should be dealt with accordingly.

- 4.1.2 The Hon. Draunidalo appeared before the Committee and reserved her right to silence as she felt that she would not get a fair hearing. She also excused herself from the meeting.

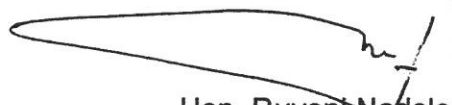
## **5.0 COMMITTEE'S DELIBERATIONS**


- 5.1 During its deliberations, the Committee was of the view that the Secretariat should also seek evidence of similar cases from other Parliaments to assist them with their decision-making. However, given the short timeframe, Secretariat was only able to find one case where the MP was made to apologise in public before being suspended from her party for a certain period.
- 5.2 The Committee Members held discussions in camera and recommended that:
- 5.2.1 Hon. Draunidalo must formally apologise in Parliament – while undergoing formal censure – to the following –
- (i) Minister for Education, Heritage and Arts; and
  - (ii) the people of Fiji,
- the apology must reflect the severity of the breach and the fact that it has had far-reaching effects and gone viral on social media here and abroad. The apology format should also recognise that the Honourable Minister did not in fact utter the words “dumb natives”;
- 5.2.2 Be suspended for the rest of the term of Parliament, with immediate effect from 06 June 2016;
- 5.2.3 During the period of suspension, she is not allowed to enter the parliamentary precincts including the Opposition Office. Immediately upon her suspension, she must be ordered to leave the precincts of Parliament and to remain outside of Parliament precincts; and
- 5.2.4 If she fails to comply with any of the above, that necessary enforcement measures must be imposed to ensure compliance.
- 5.3 The Committee Members wished to place on record that their recommendations were based on the severity of the breach by the honourable member.

## **6.0 OTHER BUSINESS**

- 6.1 As there was no other business to discuss the meeting adjourned at 8.35 p.m.

Signed,

  
Hon. Ruveni Nadalo  
Deputy Speaker/Chairperson

  
Viniana Namosimalua (Mrs)  
Secretary-General to Parliament

Date: 2<sup>nd</sup> June 2016

