

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**FRIDAY, 6TH SEPTEMBER, 2019**

**[CORRECTED COPY]**

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**FRIDAY, 6TH SEPTEMBER, 2019**

The Parliament met at 11.00 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present.

**MINUTES**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Honourable Speaker, Sir, I move:

That the Minutes of the sitting of Parliament held on Thursday, 5th September, 2019 as previously circulated, be taken as read and be confirmed.

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote on the motion.

The Question is:

That the Minutes of the sitting of Parliament held on Thursday, 5th September, 2019 as previously circulated, be taken as read and be confirmed.

Does any Member oppose the motion?

(Chorus of “Nays”)

HON. SPEAKER.- As no Honourable Member opposes, the motion is agreed to unanimously.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today’s sitting of Parliament.

I also welcome members of the public joining us in the gallery and those watching the live broadcast of the proceedings on television and the internet. I also welcome those listening to the radio. Thank you for taking an interest in the Parliamentary proceedings.

Parliamentary Privileges Committee - Privilege Matter

Honourable Members, as you are all aware on Monday, 2nd September, 2019, I referred a privilege matter to the Privileges Committee and directed the Committee to meet to consider all relevant evidence and to table its Report with recommendations to Parliament by no later than Thursday, 5th September, 2019. I also informed the House that time would be allocated on that day for Parliament to

consider the Report and the recommendations of the Privileges Committee and to pass such resolutions as Parliament deems just and appropriate in the circumstances.

Honourable Members, as you may also be aware upon request on Thursday, 5th September, 2019, from the Privileges Committee, I approved and allowed the Committee to table its Report on Friday morning, 6th September, 2019. When I approved and allowed that in principle, I was also approving and allowing time for the Parliament to consider the Report and the recommendations of the Privileges Committee.

Honourable Members, on that note, notwithstanding Standing Order 23(1) with respect to sitting times on Friday being 9.30 a.m. to 12.30 p.m., and given the significance of the privilege matters, I am allowing time for debate on the Privileges Committee motion. Therefore, I have decided that Parliament will sit beyond 12.30 p.m. today, so as to complete all the Items listed on the Order Paper. I beg your indulgence, Honourable Members, and I thank you.

#### Ruling - Alleged Breach of Privilege

Honourable Members, I will now give my ruling on an alleged matter of privilege raised by the Honourable Lynda Tabuya.

Honourable Members, on Thursday, 5th September, 2019, Honourable Lynda Tabuya reported an alleged matter of privilege to me, pursuant to Standing Order 134 against the Honourable Prime Minister. Honourable Tabuya alleged that the Honourable Prime Minister made a personal attack on her during the Parliament sitting on Wednesday, 4th September, 2019.

Honourable Members, I have reviewed the video footage of the occasion and question, and it is my ruling under Standing Order 134(2)(c), that there is no breach of privilege. Therefore, I will not be referring this matter to the Privileges Committee and there will be no further debate on this matter.

Honourable Members, I wish to reiterate that all Members must strictly adhere to the rules of debate, as stipulated in the Parliamentary Standing Orders. Indeed, Standing Order 60 states that Members must confine their speeches to the subject under consideration.

Members must ensure that their comments in Parliament are limited to the substantive matter in the Order Paper which is being debated in Parliament at the relevant time. I thank all Honourable Members.

#### **PRESENTATION OF REPORT OF COMMITTEE**

**HON. SPEAKER.-** Honourable Members, I now call on the Chairperson of the Privileges Committee, the Honourable Veena Bhatnagar to take the floor. You have the floor, Madam.

#### Report of the Privileges Committee - Matter of Privilege – Hon. J.V. Bainimarama & Hon. Lt. Col. P. Tikoduadua

**HON. V.K. BHATNAGAR.-** Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, during the debate to appoint a Special Parliamentary Committee under Standing Order 129, to holistically look into the multifaceted risks of the hard drug situation in Fiji, Honourable Pio Tikoduadua made certain accusations against the Honourable Prime Minister which resulted in a Point of Order from the Honourable Prime Minister. The Honourable Prime Minister accused Honourable Pio Tikoduadua of making personal attacks against him.

Parliament is an independent arm of the State and is fully entitled to take such measures it deems fit to maintain its integrity and decorum. The Fijian Constitution and the Standing Orders of the Parliament are very clear in that the control and administration of the Parliamentary precinct is vested in the Speaker. The Honourable Speaker has the authority to maintain order and decorum; to secure and maintain the honour and dignity of Parliament and to take action for any breach of privilege or contempt of Parliament.

Having considered the complaints raised, the Honourable Speaker made a decision under Standing Order 134(2)(a) that there was a *prima facie* breach of privilege by both the Honourable Members for words allegedly spoken and acts allegedly done within the Parliamentary precincts on Friday, 9th August, 2019.

The Honourable Speaker, therefore, referred the matter to the Privileges Committee and further directed the Committee to meet and consider all relevant evidence and table its Report with recommendations to Parliament by no later than Thursday, 5th September, 2019.

The Committee requested for extension of time to table its Report given that it was still in the process of calling witnesses and reviewing the CCTV footage as well as evidence given under oath. The Honourable Speaker, duly approved the request by the Committee and directed that the Report be tabled in Parliament on Friday morning, 6th September, 2019.

Whilst, this was a consensus Report, it should be noted that there were reservations from the Honourable Opposition Members with respect to the suspension specified in the Recommendations.

This Report differs from those of Standing Committees in that the proceedings were held in camera. The Minutes, Verbatim Notes and most of the other written documentations are attached as Annexures.

I thank all Honourable Members of the Committee for their hard work and determination shown in their undertaking.

At this juncture, Mr. Speaker, Sir, as the Chairperson of the Privileges Committee and pursuant to Standing Order 127(2)(d), I respectfully commend this Report to the Parliament.

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. SPEAKER.- Honourable Members, we will now suspend the proceedings to allow Honourable Members to read the Report. When we resume, we will proceed with the motion by a Honourable Member of the Privileges Committee.

Honourable Members, Parliament is now suspended and we will resume in half an hour.

The Parliament adjourned at 11.14 a.m.

The Parliament resumed at 11.50 a.m.

HON. SPEAKER.- Honourable Members, before we proceed with the agenda item that is next, I would just like to acknowledge the presence in the public gallery of the Speaker of the Legislative Assembly of the Australian Capital Territory, the Honourable Ms. Joy Burch and the Deputy Clerk, Ms. Julia Agostino ...

(Acclamation)

... and members of their delegation as well as staff of the Australian High Commission. You are most welcome.

Honourable Members, I remind everyone of my ruling on Monday, 2nd September, 2019 for Parliament to consider the Report and the recommendations of the Privileges Committee and to pass such resolutions as Parliament deems as just and appropriate in the circumstances.

I now call on the Minister for Agriculture, Rural and Maritime Development, Waterways and Environment, the Honourable Dr. Mahendra Reddy, to move the motion. You have the floor, Sir.

**MATTER OF PRIVILEGE –  
HON. J.V. BAINIMARAMA & HON. LT. COL. P. TIKODUADUA**

HON. DR. M. REDDY.- Mr. Speaker, Sir, having received the Report of the Privileges Committee, I move that;

- a) Both the Honourable Prime Minister and Honourable Pio Tikoduadua to immediately issue their apologies in Parliament today; and
- b) If the Honourable Prime Minister and Honourable Pio Tikoduadua fail to do so, that they be suspended from Parliament for a period of six months with immediate effect from 6th September, 2019.

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, I now call upon the Honourable Dr. Mahendra Reddy to speak to the motion. You have the floor, Sir.

HON. RO F. TUISAWAU.- Point of Order, Honourable Speaker, Sir.

HON. SPEAKER.- He has not spoken to the motion.

HON. RO F. TUISAWAU.- Thank you.

HON. SPEAKER.- You have the floor, Honourable Minister.

HON. DR. M. REDDY.- Honourable Speaker, having received the Report of the Privileges Committee, I stand here as a Member of the Privileges Committee to support the Report tabled by the Chairperson, Honourable Veena Bhatnagar, the matter of privilege that was referred by your good self, Honourable Speaker, for the consideration of the Committee.

The ruling made by the Honourable Speaker to refer this matter to the Privileges Committee is commendable as it shows to the world that democracy is alive and well in this country and it would show

that the Honourable Prime Minister was (inaudible).

I wish to inform the Honourable Members that both the Honourable Prime Minister and Honourable Pio Tikoduadua attended the hearings of the Privileges Committee when they were summoned. The Honourable Speaker is the embodiment of integrity and decorum in Parliament and this is why the parliamentary democracy works to enable the mechanisms of Parliament to work in respect of the Members.

Honourable Members, at this juncture, I wish to advise that the Members of the Committee thoroughly completed their deliberations after which Members agreed that there were breaches from both parties, that is:

- a) That there was a personal attack by Honourable Pio Tikoduadua against the Honourable Prime Minister and his family on the floor of Parliament Chambers on 9th August, 2019; and
- b) That the Honourable Prime Minister, in a manner in which he approached Honourable Pio Tikoduadua within the Parliament precincts on 9th August, 2019 to seek clarification on the verbal attacks in Chambers on 9th August, 2019.

We do not condone the actions of both the Honourable Members as leaders in our community. We want to set a standard of acceptable behaviour for the Members of Parliament. We need to staunchly protect the sanctity and decorum of Parliament being the representative body of all Fijians.

Mr. Speaker, Sir, given the above, the Privileges Committee has recommended actions to be undertaken and we request the Members to consider the recommendations as put forward in the form of a motion. Thank you.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Members, since the first complaint was against the Honourable Pio Tikoduadua and the second complaint was against the Honourable Prime Minister, after the mover of the motion has spoken and after all Members have spoken then the Honourable Pio Tikoduadua should speak and then the Honourable Prime Minister should speak and then the Right of Reply.

Honourable Members, we will follow that order. The floor is now open for debate and I give the floor to the Honourable Ro Filipe Tuisawau. You have the floor, Sir.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir. I would like to raise a Point of Order under Standing Order 105 - Amendment of Motions and seek your indulgence to proceed with that. Thank you.

HON. SPEAKER.- You have the floor.

HON. RO F. TUISAWAU.- Under Standing Order 105, Sir, Amendment of Motions, I move that we amend the motion presented in front of us and before the House. The amendment to read:

“That:

- a) The Honourable Prime Minister Voreqe Bainimarama apologise to Parliament and the nation today;

- b) The Honourable Prime Minister Voreqe Bainimarama be suspended for 2 years given the gravity of his breach of privilege and noting taking into account the high office he holds.”

Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member. There is an amendment, as you are aware and you should have copies of that.

There is an amendment, as I was saying, there is an amendment to the motion. Is there a seconder to that amendment?

HON. J. SAUKURU.- Honourable Speaker, I beg to send the motion.

HON. SPEAKER.- Thank you.

We will now proceed. The floor is open for debate on the motion and the amendment. You can speak to the amendment and to the motion at the same time.

The floor is open. I give the floor to the Honourable Leader of the Opposition. You have the floor, Sir.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Sir. I hope the TV and radio broadcast systems are working this morning, Mr. Speaker, Sir.

Mr. Speaker, Sir, I rise to contribute to the debate on the motion and amendment before the House with regard to an alleged breach of Parliamentary privilege by the Honourable Prime Minister, the Honourable Rear Admiral (Ret'd) Voreqe Bainimarama and the President of the National Federation Party the Honourable Colonel (Ret'd) Pio Tikoduadua.

Before discussing this substantive motion, Mr. Speaker, Sir, I would like to remind this House that I always believe that Parliament should be a guiding light for this nation. It should be the symbol of pride, truth, dignity, equality, justice and embody all the values we hold dear as a sovereign nation. This is clearly reflected in our Parliament's motto – some of us are well aware, passes today with name tags, “Our Parliament, Our Pride”.

However, the picture that people are seeing, Mr. Speaker, Sir, sadly, is far from ideal and not consistent with the principles underlying our motto. This, Mr. Speaker, Sir, is a clear indication that we are not practising what we preach. In other words, it is hypocritical to the people of Fiji, just as our laws are being engineered to ensure it is selectively applied. I will touch on that a little bit later, Mr. Speaker, Sir.

Mr. Speaker, Sir, it is so sad that the voters of this country know that some of the decisions we take are biased towards the interest of the Government elite rather than the nation as a whole. This is clearly reflected in this dictatorial approach in the running of the whole Government.

Allow me now, Mr. Speaker, Sir, to turn to the specific motion before this Honourable House. Although the Opposition was represented on the Select Committee on Parliamentary Privilege, they have refrained from signing the report in the spirit, in their respect for good governance, transparency, accountability and consistency with the precedence set and the position the Party has taken which I will elaborate after.

It is noted that there was consensus that both parties were guilty, however we do not agree with the recommended penalty because it is consistent with the precedent set by this Honourable House.

From the outside, Mr. Speaker, Sir, it also sad to note the content of your letter of 3rd September stating that you were greatly disappointed with the decision of SODELPA not to participate in the Privileges Committee with respect to the matter referred to the Committee under Standing Order 134(2)(a). You suggested that you would be fulfilling our duties and responsibilities at Members of Parliament according to a Parliamentary Select Committee in accordance with Standing Order. You also, Mr. Speaker, Sir, categorically stated that our reason for not participating in the Privileges Committee were “wholly deficient and misconstrued.”

I would like to assure you, Mr. Speaker, Sir, that we at no time have any intention to show disrespect to this august House nor to your office. Our decision not to attend the Privileges Committee, Mr. Speaker, Sir, was based on a number of principles consistent with our stand on similar matters, particularly the motion to condemn the Honourable Mosese Bulitavu on 8<sup>th</sup> August, 2019.

Our initial decision, Mr. Speaker, Sir, not to participate in the Privileges Committee were based on your Ruling on Friday, 9th August that the Honourable Tikoduadua should report the matter to the appropriate authority (this is recorded on Page 2854 of *Daily Hansard* of 9th August, 2019). We also took the same position in the motion condemning the Honourable Bulitavu.

In addition, Mr. Speaker, Sir, our Party resolved not to participate in the Privileges Committee on the following basis:

1. We believe that your ruling to refer these matters to the Select Committee on Privileges is defective because Standing Order Rule (134(1) clearly states that a motion for a matter of privilege must be part of the House Agenda and must be raised by a Member during proceedings after having given the Speaker one hour of notice rather than the Speaker himself initiating the matter.

Mr. Speaker, Sir, I believe with respect that it is unfortunate that the Speaker had raised this matter of your own volition.

2. We understand, Mr. Speaker, Sir, that the matter has been reported to the Police because it involves an alleged breach of the Crimes Act 2009 and that investigations are ongoing. That is consistent with the Party principled stand and stance with regard to the motion to condemn the Honourable Mosese Bulitavu on 8th August, 2019.
3. We are also, Mr. Speaker, Sir, of the strong view that the Parliament should not interfere with the work and constitutional role of the Police, particularly incidents that are criminal in nature.
4. The Constitution guarantees the right to equality before the law. This requires that all citizens (whether Members of Parliament, Head of Government or Cabinet Minister) must be treated equally, just as any ordinary citizen who is alleged to have breached any criminal law is investigated by the Police and Parliament therefore must not arrogate to Parliamentarians special treatment or exemptions from the criminal law which applies to ordinary citizens.

I have noted, Mr. Speaker, Sir, that a lot of questions and media speculation have been made on my attempt to foster reconciliation. My intention, Mr. Speaker, Sir, was genuine. It would have allowed

both parties to talk to each other. This was supported by the three paramount chiefs who are also Honourable Members of this House who supported me on that mission.

The interest of the nation to me was paramount rather than just a conflict between two individuals. However, Mr. Speaker, Sir, the decision each party makes, is their own. I have no say or influence to force reconciliation. That must be coming from the parties involved.

On a matter of Parliamentary Privilege, Mr. Speaker, Sir. It is important that we revisit Parliamentary Privilege which is provided for in Section 73 of the 2013 Constitution whereby all Members of Parliament enjoy Parliamentary Privileges, however subject to Standing Orders. It clearly shows the parameters within which we should operate. In constantly changing the goal post to suit some people's own interest, it is making a mockery of the system and reminds me of the truism by Abraham Lincoln who said, "Nearly all men (and women) can stand adversity, but if you want to test a man (or lady's) character, give him (or her) power."

The question, Mr. Speaker, Sir, is whether Government through its dictatorial leadership is reflective of what Abraham Lincoln said. Another truism that applies is the saying "Power tends to corrupt and absolute power corrupts absolutely". The phrase was first written by John Emerich Edward Dalberg Acton, known as Lord Acton in 1887.

Again Mr. Speaker, Sir, we are experiencing today what reminds me of the political satire, "Animal Farm" by George Orwell, and I believe you all know this. "We are all equal, but some are more equal than others." *Erskine May: Parliamentary Practise*, whose full title is, "A Treatise upon the Law, Privileges, Proceedings and Usage of Parliament" is often referred to as the "bible" of Parliamentary procedures. It is the most authoritative and influential work on parliamentary procedure and constitutional conventions affecting the British Parliament and other Westminster Parliaments. The learned author states:-

"Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals."

*Erskine May* further records that where a Member of Parliament has committed a criminal offence, that Member is not exempt from the criminal law. This was decided by both the Court of Appeal and the Supreme Court of the United Kingdom in the *Regina vs. Chaytor* (2010) UKSC 52. The matter involved three Members of the House (and one Member of the House of Lords) who were charged with false accounting in 2010. The defence argued that the alleged offences - involving the case of Commons Members allowance claims, originating in the resolutions of the House were matters of privileges over which the Court had no jurisdiction. The argument was rejected in the Crown Court and in the Court of Appeal. It was also rejected by the Supreme Court because the actions were considered to be of a criminal nature, and not part of proceedings in the House so as to be protected by privilege.

Mr. Speaker Sir, I now I come to the point of precedent. It is time that this House must seriously review the precedents that have been decided in this august Assembly and in other jurisdictions to ensure consistency and fairness.

Mr. Speaker, Sir, this is not the first case to be referred to the Privileges Committee. The reason I am raising this Mr. Speaker, Sir, is because we must be consistent in our decision, rather than giving special treatment to some Members of Parliament simply because of their privileged position.

The last three matters of privileges considered in this august Assembly are basically similar in nature, since they involved the utterances or oral offences. However, the matter currently before us involves an allegation of physical assault, which is a criminal nature and confirmed by bystanders footage. The bystander footage has gone viral on social media and clearly shows what transpired. In the last three incidents, all the Members involved from this side of the House were given at least two years of suspension from Parliament.

Fortunately Mr. Speaker, Sir, we also have the rulings of the Inter-Parliamentary Union (IPU) on the three previous privilege matters - Honourable Ratu Naiqama Lalabalavu, the Honourable Col. Ratu Tikoca and Honourable Roko Draunidalo.

Although the IPU rulings are not legally binding in this Parliament, they have moral persuasive force and there are lessons to be learnt from the IPU in terms of what is considered as best practice in other jurisdictions.

It is interesting to note, that their ruling on the three previous matters are consistent throughout. In all three cases, Mr. Speaker, Sir, the IPU rulings can be summarised as having the following common features:

1. The suspension of two years and until the dissolution of Parliament, was wholly disproportionate;
2. Depriving the Member of his right to exercise the Parliamentary mandate and their voters deprived from representation in Parliament; and
3. Further, that the alternative legal avenues could have been pursued to obtain redress.

Although the ruling are not legally binding of the IPU, Mr. Speaker, Sir, it is voluntary association of Parliament they clearly uphold moral values and best practices. For us, as there are lessons to be learnt from their rulings.

It seems, Mr. Speaker, Sir, that the ruling made on the three Members of Parliament were issued based on personal vindictiveness rather than the interest of the nation at heart. Those suspended represent a fair share of the voting population, and their right must be respected and the voice of the people they represent must be heard.

We only wish and pray that this Parliament in considering the penalty, is also consistent in line with the international norms articulated by the bodies, such as the IPU.

Justice Reconciliation and Forgiveness; Mr. Speaker, Sir, when considering the Report of the Privileges Committee, it is important to look at its implication to the nation as a whole in terms of bringing unity in our multiracial country. Most of the voters are eager and interested to know the outcome of this incident. Therefore, it is imperative that we should consider carefully the implication of our decision today.

Mr. Speaker, Sir, we cannot hide away from the fact that today, our nation is divided and polarised. Therefore, we should try to focus more on fairness and justice for all. Therefore, we should all try to focus more on fairness and justice for all, and I quote from the book of Micah 6:8, which states in this modern language:

“The Lord God has told us what is right and what he demands: See that justice is done, let mercy be your first concern, and humbly obey your God.”

The people of Fiji look to this august House for leadership and guidance. Therefore, we must set a good example, Mr. Speaker, Sir, for our people. If we make the wrong decision today, we leave behind a legacy of bad governance for our future generations. We must be accountable to the voters and to the people of this nation.

As I said earlier, most of the decisions made in this august House, Mr. Speaker, against other Members have been biased, vindictive and inconsistent with parliamentary norms, conventions and the rule of law because it is intended to suit someone's agenda.

On a number of occasions, Mr. Speaker, Sir, I have tried to initiate a mood of reconciliation and forgiveness across the aisle. First, in my maiden speech, I assured the nation that as the Leader of the Opposition, I am willing to work with Government for the betterment of the nation and to improve the lives of all the people of Fiji.

That was a genuine offer, Mr. Speaker, but it was rejected on many occasions. A number of parliamentary motions and petitions on issues of national unity have been totally rejected by the Government. They refuse to work with the Opposition for our common good.

Mr. Speaker, Sir, I also raised a motion for a Commission of Inquiry to look into the events of 1987, 2000 and 2006. The thrust of the motion is for Parliament to consider, through consultative process, the appointment of a Commission of Inquiry by a Special Committee of Parliament with the ultimate aim of Presidential approval through consensus.

The role of the Commission was to inquire into the social, economic and political situations that gave rise to the prescribed events of 1987, 2000 and 2006. The Commission would then make the necessary recommendations in creating an environment of peace and harmony among all Fijians. This should be undertaken in the spirit of peace, mutual understanding, and respect for one another, to remove ill-feelings while promoting genuine unity and patriotism for a progressive society.

Mr. Speaker Sir, in conclusion, may I remind this august House of the words of the Speaker Lenthall in the House of Commons when he asserted the privilege of the Commons against King Charles I, who tried to arrest five Parliamentarians for treason. He said, and I quote:

“May it please your Majesty, I have neither eyes to see nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here, and I humbly beg your Majesty’s pardon that I cannot give any other answer than this to what your Majesty is pleased to demand of me.”

Mr. Speaker, Sir, it is important that whatever decision we make, must be consistent with the precedent already set by this House and also in line with international norms, including the rulings of the IPU). More importantly, in the spirit of our Parliamentary slogan, “Our Parliament Our Pride”.

The people of Fiji have been watching intently, they have been waiting to see that justice is done and be seen to be done. There should be no perception of bias. The law must be applied equally to all citizens, regardless of their status in society, rather than special treatment given to some.

Mr. Speaker Sir, we sincerely hope that we will correct the wrongs that were made before - two wrongs do not make a right. So it is our collective responsibility that we must do the right thing and speak the truth. Thank you, Mr. Speaker Sir.

HON. SPEAKER.- I thank the Honourable Leader of the Opposition for his contribution to the debate. I give the floor to the Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Mr. Speaker. Mr. Speaker, today is a sad day for our parliamentary democracy since its resumption on 6th October, 2014, after more than seven and a-half-years of Military rule. It may well be a catastrophic day and a premonition of what our people perceive to be the new legal order, as far as the rule of law is concerned.

For the 56 year old National Federation Party and I, who have survived and emerged unscratched in terms of maintaining our principles and ethics, without for once, shirking our fight for equality, dignity and justice for all our ordinary citizens.

Mr. Speaker, Sir, Friday, 6th September, 2019 is really a day of shame for the highest court of the land and that, for a very long time, it will not become a thing of the past. Mr. Speaker, this is due to this motion, asking us to give a seal of approval, or otherwise to untruth over truth, injustice over justice, and to tear to shreds the virtue of righteousness, the most important cornerstone of any democracy. We, on this side of the House, Mr. Speaker, are naturally asking, how did we end up here and being asked to debate a Report which, in our view, should not have been here at all.

And the answer to that, Mr. Speaker, lies in retracing our steps back to that dark day in our democracy on Friday, 9th August, 2019 and perhaps, the decisions of those in authority. That dark day witnessed a first in our history, if I may say so, something that should have never happened, let alone, dreamt by anyone. Assault of another Member of Parliament by the Prime Minister of a country Mr. Speaker, surrounded by armed bodyguards, as well as backup security, and watched by police officers on duty in Parliament as well as others, including two Members of Parliament and two youth staff members of a political party.

Mr. Speaker, the perpetrator carrying out the act described as a crime was the Honourable Prime Minister. The victim was NFP President and Honourable Member of Parliament, Honourable Pio Tikoduadua. The witnesses included my colleague, Honourable Ratu Suliano Matanitobua and NFP youth members - Dylan Kava and Apenisa Vatuniveivuke.

(Honourable Government Members interjected)

HON. SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- This happened, Mr. Speaker, Sir, in broad daylight just before midday within Parliament precincts, in full view of the Parliament CCTV cameras, and was also captured through the lens of another person because that went viral in the social media two weeks ago. Not the CCTV footage, but of high quality.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- We saw what happened, Mr. Speaker. I am sure Honourable Members of this Parliament, especially Honourable Members on the other side of the House have watched it, but we know that they will deny it like dodging a bullet.

Mr. Speaker, what did the Privileges Committee think of it? From its line of questioning and I appeared before the Committee myself, I could clearly see how desperate the Government Members on the Committee were to exonerate their boss, the Honourable Prime Minister, from doing it.

So much so, Mr. Speaker, I got a sense that the Government Members of the Committee who have signed this Report and it is clearly not bipartisan, as the Chairperson of the Committee and Deputy Speaker told the media last night because the two Opposition Members really have not signed the Report, tried to drive on the theory that was all a concoction.

(Honourable Government Members interjected)

HON. SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- Mr. Speaker, the truth has been out for two weeks, hundreds and thousands of people in Fiji and abroad have seen it, international news media, particularly in Australia and New Zealand have carried major news stories on it. All of them have done their analysis and concluded assault, except for four members of the FijiFirst Party who believe the contrary.

HON. GOVERNMENT MEMBERS.- Evidence! Evidence!

HON. PROF. B.C. PRASAD.- It is there, Honourable Speaker.

HON. GOVERNMENT MEMBERS.- Where? Where?

HON. SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- But it is obvious that this Report is a hogwash, designed to put an end to police investigations into the assault, contrary to what you have stated in your reply to our concerns, Mr. Speaker.

(Honourable Government Member interjected)

HON. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- For that, what is this Report's finding is designed to get police off the case. While you, Mr. Speaker, think otherwise that no Member of Parliament is above the law and that this Parliament will not arrogate any special treatment or exemption of MPs from law, the reality in our view is otherwise.

On the other side of the coin, Parliament has made or is proposing to make Honourable Tikoduadua the sacrificial lamb with the Privileges Committee requiring him to apologise to the Honourable Prime Minister or face six months suspension from Parliament. This is for something that he never said, Mr. Speaker, never alluded to and never meant during his intervention in his Right of Reply to the motion on 9th August, 2019 calling for a Special Parliamentary Committee to look into the drug problem and other aspects. He is being treated, Mr. Speaker, like the instigator of the assault by the Honourable Prime Minister.

Mr. Speaker, when you look at cases of domestic violence, it is always the victim and it is like a schoolyard bullying, defending the bullying because he says, "He provoked me." This is the kind of view, Honourable Speaker, that some of the FijiFirst Committee Members were trying to make in the Committee. One wonders why was Honourable Pio Tikoduadua referred to the Privileges Committee in the first place, was it to balance the scales for the Honourable Prime Minister's assault?

Mr. Speaker, when you have a reaction, you have an action. This is all designed to cancel each other.

(Chorus of interjections)

HON. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- Now he has asked to apologise, Mr. Speaker, for saying, “your own house” in reference to accusation held from Government on this side of the House or the Opposition responsible for many things. We are sure that Honourable Pio Tikoduadua explained this to the Committee but we perfectly understand the Committee’s *modus operandi*. In fact, Mr. Speaker, they have capitulated along Party lines in preparing this Report.

Mr. Speaker, why was the matter referred to the Privileges Committee when right at the outset on 9th August, 2019 you had made it abundantly clear in your Ruling and the Honourable Leader of the Opposition alluded to that, that since you did not see the assault on Honourable Pio Tikoduadua, he had to report it to the relevant authorities. If I can just scope your Ruling, Honourable Speaker, you said, and I quote:

“You would have noticed that when the debate is going on, I am leaning forward trying to hear what you were saying. I cannot make a Ruling if I have not witnessed anything. That is why the normal procedure should happen that the Honourable Pio Tikoduadua puts it in a report to whatever authorities he thinks the report should go to, that is the normal procedure.”

So, Mr. Speaker, what I can say is, if that was not your Ruling, Honourable Pio Tikoduadua probably would have never gone to the Police, then that matter would have been dealt with within the Parliament. And you, Mr. Speaker, reiterated this in public statements that came to the media through the Parliament Secretariat that since the matter is being referred or investigated, Parliament will not comment or interfere in the process.

We can vividly recall one such statement on 17th August, this is despite how Honourable Tikoduadua and I raising the matter in Parliament on 9th August by way of letters to your office that same evening requesting you, Sir, to secure CCTV footage to ensure who is telling the truth since the Honourable Prime Minister through social media claimed that Honourable Tikoduadua was sternly talked at by him and that he broke his own glasses by squizzing it.

But on Monday, 2nd September, you ruled that there were also *prima facie* evidence against my colleague. On 9th August, you allowed him to continue and rightly so despite a Point of Order that was raised by the Honourable Prime Minister because he had not even remotely said anything to what was being claimed then by the Honourable Prime Minister, the Honourable Attorney-General and the Privileges Committee in this Report. That is why, Mr. Speaker, with all due respect to you, the referral of this matter to the Committee in our view was wrong based on your earlier rulings as well as your statements in the media.

By that I mean referral under Standing Order 134(2) that was not addressed by your reply on 3rd September to our letter dated 2nd September. When you, on 9th August ruled Honourable Tikoduadua should report the matter to relevant authorities, he then, Mr. Speaker, went to the Totogo Police Station after his press conference where he announced that he was going to file a report regarding the assault. In fact, let me say that again, had it not been your Ruling, Honourable Speaker, Honourable Tikoduadua probably would have never gone to the Police to file a complaint because the matter would have been dealt with by Parliament.

Mr. Speaker, what changed from 9th August and your continuously consistent position of Parliament, not interring with that Police process until four days ago, why were the interventions of 9th August as well as our letter dated that evening construed as formal complaints when it never was?

So, Mr. Speaker, the opposite happened and now Honourable Tikoduadua is asked to apologise for something he never said or meant and Honourable Prime Minister to apologise for a criminal offence

under the Crimes Act that was a Decree Promulgated by the Military regime headed by the Honourable Prime Minister himself, as the then Military Commander himself, as well as reconciliation under the Criminal Procedure Act, a Decree that was also promulgated (an Act now unilaterally), to use the platform of Parliament to exonerate himself.

Mr. Speaker, let us look at this rationally. Here is a person being asked to apologise for something he did not say nor think, except one or two Members of Parliament on Government benches asking the Prime Minister to “look at his own House”, also with a capital “H”, it is recorded in the Hansard and correlated with video footage, and I hope the Committee looked at it because he gestured. In fact I was here, Mr. Speaker, that day. When he was responding, he gestured to the other side, “your House”. He is the leader of the Party, on his side of the House, that is what he meant and that is what he said.

(Chorus of interjections)

HON. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- It could not have been clearer than this, Honourable Speaker, much, much more clearer than the Honourable Attorney-General making the monkey-like gestures in 2015 to Honourable Ratu Isoa Tikoca and saying he was impersonating ....

HON. A. SAYED-KHAIYUM.- Point of Order, Mr. Speaker.

HON. SPEAKER.- There is a Point of Order. Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the Honourable Prasad is misleading Parliament. This matter was clarified on a number of occasion. I said that that was my impression of Darth Vader. It is on record, check the Hansard, on a number of occasions, we know that. Mr. Speaker, Sir, I did clarify that. For him to now misrepresent that is actually misleading Parliament.

HON. PROF. B.C. PRASAD.- Honourable Speaker, the Honourable Attorney-General jumped too quickly. I was actually going to say that it was like impersonating Darth Vader. So, I was going to say that it was clarified. That is the point that I was trying to make, accepted and now lately, Honourable Speaker, the Honourable Government Whip during the budget debate, he made references to putting Janola on people’s head. I mean these are sensitive issues that were raised but still the interpretation of those issues were different, Honourable Speaker.

But still, Honourable Tikoduadua has been found to have meant something he never said, contrary to all definitions in the English language and that is the official language of Parliament. To me, Mr. Speaker, this is fictional justice, only found in movies probably. The best remedy for justice to prevail or even being seen to prevail in the interest of democracy and permanent viability of our law and order is for the Government side and the Committee to withdraw this Report and let the rule of law take its course.

Otherwise, Mr. Speaker, those supporting this Report stand guilty of endorsing violence, contrary to their utterances and shedding of tears in the event that this Report gets withdrawn, will forever be remembered as crocodile tears and as a resolution to entrench lawlessness, thuggery and assault on democracy.

Mr. Speaker, as they say, the standard you fail to meet, is your new floor. It is not about what happened between Honourable Pio Tikoduadua and the Honourable Prime Minister, it is about standards. It is about the signal that we send from this House to the people of this country. It is about standards and today, if we accept this Report, we are creating a new floor in this country, new definition of rule of law and before I conclude, Mr. Speaker, let me say this that the majority of the Members in the Committee

are from the ruling party. They set their own course and may I extend that, Honourable Speaker, to this Parliament where they have the majority and again, by supporting this Report and by forcing Honourable Pio Tikoduadua to apologise for something which he never said or meant is again capitulating to blackmail. Mr. Speaker, Sir, let me repeat this - the majority of the Members in the Committee have furthered their own course, and by extension, majority of the Members in the FijiFirst today who will vote for this motion will further their own course, not the course of standard transparency, accountability from the floor.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. PROF. B.C. PRASAD.- May I also say this, Mr. Speaker, I have seen this over the last five years. Mr. Speaker, we have no confidence in the independence, in the transparency, in the accountability of independent institutions in this country any more, Mr. Speaker. And as I said, we do not have confidence in those institutions and if we are sending a signal today, if we accept this Report, if we have passed that Report, and accept that motion from the Government side, we are setting a new standard, we are creating a new floor as far as the rule of law, transparency and accountability is concerned.

Mr. Speaker, as I said, this Report should never have been here, it is not a process that we should condone and we should leave it to the independent arm of the Police Force to investigate the matter, now that the matter has been reported to the police as a result of the ruling that you made, Honourable Speaker, on that day when both of us came into Parliament and raised this matter with you. Thank you, Honourable Speaker.

(Acclamation)

HON. SPEAKER.- Order!

Honourable Members, I thank the Honourable Professor Biman Prasad for his contribution to the debate. I give the floor to the Honourable Ratu Naiqama Lalabalavu. You have the floor, Sir.

HON. RATU N.T. LALABALAVU.- Thank you, Mr. Speaker, Sir. I rise to make some contribution on the motion, both the substantive motion and the amended motion that is before this august House. From the outset, Mr. Speaker, Sir, it is indeed a sad day that once again we come this far to try and resolve some issues that are before us that we could have easily resolved. You have tried it, Mr. Speaker, Sir.

It fell on deaf ears, probably they were exercising their rights. But again, Sir, all that I want to contribute on, on the debate, on the motion, Sir, is the recommendations made on the substantive motion, and at the same time, Sir, I would like to ask the Government of the day; where is fairness here? Where is the so much preached and the harped about policy of the FijiFirst Government which stands for transparency and accountability, fair governance with such recommendations that we now have before, Sir?

I take full responsibility for what I did wayback and to become the first to have been dished out in this House is harsh and apparently disrespectful. I say “harsh” because that was supported by International Parliamentary Union when it gave its view on the case about my suspension when you made two trips to New York, Sir, only to visit the International Parliamentary Union of which the Parliament is a member of, Sir, but also the International Labour Organisation’s office in New York. This is just to try and bring some kind of sense and reality to the harsh treatment that right now we have before us again.

At this juncture, Sir, I am glad to inform the august House that we had a caucus just prior to your Committee, Sir, sitting and deliberating on this report that is now before us. In our caucus meeting the Honourable Leader of the Opposition has stated that he wanted to continue with something that is renowned for, not trying to seek some kind of recognition but rather to try and play a role that is recognised by the Commonwealth and the United Nations for his role as a mediator he undertook in the Solomons as well as in the Government of Nepal. We, and my fellow traditional chiefs, Sir, the Honourable Ro Teimumu Kepa, *Marama Bale na Roko Tui Dreketi* and *Turaga na Tui Namosi* made our way to the Honourable Prime Minister's Office to further what you had attempted to do, Sir. This is the *talanoa* that they often preach about. This is the *talanoa* in motion.

HON. A. SAYED-KHAIYUM.- What you got there?

HON. RATU N.T. LALABALAVU.- This is the *talanoa* in motion.

(Inaudible interjection)

HON. RATU N.T. LALABALAVU.- You don't know *talanoa*.

(Inaudible interjection)

HON. RATU N.T. LALABALAVU.- Listen so I can explain it fully to you.

HON. SPEAKER.- Order, order!

HON. RATU N.T. LALABALAVU.- This is *talanoa* in motion and it is not first time that we have done it. If you may recall a way back a couple of years ago, I made an appointment with the Honourable Prime Minister when he was still the Commander at his Berkley Crescent Office seeking his views on a proposed *matanigasau* that was done at Albert Park to His Excellency the President, the late *Turaga na Tui* Vuda, Ratu Iloilovatu. Before that, I went and approached the former Honourable Prime Minister, Laisenia Qarase at that time, he endorsed it.

I even went to the former Prime Minister and Leader of the Labour Party, Honourable Mahendra Chaudhary and he approved it. This is to try and show the world that we have traditional mechanisms in place where we can resolve this. The sole intention of our visiting the Office of the Prime Minister that day was, we did not like it to come this far. We could have resolved it there and then instead of being here, trying to point fingers. When I opened my speech just a while ago, I said, Sir, "This is a sad day" because here we are having our Prime Minister here and the recommendation that is before us for him to come and apologise. And then if he does not apologise, he is suspended for the period that has been recommended.

Sir, may I bring your attention to my case. I apologised verbally to your predecessor, the former late Speaker in her office witnessed by Honourable Ro Teimumu Kepa who happened to be the Leader of the Opposition at that time. I even did a written apology. I was asked by Parliament to make another public apology and which I did - two written apologies for what I was alleged to have said. I also pleaded guilty. Honourable Attorney-General was a Member of that Committee. I pleaded guilty.

I took it like a man. Honourable Prime Minister has also pleaded guilty, *prima facie* evidence says where as you have indicated Sir, when you kicked in Standing Order 127 to invoke on our own volition, this particular Privileges Committee to sit, that is recognised, Sir, that is well accepted. But when it comes to the penalty given the high office of the Prime Minister and given what was said by the Attorney-General during the debate at that time that I was the longest serving Member then, maybe still

now, I still have some Honourable Members around me who have served that long as well, that was the label that was nailed on me in their Committee passing their judgement that day, Sir.

Now, when we hear a lot about the amount of work and the amount of achievements, but when it comes to the rule of law, this is how we are going to play it and it is a sad day, Sir. I would like to repeat, it is certainly a sad day. And I hope Sir, the Government of the day tries to relook at it. It is sad in the sense for all that they have created, the laws and the mechanisms that they set in place, we now have a Prime Minister about to come before us to come and apologise. We should not have come this far, we could have resolved it there and then, if only we had listened to your attempt, Sir. If only we had made genuine efforts to respect the Office of the Prime Minister and respect the individual members here because everyone is equal.

That was stated during the hearing of my case here, I still remember the words of my Honourable colleagues on the other side pointing fingers at me or others said, for what they said, it was so much that they involved the role of women, how it went against the women and I stated in this House, Mr. Speaker, Sir, I am the Patron of the Soqosoqo Vakamarama of Cakaudrove. What I said was said and I said it was said in gest but the finding and their judgement was given, so I took it.

My only plea Sir, my only plea to the other side, Honourable colleagues on the Government side, you are about to pass judgement on another case on two Honourable Members of this House; the Honourable Prime Minister and the Honourable Lt. Col. Pio Tikoduadua. Both of the Honourable Members hail from the province of Tailevu and both Honourable gentlemen are members of the military. This institution is renowned for training Fijians as future leaders, of training Fijians to be disciplined and to know their roles especially when it comes to leadership role.

That is how the late *Turaga na Tui Nayau* found it easy to lead during his reign because he had the support of chiefs that were trained in the very institution which we led at one time, Sir. But, sadly and we try to play our traditional role, the outcome of that was not very positive. So I plead on the Government side, on the amended motion that has been put before the House by this side of the House, Sir, please let us play fairly here. I have taken my two years like a man, I have come back and I have still serving like a man.

HON. OPPOSITION MEMBER.- Hear, hear!

HON. RATU N.T. LALABALAVU.- Please ensure that whatever decision that you will make, it will be a decision that will be with you and all of us when we finish from here. That is the legacy we are going to leave behind in this Honourable House.

When we came to adjudicating on an issue that requires disciplinary measures, there was unevenness and there was unfairness being displayed. So that is my prayer, Sir. I feel sorry for the Honourable Prime Minister. We go a long way back, Sir, long way back. I feel sorry for Honourable Pio Tikoduadua, but, I only hope good sense will prevail here, Sir, and fairness also.

If we on this side believe in a living God and we hope all of us do so, let us seek His guidance first here, so it will help us once and for all to try and resolve this and find better ways through *talanoa* session or whatever to try and adjudicate in a more meaningful way, the best way forward where we look after each other's interest because right here 51 Members of this august House, Sir,...

HON. DR. M. REDDY.- So withdraw the motion.

HON. RATU N.T. LALABALAVU.- ... are Members of this Parliament. We are all representatives of the people.

Honourable Dr. Reddy you have had the experience and we were there beside you when you were going through hard times. We did not isolate you, we did not leave you to stand alone, we were there beside you talking with you all the time. Now we have the said case of Honourable Sudhakar being brought in into this case. We should be protecting each other and finding better ways to resolve this. I thank you, Sir, thank you for the opportunity.

HON. SPEAKER.- Honourable Members, I thank the Honourable Ratu Naiqama Lalabalavu for his contribution to the debate. Honourable Ro Filipe Tuisawau, you have the floor.

HON. RO F. TUISAWAU.- Thank you Mr. Speaker, Sir. I rise to contribute to the motion at hand, I note firstly the thickness of the Report and the time given to us to read through it, which I believe is not enough in order for us to contemplate and assess.

Sir, I agree with previous speakers, we are at a crossroad today in terms of our national leadership and we are looking at an issue of privilege. And this issue has affected us all in terms of what constitute national leadership, not only that but also the consistency in the House build with leadership and privilege.

Even though the Committee is looking at Honourable Tikoduadua, I note also that during the deliberations there were other issues raised regarding privilege on Page 11, which also is related to the fact that, to who are consider as a victim is now the accused. And the recommendations there are recommending that both of them apologise and if not, they will be suspended and I emphasise the quantum of what was committed by the Honourable Prime Minister which is assault and also Honourable Lt. Col. Pio Tikoduadua where it is alleged that he used the word “House” and which the Government side of the Committee concluded that, that is the Honourable Prime Minister’s house when we all know that he was referring to this House.

HON. GOVERNMENT MEMBER.- How do you know?

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. RO F. TUISAWAU.- And when he said that when he was referring to this House, to put your House in order. Sir, they are asking, how do you know that? I do not have to know it because it is on page 11 of the Verbatim Report on 5th September, 2019, where a female staff member was called in as a witness regarding one of our Honourable Ministers, Honourable Ashneel Sudhakar. So, the female staff member, let me emphasise said, I quote:

“I believe at this point may be he was drinking I am not too sure but amidst the conversation, Honourable Sudhakar was talking about something with some other girl....”

HON. A. SUDHAKAR.- Point of Order, Mr. Speaker.

HON. SPEAKER.- Point of Order.

HON. A. SUDHAKAR.- Honourable Speaker, I am not the one on trial here.

HON. A. SUDHAKAR.- The recording here, the entire thing is based on a charge against the Honourable Prime Minister and Honourable Lt. Col. Tikoduadua.

HON. OPPOSITION MEMBERS.- The Report!

HON. A. SUDHAKAR.- What the Honourable Member is trying to do is to bring in an incident....

HON. SPEAKER.- Order, order!

HON. A. SUDHAKAR.- I am speaking, I am still on my feet.

What he is trying to do is to make an allegation against me now. I am not the one on trial here and he is trying to justify his argument but bringing my name over in this thing. I do not know why and how. There is never a matter of privilege raised is against me. I am not the one on trial here.

It is improper for a Member to bring in my name over and over again, and I think there was a comment made by the Honourable Ratu Lalabalavu as well. What did I do? I was never summoned to the Committee. I was not even part of the Committee. So, here to clutch at straws, what the Honourable Member of the Opposition is doing is trying to justify the speech of Honourable Lt. Col. Tikoduadua by trying to bring in extraneous matters to say that it was not his house but his own. But we all know that Honourable Lt. Col. Tikoduadua was pointing at the Honourable Prime Minister, “You get your House in order.” Before that, he was talking about the Military, how he has not been a good Commander. This is what that is about. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member for his Point of Order. I give the floor to the Honourable Ro Filipe Tuisawau. You take note of the Point of Order that was made. You have the floor.

HON. RO F. TUISAWAU.- Thank you. So, what I am trying to do here is explain that the house being referred to is that house (indicating with his hand), the FijiFirst House, not his family or his house which was used as a basis for him to be dragged in when he is the victim. So, in that incident, she said; “... and then he asked me if I was single ...”. He said, “All right, I forgot that you’re interested in girls, and not men. And then he went on to say that he saw us kissing.”

What I am trying to express here is that, that house (indicating with his hand) is not perfect and these issues have been happening and it is being highlighted in this Report. I am just trying to work out what is the logic of Honourable Lt. Col. Pio Tikoduadua being punished as per the motion, because he has been told to apologise and if not, he will be suspended for six months.

As we move forward, Honourable Speaker, I remind us as leaders of Proverbs 14:34, and I quote: “Righteousness exalts a nation, but sin is a reproach to any people.”

A nation’s prosperity and security depend on righteous leaders, who prudently make decisions by justice and fairness. A nation’s downfall and ruin is certain, when its leaders are influenced by favours and rewards.

King Solomon warned his son against political compromise, especially the taking of bribes and lies by leaders. Lest the leader be the cause of the nation’s destruction. All leaders should carefully heed this proverb to rule righteously.

Rulers must have exceptional character or then do not belong in their office. They should be so dedicated to principle that they cannot be bought for any price or subject to any vices.

Their character must be so strong as to mock any efforts to compromise justice, mercy, or truth. They should be noble far above their peers, with a fearless and committed hatred of evil. They must have one motive at all times - to make all decisions based on righteousness and wisdom.

The fear of the LORD is the only basis for great leadership. Rulers must have an obligation to righteousness far above any duty or desire to fellow men or women. The fear of men and women or fellow human beings brings a snare (Proverbs 29:25), and so does the love of gifts.

Sir, I see the Committee being ensnared in this whole thing, which was why they are making an unrighteous decision and an unequal type of motion which we have before us.

“Neither temptation touches great rulers. They see one singular duty at all times - to rule in such a way as to please God.

Able men and women need little assistance from others as they can analyse and make wise decisions themselves. Men and women fearing God have the highest motive to use their power only for good. Men and women of truth hate liars and any distortion of the truth. They never put a spin on anything. They hate covetousness, cannot be bought, for they do not love money or reward.”

Lovers of truth hate the spin the nation has been subjected to by Qorvis, Honourable Bainimarama and Honourable Sayed-Khaiyum straight after the incident, where it was denied that it happened, but then as we saw later it really happened.

The effect of a righteous ruler is glorious, as King David wrote, “He shall be as the light of the morning when the sun rises and even the morning without clouds; as the tender grass springing out of the earth by clear shining after rain.” These beautiful similes present the glorious image of how a ruler benefits a people.

King David was a compromising and wicked ruler of his predecessor, King Saul. He knew firsthand how such a Government had shaken the security and hope of the nation. He described it as the foundations being destroyed, the earth and its inhabitants being dissolved, and the foundations being shaken.

Sir, this is the current state of the nation of Fiji as I see it, as we debate today. It is a shame when President’s pardon criminals, as favours to friends or supporters. It is a shame when any conflict of interest influences the decisions of leaders.

It is a shame that FijiFirst is now the total opposite of what godly leaders should be. When sound judgment, equity and truth are exalted in the highest position of authority in a nation, the civil ruler, the righteous example, affects the whole nation.

The nation will follow the lead of their chief ruler. Wisdom will prevail in public and private and a noble example is set in the highest office. When the total opposite is now happening in our nation of Fiji under the rule of the Honourable Prime Minister and the FijiFirst, the nation is not exalted by godly righteousness, but totally consumed with corrupt leadership.

We have seen the examples of this, Honourable Speaker, from 2006 to now, the manipulation. There are a lot of things that I can mention but today, I stand up with sadness just sharing the standards which we as leaders should be following.

I conclude, I condemn the actions of the Honourable Prime Minister. I condemn the harassment by the Honourable Members on the other side which, to me, is a total hypocrisy of the whole debate about violence on women, etcetera. I am asking that we relook at this.

Personally, I do not support the motion but I am asking that the Honourable Prime Minister resigns. The way we are going on with the Privileges Committee and also the logic behind it or the rationality behind the whole thing and the cases being brought up and the offender now being seen in the same light as the accused, to me it is confusion. Confusion is reigning, not only in this House but amongst the Honourable Members of the Committee on what their role is and what we, as leaders, the standards we should be setting in terms of leadership and determining what is right and what is wrong. It is confusing.

I am asking where we are heading or which direction are we heading, if we accept this decision, because the whole logical of what is right and what is wrong is upside down. And I ask today whether we are a functional Parliament or we become dysfunctional, because this is one of the characteristics of a failed State, the inability to determine what is right and what is wrong through the rule of law and through the equal application of the law as in the laws of the country which will be the Penal Code, particularly on assault.

On the quantum of the punishment, Sir, we have heard Honourable Ratu Naiqama Lalabalavu on his experience for one word he uttered, he was thrown out for two years. That is just one word and not even in the Parliament precincts, it was outside.

HON. GOVERNMENT MEMBER.- Not one word.

HON. RO F. TUISAWAU.- And here, we have a clear case of assault, not only him, Honourable Tupou Draunidalo. She was suspended for two years and she ended by resigning because her suspension went through to the end of the Parliament term.

So I am asking you, where is the consistency? Where is the justice? Where is the equality that FijiFirst always talks about? With the way this whole incident has been dealt with, on these high ideals of leadership, of being a statesman, of what a nation should be in terms of standards of justice, equality and everything we have talked about, they put out a lot of posters before the elections. Integrity, equality and justice, where is that?

So I am asking today, where are we heading, Sir, as a nation? My heart bleeds for this nation on where we are heading because it is all confused. The sad thing about it is that, the Government side cannot see that, they are blinded. So I am asking, are we a functioning State? Is this a functioning Government or is it a failed State? Do we need to be corrected?

We are at a juncture in our history where something needs to be done. The only option that I am thinking of which would be good for the nation and the people is for the Honourable Prime Minister to resign and better still, if the Government resigns in order for us to move forward. With those words, Sir, I condemn the Committee and their recommendations, and oppose the motion at hand. *Vinaka*.

HON. SPEAKER.- Honourable Members, I thank Honourable Ro Filipe Tuisawau for his contribution to the debate.

Honourable Members, the hour moves on and I intend to take a break for lunch now. We will continue after an hour's time at 2.15 p.m. and I warn you, be prepared for a long stay. We adjourn.

The Parliament adjourned at 1.09 p.m.

The Parliament resumed at 2.20 p.m.

HON. SPEAKER.- Honourable Members, we will continue where we left off before lunch. The floor is open, and I give the floor to the Honourable Minister.

HON. M.R. VUNIWAQA.- Thank you, Honourable Speaker. I think from the outset, I would like to start with the fact that this is a Parliamentary process that we are going through. It is not a criminal case and the fact that we are undergoing this Parliamentary process which is fully mandated under the Standing Orders, that does not stop the criminal investigation within the police jurisdiction.

Parliament as an independent institution considered the two incidents under scrutiny through the Privileges Committee. This Committee has been set up under the Standing Orders and we have heard from the Honourable Prasad today that the referral of the two matters to the Privileges Committee is not in accordance with Standing Order 134.

I think the Committee itself has considered that particular issue in their Report and if we look at Page 9 of their Report, they are referring to Standing Order 127(2)(b) which states that the mandate of the Committee is to consider any questions of privilege as may be referred to it by Parliament or the Speaker concerning any breach of privilege on the part of any person or persons.

So, Honourable Speaker, the referral of the two matters to the Privileges Committee is allowed also under the Standing Orders of this Parliament to be referred to Committee by you, Honourable Speaker. Now, the Privileges Committee has considered the two incidents. They have scrutinised the facts, they have looked at the CCTV, it is quite a lengthy Report here. They have considered the facts that are before the House. So, I will not venture into regurgitating the facts of the two particular incidents.

The important fact is, they have found that both parties were wrong. There is a breach of privilege so that is where we stand at this point in time. The Privileges Committee has found that the Honourable Prime Minister and Honourable Pio Tikoduadua were both wrong in the incidents that were referred to them, and in accordance with that finding, they have come up with the relevant penalty in their wisdom. They say, they go and apologise, each of them has to apologise today and if they fail, if they refuse to apologise, then they will be suspended for a period of six months.

As Members of Parliament, we have, through the Standing Orders allowed for a Privileges Committee to deal with such instances that we are involved in, in the precincts of Parliament and that is the process that we are talking about today.

There is an opposition to the motion that is before the House. They are saying that the Honourable Prime Minister was wrong. We are not saying that he was not wrong. The Privileges Committee has made that finding for us. The Privileges Committee has also found that Honourable Pio Tikoduadua was wrong. He has given his evidence before the Committee. They have analysed that against what was spoken. If you look at the Report itself, Honourable Speaker, you will find that there is reference to the fact that the House that was referred to was in capital “H”. The word was spoken, we did not see it written. That was an interpretation that was made by the Secretariat.

(Honourable Member interjected)

HON. M.R. VUNIWAQA.- If you are to look at the verbatim of the particular Report, “it is your House” “your House”, “your House”. Prior to that, there was a reference, it is in the Report: “The Honourable Prime Minister should be the last person talking about violence against women in this House”, that is very clear, “He should be the last, you should know what is happening in your own House.”

(Chorus of interjections)

HON. M.R. VUNIWAQA.- That is the distinction!

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- That is what the Privileges Committee was looking at and they have made a ruling looking at the sentences, the circumstances surrounding it. They have made a ruling, that that comment was wrong and they have also made a ruling that the actions of the Honourable Prime Minister was wrong and in that light, they have put the penalty in place and that really is the crux of what we are debating now. Also, I understand, Honourable Speaker, a violence is not justified, that is the whole point.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- In fact, during lunch today, I was asked this question by the Honourable Member; “Are you going to speak?” and I said, “Yes!” and he said to me, “Does that mean you are justifying violence?”, I said, “No!”.

The Report does not say, but it actually says that the actions were wrong. The Privileges Committee has made that finding, both parties were wrong.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- So Honourable Speaker, also before this House right now is an amended motion. The amended motion seeks to:

- 1) That the Honourable Prime Minister should apologise; and
- 2) The Honourable Prime Minister be suspended for 2 years.

HON. OPPOSITION MEMBERS.- Yes, yes!

HON. GOVERNMENT. MEMBERS.- No!

(Chorus of interjections)

HON. M.R. VUNIWAQA.- Now to support that amended motion, we have heard extensively from the Opposition and one of the platforms of their argument is the ruling of the Inter-Parliamentary Union, and he is referring to the ruling of the Inter-Parliamentary Union. There was actually a very good summary of those decisions that were made;

- 1) Suspension of 2 years is disproportionate. It talked about right to representation to represent the electorate was violated, et cetera.

My point, Honourable Speaker is this, the Opposition is using the ruling of the Inter-Parliamentary Union to say that the sentences that were given previously were excessive. We are at a

point now where we are supposed to be applying the IPU decisions. If you were to apply the IPU decision then you would not have put this amended motion before the House asking for a 2-year suspension, because that is exactly the point of IPU ruling in the first place. There is inconsistency in the arguments drafted before the House to support the amended motion before it.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- Honourable Speaker, this incident happened on 9<sup>th</sup> of August. We are now a few weeks down the road, after the Privileges Committee have met. But even before this matter was referred to the Privileges Committee, at the first opportunity he had, the Honourable Prime Minister apologised for what happened. He came to the Honourable Speaker on the same day and he apologised, and he actually offered to apologise as well to the Honourable Pio Tikoduadua, it did not eventuate. The Honourable Pio Tikoduadua was not ready to do so. A week after, he tried again to do the same thing.

Honourable Speaker, we have come around about way to make a finding of rhombus on the path of the Honourable Prime Minister and the path of the Honourable Pio Tikoduadua. We have heard today about the *talanoa* opportunity to discuss, the Honourable Prime Minister did that on the day. He tried to do that on the day but it did not happen.

My point is, Honourable Speaker, here we are talking about the Honourable Prime Minister's actions on the day and also Honourable Pio Tikoduadua's actions on the day. The fact is, the words on the day. The fact is, the Honourable Prime Minister did not wait for the Privileges Committee to make a finding in relation to what he did. He stood up himself and he took himself to your Chambers to apologise for that on that same day. So, Honourable Speaker, I know that week we were talking a lot about Violence Against Women.

We were talking about the statistics we have in this country about Violence Against Women and I know that after this, I am already hearing it from the Opposition while I am talking here about me by just talking, I am justifying violence. No, we are missing the point here. We have to look back at what we are dealing with here. The Privileges Committee has made a finding of wrong. The Honourable Prime Minister was wrong, Honourable Tikoduadua as well was wrong. They have put in place their recommendations for penalty, the power that they have, really, it is the penalty that is the issue here.

Honourable Speaker, I stand in support the motion of the Privileges Committee. They have made a finding that both parties were wrong. They have made recommendations on penalty that both parties must apologise today, and if they fail, they will be suspended for six months, and I do not support the amended motion before the House. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister, Mereseini Vuniwaqa, and I now give the floor to the Honourable Premila Kumar. You have the floor, Madam.

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. Thank you for giving me the opportunity to speak on this motion. Mr. Speaker, Sir, our nation is blessed with a leader who has lifted the nation and made Fiji a better place for all Fijians. He has ensured that no one is left behind and every Fijian is part of the larger family. He has led the nation with his body, mind and more importantly, his heart. He has ensured that our family is strong, his values are strong and our younger generations are given all the opportunities to take our nation even further and reach new heights.

This can only be done by the Honourable Prime Minister who has a strong vision for the future. Family is at the heart of our leaders and our Party's efforts. We protect our family, we nurture and grow

our family, we ensure its wellbeing and, Mr. Speaker, Sir, when it is threatened or attacked, we naturally defend our family. This is central to the Bainimarama leadership.

Mr. Speaker, Sir, with regard to issues investigated by the Privileges Committee as mandated by you, there is no doubt there was provocation, whether intentional or not, personal attack was made with distasteful insinuation that attacked the Honourable Prime Minister and his family.

Mr. Speaker, Sir, the Honourable Prime Minister and Honourable Tikoduadua were colleagues. They were in the Military. They are from the same Province. They worked together. He was the Permanent Secretary for the Honourable Prime Minister and when Honourable Tikoduadua attacked the Honourable Prime Minister personally, we expect the Honourable Prime Minister to be hurt. This is a natural reaction. When you know someone, you have worked with someone and that someone tries to pick on the family, it is a natural reaction.

HON. SPEAKER.- Order, order!

HON. P.D. KUMAR.- Mr. Speaker, Sir, I refer to the Privileges Committee Report, Page 10 which states that when the Committee asked Honourable Pio Tikoduadua “Why did you say that Honourable PM should be that last person talking about Violence Against Women in the House”, Honourable Pio Tikoduadua said “Of things that I know”, that clearly shows the relationship they had, and obviously, when you have that relationship, the last thing you expect a person that you know so well to speak in that manner in this august House, the manner I am told in which Honourable Tikoduadua attacked the Honourable Prime Minister was not something which a Party President should do.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. P.D. KUMAR.- Mr. Speaker, Sir, personally this was uncalled for and was inappropriate for this august House. If the subsequent events and actions were unfortunate, then the provocation and statement by Honourable Tikoduadua was just as unfortunate.

Mr. Speaker, Sir, our Prime Minister is a leader who is not afraid to make decisions and accept responsibility for his actions and his words. It should be noted that throughout these events, only one concerned party has made genuine moves to reconcile and apologize and that is our Honourable Prime Minister.

Mr. Speaker, Sir, within a few hours after the incident, Honourable Prime Minister apologized to you, Sir, and also made attempts to apologise to the Honourable Tikoduadua. Honourable Prime Minister was remorseful, he was depressed and distraught of what really happened in the Parliament. This shows his magnanimity and shows that he is a true leader.

And let me reflect now in terms of the violence that we are talking about. I recall, just in the last Parliament, neither Honourable Bulitavu who was the centre of the debate showed genuine remorse for his harmful and damaging utterances against women nor Honourable Tikoduadua welcomed approaches made by the Honourable Prime Minister through the Speaker to reconcile.

Mr. Speaker, Sir, I concur with the Privileges Committee’s Report recommendation that there is a breach of privilege by both members and both members should apologise in true Fijian spirit, so that we can all move on. Thank you Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for her contribution. I give the floor to the Honourable Alvick Maharaj. You have the floor, Sir.

HON. A.A. MAHARAJ.- Thank you Honourable Speaker, Sir. Honourable Speaker, Sir, I rise in this august House to give my contribution towards a motion raised by Honourable Dr. Mahendra Reddy.

Honourable Speaker, as a member of the Privileges Committee, I have witnessed certain things that I would like to bring to the attention of our beloved nation. But before I go there, let me say, at the outset that whatever was referred to the Privileges Committee was wrong. Two wrongs does not make one right but what is more important is that one realises his or her mistake and repents on it.

Likewise, our Honourable Prime Minister deeply saddened and hurt, acted in a manner which he rejected just hours later and apologised to the Speaker and through the Speaker tried his level best to apologise to Honourable Tikoduadua. A week later, the Honourable Prime Minister again, placed effort to apologise but once again, Honourable Tikoduadua had reservations and tried involving a third person.

Honourable Speaker, Sir, just a while ago, Honourable Ratu Naiqama Lalabalavu said they tried as chiefs to reconcile. I just want to ask Honourable Speaker, Sir, and if I remember right, your name is also Ratu Epeli Nailatikau. You, being a “Ratu”, a chief, a former Commander, former President of Fiji, currently Speaker, yet National Federation Party disrespected you, Sir by not trying to reconcile.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A.A. MAHARAJ.- With all due respect, Honourable Ratu Naiqama Lalabalavu, what was the gravity that NFP would not have insulted you and other chiefs separate?

(Honourable Member interjected)

HON. SPEAKER.- Order!

HON. A.A. MAHARAJ.- This is what I call a lie. This morning Honourable Prof. Biman Prasad just said that this particular case should not be referred to the Privileges Committee. And I would like to read from your ruling, Sir, and I quote:

“... also in the afternoon of that same day, Friday, 9th August 2019, I received correspondence from the Leader of the National Federation Party requesting to secure CCTV footage of Parliament for the day and inform me of its intention to bring this matter to Privileges Committee.”

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A.A. MAHARAJ.- Just in three weeks' time, there are two changes.

(Chorus of interjections)

(Laughter)

HON. SPEAKER.- Order!

(Honourable Member interjected)

HON. SPEAKER.- Order!

HON. A.A. MAHARAJ.- I am coming to the English language as well, do not worry.

Honourable Speaker, on one side while our Honourable Prime Minister was trying to apologise for his acts, Honourable Pio Tikoduadua along with NFP and SODELPA were trying their level best to tell the country that “in your own house” and “your side of the House” means the same thing.

(Honourable Members interject)

HON. A.A. MAHARAJ.- How on this earth in your own house can mean on your side of the House?

HON. A. SAYED-KHAIYUM.- Very poor.

HON. A.A. MAHARAJ.- Honourable Speaker, if we refer to, “House”, we say, “this side of the House or that side of the House.” Honourable Speaker, in very simple terms this is your House and not Honourable PM’s House. If anyone says to the Honourable Prime Minister, “in your own house”, he is simply referring to the Honourable PM’s house in Muanikau Road. But rather than apologising or having remorse or having said something about the Honourable PM with whom Honourable Pio Tikoduadua has a 31-year relationship and then Honourable Pio Tikoduadua tries to bring Honourable PM’s family into a debate. Instead of accepting the fact that he has done something wrong, he opts to deny it, was this right? I do not think so, Honourable Speaker.

Honourable Speaker, now let me divert myself to what transpired in the Privileges Committee. On the first day Opposition opts not to come and participate in the meeting. The meeting continued, but, we received a letter from Opposition Leader that Honourable Attorney-General should step down and that is what transpired for transparency, accountability and confidentiality, the Honourable Attorney-General pardoned himself from the meeting.

Secondly, the Honourable Speaker, the Opposition came and the meeting resumed, till last night Honourable Speaker, we had a consensus report prepared. The Committee including Government and Opposition tried to bring both parties to apologise before the Committee and while the Honourable Prime Minister agreed, Honourable Pio Tikoduadua said no. Why I am bringing this up is because independence of the Committee was compromised from Opposition. The two Opposition Members agreed to sign the Report, but, their caucus interfered and forced them to change their views this morning.

We accommodated Oppositions’ view at every stage during the past five days. After having their concerns incorporated in the Report, which is reflected throughout this Report, they were played under immense pressure not to sign the Report this morning.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A.A. MAHARAJ.- It was very obvious that they kept coming up with reasons and we kept on accommodating their views.

I do not blame Honourable Adi Litia Qionibaravi nor Honourable Mosese Bulitavu, we understand what you two were going through. If caucus has compromised their independence, what would you two have done? Even to an extent when these two members were not able to meet their members, one of their members was full time roaming outside the meeting room.

(Laughter)

Trying to call them outside so that they can actually manipulate.

(Chorus of interjections)

HON. A.A. MAHARAJ.- We even agreed to incorporate the amendment they have brought in today to the Report itself yet they did not agree to sign the report and now we have an amendment to this particular motion before the House. When I was elected as PAC Chairperson, the independence of the Committee was questioned and here we have the Opposition caucus forcing their Opposition Members to act against their own will when they had agreed on a consensus Report last night.

Honourable Professor Biman Prasad just questioned our independence as members of the Privileges Committee and just see what the Opposition's are doing. With these words, Honourable Speaker, I agree with the Committee's recommendation and I humbly request both Honourable Members to follow and abide by the recommendations provided in the Report. Thank you.

HON. SPEAKER.- I thank the Honourable Alvick Maharaj for his statement and I give the floor to the Honourable Niko Nawaikula. You have the floor, Sir.

HON. N. NAWAIKUL.A- Thank you Honourable Speaker, Sir. I wish to make some prior observations. Honourable Maharaj the reason why we did not sign is very clear. If you give two and half years for someone for a certain act, you do the same for the other. Two years and now you are recommending six months.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- It is unfair. It goes against your very own principle of equality. Where is equal citizenry? Where is fairness? No one being left behind. You are making a law for someone and another for the others. That is the reason why we did not sign as a matter of principle. That is why we do it.

Honourable Speaker, the other observation that I wish to make, Sir, the statement by Honourable Dr. Mahendra was very short. Why? I was waiting for the others speakers to condemn the Honourable Prime Minister. No, it did not come from Honourable Vuniwaqa and it did not come from Honourable Premila Kumar.

He has been found guilty, condemn him before you do anything. What they were doing is they were trying to find excuses to justify him. Honourable Kumar was saying, "He is a strong leader." A strong leader does not assault. A leader with visionary does not assault another Member of Parliament.

(Chorus of interjections)

HON. N. NAWAIKULA.- And he has been called other times as the messiah, as the saviour. Where is the saviour? The saviour should be humble enough to be sitting here. The saviour suffered

with humility and he was nailed to the cross. It is about 3.00 p.m. and he is not here. He should be here, being nailed to the cross like the messiah, like the saviour.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- It tells us that he has a lot of pride. He carries too much pride. Where is the saviour? He should be here. Honourable Speaker, when Honourable Mosese Bulitavu was implicated, he remained in his seat and heard everyone. The Honourable Lalabalavu did the same, everyone, he who stood here to hear, understand and to be humbled. So, the apology that you are proposing is not genuine, it is plastic. It comes with conditions.

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- So, whatever apology the Honourable Prime Minister is now preparing or writing is not genuine because he should be here to hear it. None of the people from the other side condemned him. So, it is totally inconsistent.

But I wish to address here first, Honourable Speaker, on the need to maintain the independence of the arms of government which I have seen, I think it is found wanting in this case. If we go back to 9th August, 2019, what first happened was that, Honourable Tikoduadua stood up and made a Point of Order. And then the Honourable Speaker made a ruling, and in the ruling, the Honourable Speaker said, I quote: "I cannot make a ruling if I have not witnessed anything. That is why the normal proceedings should happen, that Honourable Tikoduadua puts in a report.

Whatever authority he needs, the report should go under its normal procedure." That to me, is the correct position, and that to me is consistent with the often quoted statement from Speaker Lansley in the House of Commons, when King Charles confronted him. He said, "I have neither eyes to see nor time to speak, but as the House is pleased to direct me", which means, the Speaker only acts according to what the House directs him.

So in this case, unless and until (in my view), that the Honourable Speaker, has been directed under what is written in the Standing Order which is, it has to come by way of a complaint and by way of agenda, et cetera, and he makes a ruling, then and only then, and also as well on the same day, the Honourable Prime Minister made a Point of Order which we can regard as a complaint for privilege. And I did not see any ruling in that.

So In my view, it was totally wrong. I respect your decision, Sir, but I think it is wrong for the Honourable Speaker to make a decision on his own to convene the Privileges Committee. More so, in this case when you have a matter that is criminal in nature.

We all know *Erskine May* and they have decided authorities after authorities to say that when something is criminal in nature, it will go its course, but we should respect that. And the proper thing that should have been done and I hope this will be done in the future is that, if anything is complained, privilege or whatever, that is criminal we stay back and let the criminal procedure take it full course. That is my view in that regard, Honourable Speaker.

But now turning to the motion that we have, there are two motions that we are now considering concurrently. The first motion by the Government is as follows:

- a) That both, the Honourable Prime Minister and the Honourable Tikoduadua to immediately issue their apologies in Parliament today; and
- b) If the Honourable Prime Minister and Honourable Tikoduadua fail to do so, then they will be suspended from Parliament for a period of six months with immediate effect.

But understandable, of course, Mr. Speaker, that we come in and move another motion to amend that. We do so as a matter of principle because we sincerely feel that, that one is wrong, it is not consistent with the rulings of the previous Privileges Committee. So we are asking the House to amend that and also to read:

- a) That the Prime Minister, Honourable Voreqe Bainimarama apologise to Parliament and the nation today; and
- b) The Prime Minister to be suspended for two years, given the gravity of its breach of privilege.

We simply are putting that to the House because that happened to Honourable Lalabalavu, that happened to Honourable Tikoca and that happened to Honourable Bulitavu. My learned friend that side is saying, there was an offence. Here, it was much graver. There, the word stated was *cavuka*, the word stated was “your kind”, the word stated was “Idiot, “as opposed to someone moving up to another end assaulting him. So two years.

HON. DR. M. REDDY.- Who said?

HON. N. NAWAIKULA.- Well, he did not read his Report. Honourable Reddy, you moved the motion, you talked on the motion, you should know! This is what the Report says, if you go to the findings, and I quote:

“The Committee noted from the Honourable Prime Minister testimony that he pulled the collar.”

That is assault.

(Chorus of interjections)

HON. N. NAWAIKULA.- Pull the collar, to absorb the attention about who he said about him.

HON. DR. M. REDDY.- To draw the attention.

HON. N. NAWAIKULA.- Furthermore, responded to Honourable Moses Bulitavu’s question, “can you recall what word you say? Well, I abuse him, swear and swear and swear.” So it is on record.

HON. A. SAYED-KHAIYUM.- Abuse, is not swear.

HON. N. NAWAIKULA.- It is on record!

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- It much, much more than idiot, it is much, much more than ‘*cavuka*’, it is much, much more than ‘your kind’. Punch then swear.

HON. GOVERNMENT MEMBERS.- No punch.

HON. N. NAWAIKULA.- Two years ..

HON. DR. M. REDDY.- First assault.

HON. N. NAWAIKULA.- That is an assault if she does not consent.

(Chorus of interjections)

HON. N. NAWAIKULA.- We agree. This Privileges Committee is very unfortunate. When I was forced to explain I said, “Privileges Committee is evil.”

(Chorus of interjections)

HON. N. NAWAIKULA.- It is evil because there is no reasonableness inside, there is no fairness inside, there is no justice inside. All these are thrown out and what comes in? Political anguish, self-service and we have seen that happening in all previous cases. In the previous cases, two years and in this one, none.

The Honourable Prime Minister is going to do an apology which is not genuine and then he will be interviewed. So that is the whole reason why we are opposing this. Do you trust the Privileges Committee? When I become Speaker, that is the first thing I am going to take away – Privileges Committee, because it is evil.

(Chorus of interjections)

HON. N. NAWAIKULA.- And you are abusing it. It is better to amend the Standing Committee to make very clear criteria than putting something like this to a Committee of who, doing something which is judicial or para judicial, by who? Politicians. Politicians do not talk about fairness, politicians only talk about their own interest.

Let me just make some comparison, Honourable Speaker. Going back now, this is Ratu Isoa Tikoca. After being found guilty, then the next step is to decide on the measure of sentence that is suitable. In his case, this is what they said. Having found him guilty of breach of privilege, and this is the considerations that they take into account to decide and come up with the two years. I quote:

“In Fiji, there is a person need to strengthen institutions and in particular Parliament or legislature which was directly and physically attacked in the *coup*s of 1987 and 2000.”

So, we can say the same to the Honourable Prime Minister.

Second, it says and I quote:

“This Committee had noted in both previous reports given that implemented of the Constitution whereas be and now Fiji finally has been a true democracy.”

So we are saying now that we are true democracy, we cannot tolerate any of those and we can say the same thing to the Honourable Prime Minister. Now that we are a true democracy, we cannot tolerate the same thing. Do not punch your fellow Members of Parliament. That is in relation to what he is saying.

HON. N. NAWAIKULA.- Third it said, and I quote:

“It is also critical that our children and the younger population are not exposed to this type of ratio profiling, that is in that case and condoning such behaviour by the Honourable Member of Parliament.”

Is the Honourable Prime Minister setting a good example to the children?

HON. OPPOSITION MEMBERS.- No.

HON. N. NAWAIKULA.- No, then it goes on.

HON. A. SAYED-KHAIYUM.- Honourable Pio Tikoduadua?

HON. N. NAWAIKULA.- It should be noted that under Section 2(h) of the Parliamentary Powers and Privileges Act, any person who utters or publishes any form of scandalous slander in Parliament about any Honourable Member in his or her as such commits an offence. Such an offence warrants imprisonment for a maximum of two years.

So, that was the reason why they gave him two years, and that is the reason why we are asking in our amendment to be consistent and give the Honourable Prime Minister two years, just as you did to the other Members. You cannot make a different rule for this one and a separate rule for this one. Everyone is equal under the law under the 2013 Constitution. So, that is it, and you do not do a law for that side and a different one for this side. And it goes on.

“The Government Members were firmly of the view that Honourable Tikoca’s action was not only a grave and serious breach of privilege but a contempt of Parliament.”

Same thing, two years. Now, in this other case, and then Honourable Speaker, let me say that we now have a code of conduct which is still a Bill, and it stresses very seriously the importance of avoiding this kind of behaviour. That is their own law. So, swallow it. Swallow your own pill!

(Inaudible interjection)

HON. N. NAWAIKULA.- Yes, it is a Bill.

(Inaudible interjection)

HON. SPEAKER.- Order, order!

HON. N. NAWAIKULA.- Now, two years on that one, Honourable Speaker. Alright, this is another one - Honourable Ratu Naiqama Lalabalavu.

What is the basis? What is the consideration that the Privileges Committee looked at, to give to him a suspension of two years? These are the things:

Firstly, in Fiji, there is a pressing need to strengthen institutions and in particular, Parliament and the legislature. Same thing, we apply that and it applies also as well to the Honourable Prime Minister.

Second, now that Fiji has a true democracy, contempt matters such as this must be taken seriously to protect the dignity of legislature. Ask the question, are we doing the same if we give two years for this person and none for these others? No! We are disrespecting Parliament. We are creating our own inconsistency.

There is a law. It means that some people are more equal than others. There is no equality before the law. Then it goes on:

“It is also critical that our children and younger population are not exposed to this type of denigration.”

Children witnessing, that video has become viral and what is the message we are giving to the children if he goes out with nothing, with just an apology. What is the message, Honourable Speaker? That is what this side of the House is saying. We must be consistent. We must be principled. We must apply the same rules, from the person who catches the bus in the morning, to the one who is riding in his pajero, the same rule should apply. That is the thing that we are asking this House. And it goes on, and they cited Parliamentary powers and privileges. Two years and that is the basis.

So, coming back to what we have here, we are making a fool of ourselves or the Privileges Committee is making a fool of itself in applying a different law to this side of the House. For example, Honourable Lalabalavu, Honourable Tikoca, Honourable Draunidalo and a different type of laws for the Prime Minister. So, let us be consistent and fair. Where is fairness? Where is justice? Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Niko Nawaikula. Honourable Bala, you have the floor.

HON. P.K. BALA.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I rise to contribute to the discussion matters raised through the Parliamentary Privileges Committee on the matters arising from the last Parliamentary session.

Mr. Speaker, Sir, there has been lots of talks, debates and twist and turn about home, your house, my house but let me say this, Mr. Speaker, Sir, and I would like to bring the attention of the House once again and I would like to read from the *Hansard*. It says, I quote:

“The Honourable Prime Minister should be the last person talking about violence against women in this House. He should be the last. You should know what is happening in your House.”

This is not his house. So, Mr. Speaker, Sir, let us not be technical about it and now it has been determined, it is crystal clear that the Honourable Member has said that it is the Honourable Prime Minister’s House. That is very crystal clear now.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. P.K. BALA.- Mr. Speaker, Sir, ....

HON. N. NAWAIKULA.- A Point of Order. Is that in the interpretation?

(Chorus of interjections)

HON. SPEAKER.- Honourable Member, there is a Point of Order. Honourable Member, I do not think the Minister is making any interpretation, he is just quoting from Hansard and everyone quotes from Hansard today. You have the floor, Honourable Member.

HON. P.K. BALA.- I thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, I speak on this matter with a heavy heart. It is disappointing that the privileges of this august House had been brought into dispute through the words of the Honourable Pio Tikoduadua and I speak in defence and in support of the Honourable Prime Minister for standing up for his family as he does to all the Fijians.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. P.K. BALA.- Mr. Speaker, Sir, the Honourable Pio had no right to drag the Honourable Prime Minister's family into discussions of national significance and national actors on the stage here in Parliament.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. P.K. BALA.- Mr. Speaker, Sir, the Honourable Prime Minister's family do not have the right of reply, and as such, should not have been brought into the debate. Mr. Speaker, Sir, I put it to this House that this was a deliberate act of provocation.

Mr. Speaker, Sir, the Honourable Prime Minister's family does not have a right of reply, and as such, should not have been brought into this debate. In fact, Mr. Speaker, Sir, the Honourable Prime Minister and his family was not a subject matter during that particular debate on that particular day. It was purely about drug situation.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- Family must have values.

HON. P.K. BALA.- You want me to read again. I will read it for you, "Mr. Speaker, Sir...".

HON. SPEAKER.- Honourable Member, ....

HON. P.K. BALA.- Mr. Speaker, Sir, I put it to this House that this was the ...

HON. SPEAKER.- Honourable Member, do not carry out a conversation with the other side. You can, but you do it through the Chair. You have the floor.

HON. P.K. BALA.- Mr. Speaker, Sir, I put it to this House that this was a deliberate act to hurt the Honourable Prime Minister and his family, an act designed to bring disrepute to the Honourable Prime Minister's family under the Parliamentary privilege.

Despite all this, Mr. Speaker, Sir, the Honourable Prime Minister had walked with his head high to your high office as a true leader, to formally apologise on the very same afternoon but we cannot say the same for the Honourable Pio because he was nowhere to be seen.

HON. LT. COL. P. TIKODUADUA.- He did not apologise to me though.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. P.K. BALA.- Mr. Speaker, Sir, we are privileged to be here. This privilege is given to us through our mandate as representative of the people. This privilege is given to us through the Constitution and the rules under which this House is governed.

Mr. Speaker, Sir, the privilege is given with a set of responsibilities and rules. Honourable Pio, in his direct attack on the Honourable Prime Minister and his family, was not in accordance with this privilege.

Mr. Speaker, Sir, the call for action against the Honourable Prime Minister is a sign of desperate opposition, taking any and every opportunity to attack a proud and visionary Fijian Leader, a Fijian Leader every Fijian family is proud of for standing up for the family when they are attacked, a Fijian Leader who Fiji is rightly proud of and even more proud of as someone who stands up for all Fijians.

Mr. Speaker, Sir, the call by the Opposition for the suspension of the Honourable Prime Minister is nothing more than a publicity stunt.

Mr. Speaker, Sir, the NFP and Honourable Pio should have assessed the situation and the seriousness of the matter which they have failed. Mr. Speaker, Sir, such a call speaks volume of the mindset and lack of integrity in the Opposition.

The call for suspension is a cheap trick. Mr. Speaker, Sir, this call for the suspension is not just against the Honourable Prime Minister, it is a call against his richly deserved mandate in the past two Elections as Leader of the FijiFirst Party. This motion is against the work he has done in championing a Fiji for all Fijians, a Fiji united under the noble banner blue. Mr. Speaker, Sir, this motion is against all fair-minded and proud Fijians, a Prime Minister who did not back down from the cowardly attack on his family under the cover of Parliamentary Privilege.

Mr. Speaker, Sir, we have confidence in this Government, we have confidence in the Honourable Prime Minister which is why I speak so strongly against any move to discipline and censor the Honourable Prime Minister, including the calls for the suspension should be dismissed and rejected outright by this Honourable House. I thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. I give the floor to the Honourable Ro Teimumu Kepa. You have the floor, Madam.

HON. RO T.V. KEPA.- Thank you, Honourable Speaker. Honourable Speaker, seven months after the 2014 General Elections, we were shocked to hear in the news over the weekend of 13th May, 2015, that one of our SODELPA Members of Parliament, namely, Honourable Ratu Naiqama Lalabalavu, had been quoted as making derogatory remarks about Madam Speaker in a Constituency meeting in Makoi, just outside of Suva City.

Early on Monday morning, 15th May, Honourable Ratu Naiqama and I, as Party Leader at the time, accompanied him to visit the Honourable Speaker, Dr. Jiko Luveni, in her Office, to tender his apology which she graciously accepted.

When the matter was brought to the House by the Honourable Attorney-General by way of a motion for the Privileges Committee, in his contribution to the debate, Honourable Ratu Naiqama apologised again for his alleged utterances at Makoi. When the motion came to the House for debate, led by the Honourable Attorney-General, who was acting Prime Minister at the time, Honourable Speaker, the sheer brilliance of their theatrics, the drama, the Qorvis-inspired script, it would have been awe-inspiring if you did not know any better.

Had *The Oscars* nominations been on the table, surely a few of the FijiFirst, with Attorney-General as favourite, would have been in the running. I had to keep checking, Honourable Speaker, whether this indigenous iTaukei word we were all familiar with, and I quote, “*cavuka*” was the culprit, as used by the Honourable Ratu Naiqama or were there worst words, as it had taken on a different meaning, with a life of its own.

The way the FijiFirst Members of Parliament were rehashing and re-hacking the word, “*cavuka*” sounded very very different, Honourable Speaker, and had Honourable Ratu Naiqama himself physical taken hammer and tools to the person of the Madam Speaker, the figurative wounds and the scarring the FijiFirst Members of Parliament were painting with their words would have disfigured Madam Speaker for life. I could actually see on her face the suffering they were inflicting on her. Although most of us contributed to the debate, it was a foregone conclusion, Honourable Speaker, but you know, we always live in hope.

In the course of that evening, I thought I might plead with the Acting Prime Minister and maybe if he had a heart, he would be kind and merciful to Honourable Ratu Naiqama, so I asked Honourable Seruiratu if he could give me an appointment with the Acting Prime Minister, Honourable Sayed-Khaiyum, who told me that he had already spoken to the Honourable Prime Minister that evening wherever he was overseas but he himself, Honourable Sayed-Khaiyum, did not have the authority to change anything.

From that, Honourable Speaker, it was the death-knell I did not want to hear. At that moment, I realised they would not spare him as they wanted to make him an example, just as they did for the Great Council of Chiefs, the Bose Levu Vakaturaga, they like to cut from the top. Honourable Ratu Naiqama, a paramount chief whom 6,668 people voted for would be gone just like that. When it was put to the vote, FijiFirst with their majority in the House chalked up 27 votes, 18 SODELPA and NFP voted against and 4 amongst them was the Prime Minister who was absent.

That evening, Honourable Speaker, it was as if a close family member had died. It was so painful for us, so unfair, so merciless, Honourable Speaker, so heartless, so unbelievable to be suspended for two whole years, half the parliamentary term for using the word “*cavuka*” and this has gone down in the history books, Honourable Speaker.

That night, as we gathered in Opposition Office upstairs, I had to find out exactly what the two years’ suspension meant for the Honourable Member, Ratu Naiqama Lalabalavu. As soon as the verdict was made on the two years’ suspension, the Honourable Member of Parliament must:

- a) Make a formal public apology in writing within five working days to the Honourable Speaker;
- b) Be suspended for two years with immediate effect;
- c) Is not allowed to enter the Parliamentary precincts, including the Opposition Office;
- d) Be ordered to leave the Parliamentary precincts and to remain outside those parliamentary precincts;
- e) If the Honourable MP fails to comply with any of the above, the necessary enforcement measures must be imposed to ensure compliance.

I was talking to myself Honourable Speaker, *de criminal* and just to make sure what all these meant, I checked with the Secretary-General to Parliament who told me that as soon as the motion was passed, all allowances ceased as well. He had to find his own way home to Taveuni, his vehicle, “Sorry Madam”, so Honourable Ratu Naiqama was out for two years.

According to the Inter-Parliamentary Union (IPU) ruling on Honourable Ratu Naiqama at its 158<sup>th</sup> Session in Geneva, the two years' suspension was an abusive revocation or suspension of the parliamentary mandate and violation of freedom of opinion and discretion and the two years' suspension was inappropriate and lacking clear legal basis. That Honourable Ratu Naiqama Lalabalavu, according to the IPU, was unduly prevented from exercising his Parliamentary mandate and his constituents; all 6,668 of them, were deprived of representation in Parliament for a period covering half of the parliamentary term.

Two other Members of Parliament, Honourable Speaker, Sir, were given two years' suspension; Honourable Tupou Draunidalo, as we heard for calling Honourable an Honourable Minister "a fool" and Honourable Ratu Isoa Tikoca for quoting "your kind" both in 2016, Honourable Speaker.

Both had to comply with the same conditions as outlined for Honourable Ratu Naiqama Lalabalavu. All three MPs' two-year suspension for words used. Right now before us, are the deliberations and the recommendations from the Privileges Committee in regards to the allegations against Honourable Lt. Col. Tikoduadua and Honourable Prime Minister, Voreqe Bainimarama.

Honourable Speaker, what we are dealing with here is unprecedented, the FijiFirst Government's favourite word, never before in the history of Fiji has any Prime Minister of Fiji ever assaulted another Party leader or Member of Parliament. In the 49 years since our Independence, never ever before so there is no precedent to this. Whatever one's view might be about the initiative of our Party leader to mediate between the two Members of Parliament in an effort to help resolve the crisis, I believe he was acting in good faith. However, the reaction by the Honourable Prime Minister accusing him of point-scoring and wanting to be seen as a statesman makes it clear to me that the Honourable Prime Minister is not remotely sorry for what he has done.

He feels, Honourable Speaker, that he cannot be touched and that he is above the law and this motion, when passed, as the FijiFirst has the numbers will confirm whether he can be touched or not and whether he really is above the law.

The whole of Fiji, Honourable Speaker, and Fijians overseas are waiting with bated breath for today's outcome. The FijiFirst Government dominated the Privileges Committee set the bar very high for sentencing MPs when they suspended Honourable Ratu Naiqama Lalabalavu for two years for uttering the word that he uttered which was "*cavuka*", Honourable Draunidalo for "fool" and Honourable Tikoca for "your kind", the case before us today Honourable Speaker, Sir, is quite different.

The Honourable Prime Minister has assaulted another Member of Parliament in the Parliamentary precincts and he should at the very least get suspended for two years as that offence is criminal in nature – no pay, no privileges. In fact, if he had any principles, he would have resigned.

Unfortunately, Honourable Speaker, from what we have seen of the FijiFirst Government so far is they are full of talk with no principles. Always quoting about taking the higher moral ground, telling us about good governance, transparency, accountability, integrity and follow the law. When our three MPs were debated about by the House, all three were here throughout the long debate facing their future like courageous men and woman. Today only Honourable Pio Tikoduadua is here, where is the Honourable PM? What happens to the FijiFirst Government when things get tough, the same thing that led them to Level 9 with their mattresses, pillows and what not.

HON. OPPOSITION MEMBER.- Tell them.

HON. RO T.V. KEPA.- Were you going up there looking for your moral courage, were you looking for your moral courage at Level 9? Where is the PM today? By his absence, what is he

demonstrating? Where is the moral courage? The moral integrity, the moral fibre that a leader needs, *vakaloloma*, shame on you all.

(Honourable Members interject)

HON. RO T.V. KEPA.- What example are you giving our children, the next generations, what are you telling people that if you are PM, you can assault anyone even an MP, and if it is captured on camera and video goes viral, well bad luck for the person taking the video. We will hound him down and suddenly he will be 55 years old and out of a job; just as we have done to many other people before him. Honourable Members, on the other side you can continue to be a bully and you can be whatever you reinvent yourself to be, FijiFirst until the cows come home, you can surround yourself with numerous bodyguards and security personnel, without moral principles, without moral integrity, without moral courage, *maumau wale nomudou bula*, you will always be frightened little mice.

(Honourable Members interject)

HON. RO T.V. KEPA.- When the going gets tough, you will always be looking for a Level 9.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. RO T.V. KEPA.- You will always be looking for a Level 9 when the going gets tough. I supported the amended motion of two years that is before the House, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Ro Teimumu Kepa. And I give the floor to the Honourable Selai Adimaitoga, you have the floor.

HON. S. ADIMAITOGA.- Thank you for this opportunity to contribute to this debate, Mr. Speaker, Sir. Colossians 3:13 states and I quote:

“Bear with one another and if one has a complaint against another forgive each other as the Lord has forgiven you, so you must also forgive.”

I would like to open my speech my pledging my support to every woman, man and child who has had to endure the dramatic experience attending to hear their family get publicly insulted. This is one of the most degrading forms of abuse that thousands of Fijians face everyday, especially on social media.

HON. GOVERNMENT MEMBER.- Hear, hear!

HON. S. ADIMAITOGA.- To attack a person on their work is understandable, to attack a person on their policies is expected, but, to attack a person who has done so much for you and your country that is disgusting, it makes me sick.

HON. A. SAYED-KHAIYUM.- Hear, hear!

HON. S. ADIMAITOGA.- This is what, Honourable Tikoduadua did in the August Parliament sitting. Honourable Speaker, Sir, let us examine this incident and how it has started.

HON. GOVERNMENT MEMBER.- Hear, hear!

HON. S. ADIMAITOGA.- Honourable Bulitavu had publicly attacked all the women of Fiji on

*Mai TV* and stood by it.

(Honourable Members interject)

HON. S. ADIMAITOGA.- They all remained silent and we called out Honourable Qerequeretabua, Honourable Tabuya, we did not call out their families.

(Honourable Members interject)

HON. S. ADIMAITOGA.- The Honourable Prime Minister called out “Honourable Tikoduadua” not his family, but, Honourable Tikoduadua could not take being called out of his hypocrisy and went on to attack our Honourable Prime Minister’s family. In a debate about violence against women, attacks on women, Honourable Tikoduadua said to the Honourable Prime Minister and I quote, “He should be the last and you should know what is happening in your own house – you should know.” Does Honourable Professor Biman Prasad and his NFP family think that the people of Fiji are stupid?

No one on this side of the House has attacked women, no one has abused women as Honourable Mosese Bulitavu did, resulting in the debate. So, do not try to come here and lie that it was not an attack on the family. Honourable Professor Biman Prasad tries to fool the people of Fiji by saying Honourable Tikoduadua did not attack the Prime Minister’s family. What a joke. That statement was nothing less than an attack on his family. A very dishonourable act.

Honourable Lt. Col. Pio Tikoduadua is probably not aware of what he has done. He has empowered every troll on social media that regularly attacks the families of innocent Fijians.

(Honourable Members interject)

HON. S. ADIMAITOGA.- He has set an example to young Fijians that if you are losing an argument, you can attack your opponent’s family. That is the example that the Honourable NFP Member has set.

Mr. Speaker Sir, I would like to commend our Honourable Prime Minister, first and foremost, for being honourable enough to never attack any Opposition member or their family. Never. Our Prime Minister is a family man who respects our families too.

Secondly, our Prime Minister is honourable enough to attempt to apologise more than once to Honourable Tikoduadua. Yet, Honourable Tikoduadua has not met with him, yet agreed to meet with the Speaker but with conditions and refused to make any attempt to solve this issue. Mr. Speaker Sir, it is very clear that Opposition is trying to make this into a bigger issue than it is.

The Leader of NFP had earlier said it right - they are crying crocodile tears. Shame on them! How about Opposition do something for the country instead of crying like they have done since 2014.

(Honourable Members interject)

HON. S. ADIMAITOGA.- I would like to thank the Prime Minister for everything he has done for Fiji; for giving education to our children when the Opposition could not. For raising our economy to new heights and gaining international acclaim through our advocacy and record tourism numbers.

For the jetties, bridges, electricity and water that rural and maritime islands have for the first time. The Honourable Prime Minister has done more for this country than every Member on the other side combined. No one on that side managed to get even half of his votes. He is the true people’s choice.

Mr. Speaker Sir, finally, I would like to urge NFP's fellow opportunists SODELPA to stop the nonsense. Honourable Lynda Tabuya scripted a sad *Facebook* attempt to get attention just yesterday has wasted Fiji's time. She cannot even be a good actress. It was clear that she was upset that all the attention was going to Honourable Pio Tikoduadua, so she made a sad attempt to create an issue from nothing.

(Honourable Members interject)

HON. S. ADIMAITOGA.- The Honourable Lalabalavu was right when he said that we should be finding better ways to resolve this. Stop this nonsense. He also said that he took it like a man. That is a good message to Honourable Pio Tikoduadua. Let us respect the Committee's decision and be focused on our work. With that Sir, I would like to support the motion.

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate and I give the floor to the Honourable Viliame Gavoka. You have the floor.

HON. V.R. GAVOKA.- Thank you Honourable Speaker. I think there is something that we should appreciate today and accept that no matter what we hear from the other side of the House, the people of Fiji have already passed judgement that the Prime Minister is guilty and no amount of justification from your side, which are really desperate, will change the verdict by the people of Fiji that the Prime Minister was indeed guilty of the assault against the Honourable Tikoduadua.

HON. A. SAYED-KHAIYUM.- Go and say it outside the House. Say that outside of Parliament. Say it outside Parliament.

HON. V.R. GAVOKA.- I, as always will hear all these accolades about the Prime Minister from the other side but I tell you, in the eyes of the people of Fiji, the Prime Minister has damaged goods. He is damaged and it is best for him to redeem himself by taking two years for a low, leave politics for two years and come back and then perhaps the people of Fiji can forgive him. Our Members from this side have taken those two years and they came back stronger. They came back stronger.

I would urge the Prime Minister to do likewise for the sake of this country because here onwards, he will not have the credibility that the other side claims that he has. Honourable Speaker, there is a saying which is biblical in the Gospel of Luke that says and I quote: "To whom much is given, much is expected." And it is being used quite widely by leaders in the world today that they take responsibility and that they accept challenges. They do not react in the manner that our Prime Minister reacted that day outside this Parliament.

They talk about attacks on the family, which we know is not true, but as he is a highly travelled Prime Minister, who hobnobs with other leaders in the world, they can tell him the attack on Prime Ministers and leaders is far from the course; he should know that. It is regrettable and disgraceful that he behaved in that manner in this House, in the legislature.

I read the reports by the Committee who investigated Ratu Naiqama's case, likewise Honourable Tikoca and there were these words, I think he used, "Our children must not see this." People must be discouraged from behaving in this manner for the sake of our children, what has gone viral over the last couple of days, our children are now wondering where the leadership is heading to today. That is why Honourable Speaker, we believe that this august House must do what is fair and apply the punishment consistent with what has been applied before.

I am here as a second termer, my second term in Parliament and I have been through the last three privileges issues and they were all very sad. The Honourable Kepa had highlighted exactly what

happened when Ratu Naiqama's case was read in this House. And I remember that day, we all went back to our caucus or to our boardroom feeling surreal that something like that, a word that was uttered nine miles away from Parliament had resulted in the suspension of a Member of Parliament for two years. And then came Honourable Draunidalo and Honourable Tikoca, and this is what the people of Fiji are saying Honourable Speaker, "if you do it to Honourable Ratu Naiqama Lalabalavu, if you do it to Honourable Ratu Isoa Tikoca, if you do it to Roko Tupou Draunidalo, do it also to the Prime Minister of Fiji." That is basically what the country is saying today; everyone is saying today.

Honourable Speaker, when we contested the General Elections in 2014, some of us in the Party actually did not want to contest the Elections under the 2013 Constitution. We thought about it seriously but because we had seen the effort of our friends, Australia, New Zealand, UK and Canada, what they had put together, the efforts they made to bring Fiji to parliamentary democracy, we decided to be part of the process. Even after winning the Elections, we fought really hard about taking the oath here, in support of 2013 Constitution. But we thought we would give it a go. A window had opened in this country after years of darkness, we decided to take that opportunity and we have, looking back, we have agreed that we made the right choice. But consistently that, Honourable Speaker, is our belief that the Parliament must behave in the manner on which we have placed our faith. Honourable Speaker, again, I say, the people of Fiji are saying that if you did it to those three, you must always do it to the Prime Minister of Fiji today.

I come from Nadroga, Honourable Speaker. I represent 22 *Tikina*. Our chief, Ratu Kini was one of the signatories to the Deed of Cession and from that day onwards, we all agreed that everyone must be equal under the law. We have stood by that all these years.

And I am here and I need to reinforce and to repeat that, and our people in Nadroga/Navosa will say, "Make sure, everyone is equal under the law. Even the Honourable Prime Minister of this country must also come under the law of this country."

Honourable Speaker, we want to raise the bar in this Parliament. When the Prime Minister of New Zealand visited here, we met him in our Office and after dialogue, then he said, "Anything you want to share with us?" I said, "Sir, Prime Minister Key, we appreciate what you have done, together with Australia and Canada, what you did to bring Fiji back into parliamentary democracy but unfortunately, in doing that the bar has been set very, very low. And on his departure, he said, "We will work with your legislature to bring the bar up in the way your Parliament operates."

So, Honourable Speaker, if that is the bar, that two years is the punishment for misdemeanour and in this case, one that is more serious than Honourable Ratu Naiqama Lalabalavu, Ratu Isoa Tikoca and Roko Tupou Draunidalo, then we must stay strictly to do that and keep the bar at the level that we want it to be.

So, Honourable Speaker, I believe it is ludicrous that he should be asked to apologise or take six months. That is a mere rap on the knuckle, Honourable Speaker. We need something more substantive, something more serious, so that people do not go around assaulting people, especially the leader of a country and especially in the precincts of Parliament.

So Honourable Speaker, I believe, I speak on behalf of most people in this country to say that the apology and the six months is unacceptable, ludicrous and that we must keep to what we have set a precedent in the past, and that it requires two years suspension for the Honourable Prime Minister.

Honourable Speaker, whatever is happening here, we are saying that what goes around comes around, is at play.

They had 32 seats last time when we had 18, and they set the rules in any way they wanted. We pleaded with them, “Don’t do it. This can be handle out of way with the three”, but they had the majority. It was tyranny with the majority and they behaved with a heavy handle tyranny, and it has now come back to bite them.

It has now come back to bite you. That you are now caught in an untenable situation that the Honourable Prime Minister has now come under the scrutiny of his rule, which he really should be punished under, Honourable Speaker.

So, Honourable Speaker, let us be fair in this country, I mean, the people want this august House to act fairly, consistently and pass the judgment, that the Honourable Prime Minister apologises and that he takes a two-year suspension from Parliament. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Viliame Gavoka. Honourable Anare Jale you have the floor.

HON. A. JALE.- Mr. Speaker, Sir, I rise to support the amended motion before the House today, that the Honourable Prime Minister apologises unreservedly to Parliament and the nation, and that he be suspended for two years. This is to ensure consistency with the precedent rulings of this august House on breaches of privilege.

Honourable Speaker, Sir, we, Honourable Members of this House, were brought here through the votes of the people and sworn on oath and affirmation that we will obey, observe and uphold the Constitution of the Republic of Fiji and all other laws of Fiji, and we will defend the rule of law and the rights of people. In doing so, we act with integrity and diligently carry out our responsibility. The people will continuously hold us accountable to our oath and affirmation. No one is above the law.

We are debating the Report of the Privileges Committee on issues concerns, firstly, the alleged breach of Parliamentary privilege by the Honourable Prime Minister and likewise, by the Honourable Pio Tikoduadua. The Privileges Committee had presented its motion. There has also been an amended motion which are being debated now.

The decision by this august House, Mr. Speaker, Sir, should not only be seen as fair and equitable by us, the Members, but the voters will expect us to act independently, fairly and appropriately without bias or favour.

What are, in my view, measures of a fair decision?

- a) The matter has been investigated thoroughly.
- b) All concerned have been given opportunity to be heard.
- c) Precedent cases and decisions have been given due consideration.
- d) The decision and recommendation are in compliance with the laws passed by this august House.
- e) The decision and recommendation uphold the integrity and the status of Parliament.
- f) The people of Fiji consider the decision and recommendation as just and fair.

Mr. Speaker, Sir, I remember during my time in the Civil Service, offences were categorised as minor, serious and very serious. The General Orders and the Public Service Act provide the grievance process and the appropriate penalty to be considered by those making decisions. Precedent cases and decisions were also given consideration when making a decision and appropriate penalty.

Honourable Speaker, Sir, in regards to the matters before us, the Report and Recommendations by the Privileges Committee has to be considered in relation to Standing Orders 75, 76, 77 and 78 and the precedent decisions taken by this august House.

Honourable Speaker, some recent precedent decisions have been given by this House on breach of privilege. The decision should be given due consideration when deciding the appropriate penalty to commensurate to the breach of privileges made and that should be the case for the ones under consideration.

Mr. Speaker, Sir, the element of provocation may need to be given due weighting also. However, considering the seriousness of the precedent cases decided by the House in the past and the circumstances under which they were brought out, in my view, are less serious to the breach of privileges alleged against the Honourable Prime Minister. This calls on the House, therefore, Honourable Speaker, to show Fiji and the world that we uphold fairness, truth, as rightly the duty placed on us by the people of Fiji.

The recommended penalties are unjust and unfair. In my view, Honourable Speaker, the breach of privilege by the Honourable Lt. Col. Pio Tikoduadua, if he had done so is minor, as compared to the breach of privilege by the Honourable Prime Minister which I view as very serious and as such, the Honourable Prime Minister's penalty should be a suspension for a much longer period than the Honourable Lt. Col. Tikoduadua.

Let us show Fiji that this august House is a beacon and as a symbol of hope, righteousness, truth and fairness to the people of Fiji.

I support the amended motion, Honourable Speaker.

HON. SPEAKER,- I thank the Honourable Jale for his statement. I give the floor to the Honourable Salote Radrodro. You have the floor.

HON. S.V. RADRODRO.- Thank you, Mr. Speaker, Sir. I rise to make a contribution on this motion before the House on the report from the Privileges Committee. For the benefit of those who may be watching TV and listening to the radio, who may not be familiar with what we are discussing here today, allow me, Sir, to again reiterate the recommendations of the Committee.

1. That both, the Honourable Prime Minister and Honourable Lt. Col. Pio Tikoduadua be immediately issue their apologies in Parliament today; and
2. If the Honourable Prime Minister and Honourable Lt. Col. Pio Tikoduadua fail to do so, that they may be suspended from Parliament for a period of six months, with immediate effect from 6th September, 2019.

Honourable Speaker, Sir, these two recommendations, we, from this side of the House do not support.

We support the recommendations in the amendment motion and, again, I reiterate, that the:

1. Prime Minister, Honourable Voreqe Bainimarama, apologise to Parliament and to the nation today.
2. Prime Minister, Honourable Voreqe Bainimarama, be suspended for two years, given the gravity of his breach of privilege and the high office he holds.”

Honourable Speaker, the recommendation from the Committee, that is not a bipartisan recommendation, as we know the Members of the Privileges Committee from the Government side have exercised or misused their majority power, and have made those recommendations. And that is why, Honourable Speaker, we have moved the amendment motion with those recommendations to reflect the recommendation from this side of the House, Honourable Speaker.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

(Chorus of interjections)

HON. S.V. RADRODRO.- Honourable Speaker, he has forgotten that we have the Report and it has the verbatim of what transpired in their Committee. If we are there in person or not, we are privy to what went on in there through this Report, which aptly captured all that was mentioned inside that meeting, Honourable Speaker. And I suggest that you go and have another read.

Honourable Speaker, I must echo the views and presentations that had already been mentioned from this side of the House, and that we do not support and we object to those recommendations. This is also in line with the previous recommendations that was being brought into the House by previous Privileges Committee, Honourable Speaker.

I will cite again the previous cases that were brought into the House, and that was the Honourable Ratu Naiqama, Honourable Ratu Isoa Tikoca and Honourable Roko Tupou Draunidalo.

(Honourable Government Member interjected)

HON. S.V. RADRODRO.- Yes, I agree, they have already been mentioned and brought into the House, but I hope and I trust that you will hear and then embrace it in your heart so that when you again look at issues in the Privileges Committee, you will be able to address them humanely and according to our Standing Orders.

Honourable Speaker, as I look across the floor, I notice previous Members from the previous term and the Members are sitting here, the Honourable Prime Minister himself (he is not in the House); the Honourable Khaiyum; Honourable Seruiratu; Honourable Akbar; Honourable Usamate; Honourable Naiqamu; Honourable Bhatnagar; Honourable Reddy; Honourable Koroilavesau; Honourable Bala; Honourable Vuniwaqa; Honourable Alvick; Honourable Pillay; Honourable O'Connor; Honourable Sudhakar; Honourable Nath - all these Members voted for the two years' suspension for those previous cases. They voted for those motions, Honourable Speaker, and they are sitting here, whether you are in the Privileges Committee or not, you voted for that motion.

Honourable Speaker, now they have shifted. From that two years, now they are recommending six months, and the gravity of the offenses are very different. Those previous cases were just utterances of words. In this one and according to the verbatim, they were shown the video, Honourable Speaker, and which tantamounts to a crime.

Honourable Speaker, now these Members of the House are sitting here and they are saying that two years for those ones and only six months for this one here, and I look across the floor and I ask the question: how can they have that kind of standards, Honourable Speaker? And I ask the question: why do the boundary rules applicable to the Select Committee on Privileges keep on changing? Are there two sets of rules being applied here? If so, what is the rationale? Where the fairness in all these, as fairness is one of the cornerstones of our democracy, Honourable Speaker?

And then you listen to previous presentation from the other side of the House. They are demanding, they are highlighting that this offence only be given six months, and already, the people are speaking out. I mean people can only be fooled ones. It will be good to take a survey, Honourable Speaker, and then we can listen to the powers of the people but the problem is that, this Government does not listen to the people, they do not and that is why we have to come this far.

Honourable Speaker, as has already been heard from previous speakers, this issue could have been dealt with, it should have come in to this House, and again I ask, why is the Honourable Prime Minister not in the House? If a matter of privilege is being brought into the House, I believe it is our duty that we hear so that we hear the words, we hear the views of what is being expressed here. But the Honourable Prime Minister has decided to absent himself from today's sitting, Honourable Speaker.

Therefore, Honourable Speaker, in other jurisdictions, as the Government often allude to like Singapore, Australia and New Zealand, a Prime Minister doing this would have resigned. They do not even have to go to the Privileges Committee, Honourable Speaker, they would have just done the right thing and resign, and I am calling on the Honourable Prime Minister to do the right thing and resign.

If he is not resigning then we ask the question, why? Why does everyone on the Government side support that he remains? Why does everyone on the Government side support that he remains? Why is that, Honourable Speaker? And I believe we owe it to our country, we owe it to our future generation that we call on the resignation of the Honourable Prime Minister.

Honourable Speaker, I now also echo the words of Honourable Jone Usamate during the debate of 8<sup>th</sup> August, and he said and I quote “violence is violence, it must be condemned wherever it takes place, and whatever form it takes place”.

Honourable Speaker, if truly they hold some truths in those words, then agree with us and call on the resignation of the Honourable Prime Minister.

Therefore, Mr. Speaker, Sir, any violence, any form should not be condoned. It is therefore a moral and legal obligation for this House to do the right thing and apply the law equally, Honourable Selai, and let it be applied independently by the relevant law enforcement agencies, and I must acknowledge the comments by Honourable Vuniwaqa in saying that the case with the police will continue on.

Honourable Speaker, we, as Members of this august House should at all times project an image of respect for all, integrity as well as promote the principle of certainty, consistency and fairness in the procedures and processes of this august House.

In conclusion, Mr. Speaker, Sir, I must again support this side of the House in rejecting the recommendations of the Report of the Privileges Committee and support the amendment motion from the Opposition side of the House that calls for the Honourable Prime Minister to apologise to Parliament and to the nation today, or when you deem suitable, Honourable Speaker.

Secondly, the Prime Minister, Honourable Voreqe Bainimarama, be suspended for two years given the gravity of his breach of privilege and the high office he holds. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.— I thank the Honourable Salote Radrodro, please, take your seats. We are going to suspend proceedings for afternoon tea. We will take afternoon tea and resume after that.

After that, we will take Honourable Jone Usamate as the first speaker, so the rest of you who wish to speak, make indications to me when we return. Thank you.

The Parliament adjourned at 3.58 p.m.

The Parliament resumed at 4.35 p.m.

HON. SPEAKER.- Honourable Members, we will continue and I give the floor to the Honourable Minister Jone Usamate. You have the floor, Sir.

HON. J. USAMATE.- Thank you very much, Mr. Speaker, Sir. I am standing to support the motion that has been moved by the Privileges Committee and I think it is important to take note that some of the comments that have been made from the other side of the House have been seen to suggest that in this side of the House that we condone violence. Nothing can be further from the truth.

All the comments that have been here have been expressing our thoughts but nowhere have we said that we allow violence to take place or that we accept some violence from others and not from others. The statement that I had made earlier on that was alluded to by the Honourable Radrodro, still remains, violence is violence. No, the Honourable Salote Radrodro that was made just now, that I made the statement, and we still stand by that statement.

And there has been no statement from this side of the House that says that we go against the gist of the statement. When the violence is expressed, something needs to be done about it. So on this side of the House, we say that if something has happened where disciplinary measures have to take place, let those measures be taken and that has been our stand. We have not deviated from that stand.

The other statement that has been made in this House says, as people have been suggesting that we need to follow the law. We believe that, we agree with that entirely and the law in this case, Parliament on its own has its own sets of laws, which is the Standing Orders.

The main issues that are in the Standing Orders are the things that govern our behaviour. Everything that is taking place in the House today, the work of the Privileges Committee, its recommendations are in accordance with the laws that have been established from Parliament, so there is nothing that is taking place from our discussion of this Report we are following the law, we are meeting the requirements of the law, but it is very important that when all of us when we move into this public field and we decide to stand for Parliament, we present ourselves to the members of this country and we will always be attacked as Members of Parliament. Sometimes in the social media, our families also get attacked but it is attack by people in the country.

HON. R.S. AKBAR.- Always.

HON. J. USAMATE.- Always, our families are always being attacked. I think people on that side of the House, those of us on this side of the House, we get attacked by members of the public. But, for us as Parliamentarians, it is important for us to keep our focus on the Members of Parliament and not our families, not our families, that is something that is very important.

We get attacked by everyone else but let us not do it to ourselves in this House, and this is also an issue that is important here because the statement that was made in this House as I have said in this House on that particular day and heard the statements that were made by the Honourable Pio Tikoduadua, when he mentioned, ‘in your House’, I took that to me literally that it was a personal attack on the Honourable Prime Minister and his household. And those sorts of sentiments are something that can be very hurtful and something that we should not condone and that we should not allow in this House.

Some of the Members on this side have spoken about the long standing relationship between the Honourable Prime Minister and the Honourable Tikoduadua of the many years of service together. They have created that camaraderie, friendship, working together and both of them have served their country

in various capacities in the Military, in Government as the Honourable Tikoduadua has served as Permanent Secretary in two Ministries, so they have had that rapport over a long period of time.

I think it is important for all of us in Parliament as we are debating things, we should not bring our families in, because if we start talking about families and we start talking about one another's family, we open up a whole pandora's box that will take us somewhere that we do not want to go. If we need to attack each other, not to talk about the things that people are saying about one another or what people have said, let us talk about those things.

Let us not bring our families in, we get enough of that from people that attack all of our families. All the families on this side, members of this side, all the members on that side, all of us get our families attacked but at least for us as Members of Parliament, let us not do that, let us not go down that route. I think this is one of the problems that we have in this particular instance when attacks are made that are seen as attacks on family.

We must protect our families. All of us do not want to see people saying nasty things about our families. For me as a politician, I stand in this House, if I see anything people want to attack that I say, they are free to attack whatever I say but please do not do it for my family especially for us as Members of Parliament.

That is why, Mr. Speaker Sir, all the things that we have been talking about, the different cases that we have had in the past, there has been a call for consistency. I believe that there is consistency because when someone does something wrong or does something that is not in accordance with that way things should be done, it needs to be seen in the context of whatever the action that was taken.

In this particular case, violence or not violence, but in terms of the issue that took place between the Honourable Prime Minister and the Honourable Tikoduadua, the Honourable Prime Minister has expressed his remorse for what he did as has been expressed. On that same day he came and offered to apologise, apologise to you, Mr. Speaker Sir, he also wanted to apologise to the Honourable Tikoduadua, so he took the steps. He knew that had done something that he should not have done and he was taking the steps to move forward.

The Honourable Members of the other side have talked about the state that they tried to mediate this particular situation. The Honourable Prime Minister had already taken the steps to do that on his own, approaching your office, Sir, and expressing his concern about this. I believe that he also made attempts to apologise after that fight also, I mean that that was a week later, if I am not mistaken. So, there were steps taken to try to deal with this particular situation.

There has been a lot of, I also talked about, I think in the course of the debate, there has been talk about the need for consistency. I think, Honourable Members have mentioned that if two years was given for one particular case, it should also be applied to this particular case, but everything needs to be looked at in the context of the events that happened in a particular case.

If you have an event, something happened that leads to 10 years and it is actually related to attack on the institution of Parliament itself, the gravity of that particular event is different from what happened in this particular case. We need to see events and issues that happen in the context of what happened in that particular case. If they need to be treated along those lines, they need to be treated separately along those lines and we need to keep that in our heads.

Mr. Speaker Sir, I believe that the recommendations that have been made by the Privileges Committee which we have tried to keep as independent as possible, otherwise as being pointed out by the Honourable Alvick Maharaj, there were undue influences also made on the Members of the Committee.

The Members of the Committee had come to some sort of agreement and then at the last moment they decided to change, they decided not to sign that particular report.

We need to keep that Privileges Committee intact and its independence intact. So, I believe that the recommendations that are coming from the Privileges Committee are something that we all need to support in this House. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for his statement. I give the floor to the Honourable Lenora Qerequeretabua, you have the floor.

HON. L.S. QEREKERETABUA.- Thank you Honourable Speaker. Honourable Speaker, I rise to contribute my response to the Report tabled today by the Privileges Committee and I wish to state now that I do not support their recommendation.

Mr. Speaker, we have just heard the Honourable Minister for Women stand up and support the Report from the Privileges Committee, further stating that because the Report has found both the Honourable Prime Minister and the Honourable Tikoduadua are in breach, that it should be supported.

In doing so, she as the Honourable Minister for Women, Children and Poverty Alleviation is saying that it is all right to be aggressive to anyone as long as you say “sorry” afterwards. That is what she is suggesting because that is what the Committee has recommended.

The Committee has recommended that an apology for this behaviour somehow exonerates the violence carried out. I am extremely disappointed, Honourable Speaker, that the Honourable Vuniwaqa and even the Honourable Premila Kumar stood up and told whatever lies fed to them by Qorvis for the preservation of their leader when just weeks ago they stood there strongly condemning violence in all its forms.

I will be very honest Honourable Speaker, my heart is broken not simply because the President of my Party has been unjustly condemned by fake justice, but because of the circumvention of all that is right, fair and just from this august House, and the signals that we are sending out to the people today who are watching in very intently right now. Moreover, my heart breaks at what we are teaching our young people by this report and the meting out of fake justice that undermines the very core of the rule of law in Fiji. However, as much as I am distraught and bewildered at what transpired from 9th August, 2019 culminating in the sham report, I would be failing in my duty if I did not speak from my heart.

To the young people who are training in law and law enforcement, who are tuning in today by livestream, please get a copy of this report that should be on the Parliament website. It will make some very interesting reading when you see the verbatim of everyone summoned and the lengthy statement to discredit both the footage and eyewitness accounts. I hope all the verbatim are in the report, word for word, as the Madam Chair assured our President that it would be.

When I was summoned under duress to the Committee just as last Tuesday to tell my side of what I witnessed, I was very clear. It was pre-meditated action against my colleague and Party President Honourable Pio Tikoduadua. As I say, I was summoned under duress because as our Party leader has detail we are not convinced that the use of Standing Order 134 was justified. The victim in this is Honourable Pio Tikoduadua, who is an elected Member of Parliament and who was assaulted by the Prime Minister in a pre-meditated fashion, who did not seek redress as those privileged rights are afforded to him as an MP because he chose to pursue a process and report the assault to the Police as you directed him to do so on 9th August, 2019, Honourable Speaker.

On that Friday, when the Honourable Pio Tikoduadua finished responding with his Right of Reply on his motion on drugs, he sat down and he turned to me and he said that he had to be excused as he had an errand to run and asked me to take his bag up to the Opposition Chambers if we adjourned for lunch before he returned. Then he left the Chamber. After he stood up to leave, I looked across and saw the Honourable Prime Minister leaning to his left and typing on his mobile phone. A few seconds later, the Honourable Prime Minister stood up abruptly and left the Chamber via the door immediately to his left. Immediately, Honourable Koroilavesau also stood up and left the Chamber through the swinging doors behind his seat, as I told the Privileges Committee, all the CCTV footage will confirm this.

My gut instinct was on high alert that they would accost Honourable Pio Tikoduadua so I left the Chamber too. At approximately 11.38 a.m., using these swinging doors behind my seat, turned right and made for the foyer. As I reached the main Parliamentary entrance foyer in this small passage where there are pamphlet shelves on either side, there stood the Honourable Prime Minister with his back to me. Honourable Koroilavesau stood facing him, whilst Police Officers stood behind. Honourable Koroilavesau saw me approaching, put his head down and stepped slightly to his right out of my way.

Again, as I said to the Committee, CCTV footage will confirm this. By then, the Honourable Prime Minister, who did not see me approaching from behind, did not move. As I passed Honourable Prime Minister, I overheard him ask in a very angry tone in *iTaukei* language, “If anyone had seen him?”, which I took to mean Honourable Tikoduadua. He said, “*Sa lako i vei?*” I walked past the Honourable Prime Minister, Honourable Koroilavesau and the Police Officers and took the steps up to the Opposition Chambers to tell Honourable Tikoduadua that the Honourable Prime Minister was looking for him.

All these can be confirmed by CCTV footage and I had in fact suggested to the Privileges Committee that they should invite Honourable Koroilavesau to hear what he had to say. When I reached our office in the Opposition Chambers, Honourable Tikoduadua was inside with Mr. Dylan Kava and Mr. Apenisa Vatuniveivuke, our NFP Caucus staff and I told them what I had just seen and heard. Honourable Tikoduadua decided he would carry on as he had planned, which was to go to Lami for his appointment. I told Mr. Kava and Mr. Vatuniveivuke that the three of us should accompany Honourable Tikoduadua downstairs to his vehicle so that if something happened, at least we could be witnesses. The four of us left the Opposition Chambers and proceeded down the stairs intending to go to Honourable Tikoduadua’s vehicle parked on Constitution Avenue, which is normally blocked off from the public. Again CCTV footage will confirm this.

A FBC reporter and her cameraman, who I believe to be Praneeta Prakash and Apenisa Waqairadovu were waiting outside Opposition Chambers waiting for Honourable Tikoduadua and they joined us as we all descended to the portico entrance to Parliament. Honourable Tikoduadua walked ahead of me with the two NFP staff. The FBC reporter told the cameraman to keep recording as she hounded Honourable Tikoduadua to explain what he meant by the word “house”.

Mr. Dylan Kava, our caucus staff told the reporter repeatedly that Standing Orders prevented Honourable Tikoduadua from making public comments while the House was in session. Those FBC reporters were right there when the shameful assault occurred but what they chose to do about it after it happened is on them. As I approached the bottom of the steps, I was at the rear of the group and I turned to look for the Honourable Prime Minister just in time to see him emerge from the direction of the main Parliamentary Chamber.

Honourable Tikoduadua in the company of our caucus staff who was in the lead and had reached just past the parking spot for the Honourable Prime Minister’s vehicle, as I lagged a few metres behind when I heard the Honourable Prime Minister shout from the bottom of the green steps and I quote: “*O iko, Pio, jiko vakadua ikeri*” to translate “You, Pio, you stay right there.”

Honourable Tikoduadua turned around to walk towards the approaching Honourable Prime Minister who by that time was striding up to him swearing profusely. The Honourable Prime Minister grabbed the left lapel of Honourable Tikoduadua's coat, pushing him back. I heard something break and then I saw a pair of sunglasses fall to the ground at Honourable Tikoduadua's feet. Honourable Tikoduadua stooped slowly and picked them up, all the while the Honourable Prime Minister who was swearing at him.

Honourable Speaker, please excuse me, God forbid me and I apologise in advance. This is very hard for me to do, but it must be said. The swears Honourable Prime Minister used included and I quote: "*caiti tamamu, magai tinamu, sonalevu and caiti iko.*" And for those who refuse to understand what that means, I will translate. "Have sexual relations with your father, your mother's vagina, an enlarged anus and have sexual relations with yourself." I also told the Committee this, Honourable Speaker.

Our caucus staff by now who were standing on the adjacent side of the road witnessing all these. I was closer to the commotion standing less than five meters away with my phone in my hand. One of the Honourable Prime Minister's bodyguard walked towards me, pointed at me and ordered me to put my phone away. I put my hand on my hip and challenged him by retorting "excuse me", he did not reply but walked back to where the Honourable Prime Minister's tirade was continuing. As this was happening, all the Ministerial vehicle drivers, all the Honourable Prime Minister's bodyguards and Police officers from Parliament were outside and witnessed this.

A black tinted vehicle Registration No. GM 783 sped in almost hitting Mr. Kava and stopped near where this crime was happening. A suited man, who he now understand is a soldier and is a member of the Honourable Attorney-General's security detail worked out of the vehicle. Amidst this maily of absolutely no one stepped in to stop the Honourable Prime Minister. The Honourable Prime Minister warned Honourable Pio Tikoduadua several times during these tirades saying and I quote: "*Qarauni iko tiko*" meaning "watch out"

Then the Honourable Prime Minister turned and walked away from Honourable Pio Tikoduadua towards his waiting vehicle which is under the portico. The CCTV footage will confirm this again.

The Honourable Tikoduadua, Mr. Kava, Mr. Vatuniveivuke and I then got together, decided to return to the Opposition Chambers. Honourable Prime Minister was still standing by his vehicle when we came along side and once again the Honourable Prime Minister swore at Honourable Tikoduadua and warned him before he got into his rear left seat of his vehicle, slammed the door shut and the vehicle drove off.

Honourable Tikoduadua, Mr. Kava, Mr. Vatuniveivuke and I then returned upstairs to the Opposition Chambers to decide our next steps which we decided was for the Honourable Tikoduadua and I to return to the Chamber and raise the Point of Order. This is what we did as shown on live coverage of proceedings on that day and also on *Hansard*.

Following Honourable Tikoduadua's Point of Order and an intervention from Honourable Professor Biman Prasad, the three of us left to meet in the Opposition Chambers. By then, we were alerted that Special Branch of the Fiji Police Force was already interested in the CCTV footage so at about 12.30 p.m. Mr. Kava and I went downstairs to see the Parliament IT Team to ensure the CCTV footage was not going to be tampered with. The Parliament CCTV footage will also confirm that we did this.

I met two men standing outside the office to the CCTV footage office and I asked them if they were Special Branch, they replied "yes". I asked them what they are going to go with the footage and they replied that they were there to review it.

Before, we had even gone to the Police to lodge our complaint that Friday afternoon, the Special Branch of Police were already looking at the CCTV footage. From 9th August, 2019 when the Police had supposedly reviewed Parliament CCTV footage, up until 27th August, 2019, we have had no communication whatsoever from the Police as to the status of our complaint. Not only to have an unsigned letter from an ASP E. Nadolo sent by *Gmail* to say, and I quote: “The investigation is now being investigated.”

Then, of course, you have the great lengths to which the FijiFirst social media and online personas tried to seed doubt in Honourable Lt. Col. Tikoduadua within moments of that assault occurring. They were also aided by some in the media, who created doubt about the assault.

But, Honourable Speaker, God is good. By God’s grace, we were all vindicated when a video emerged online that showed everything, corroborating what we had stated publically.

Honourable Speaker, why have I gone to such great lengths to detail again, what I have already told the Police and the Privileges Committee? It is to tell the truth to the people and honour my oath as an elected Member of this august House.

Honourable Lt. Col. Inia Seruiratu, who is also the Minister for Defence and National Security, would have viewed copies of our Police documents that we submitted as evidence to the Privileges Committee. And I wonder if the Honourable Member is aware of Section 129 of the Constitution and how on one hand, he is directly responsible for the Commissioner of Police and the Police Force but on this occasion of the Privileges Committee, he was passing judgment on Honourable Lt. Col. Tikoduadua, the victim of a blatant and premeditated criminal offence.

I am reminded again of Honourable Lt. Col. Seruiratu’s words when he spoke, as he does in his agitated, extremely loud or theatrical way against Honourable Lt. Col. Tikoduadua’s motion on drugs. He said, and I quote:

“When I was sitting here last night, Mr. Speaker, it reminded me of the battlefield when Goliath, the Philistine giant, was challenging the Israelites. “Give me a man”, but there was no man. All male organs intact but no one was man enough to stand up and fight the evil.

The motion last night called for men to stand up and fight the evil that we have in society. Men are meant to love everyone. I wanted to speak to the men, Mr. Speaker, Sir, but there were no men last night. No courage. No boldness, ducked under the table.”

Those were words imputing improper motives on Honourable Tikoduadua, but I put the question now to the Lt. Col. Honourable Seruiratu through you, where is that man today? Is he hiding behind the stitched-up Report and now self-righteously condemning an innocent man?

Mr. Kava and Mr. Vataniveivuke, both who were eye witnesses just as I was, they received summons to appear, but they were never asked to give their statements.

I am compelled to raise this analogy to this august House that when you vote up for this grossly irregular Report and its recommendations of fake justice, we are saying that all other crimes that happen in this House between MPs, be it rape or murder or theft, you will bind this House to endorse it as acceptable for the Privileges Committee to be used to cover it up.

The reality is that this VIP treatment will only be rolled out for only two, not the rest. Today, when you vote, you will bind this House to endorse this behaviour as an acceptable norm. And we will sit on this side of the House, on our side of the House, and continue to watch you, as you have sleepless

nights and stressful nights, responding to what you are manifesting today with your words, actions and vote.

Today, when you vote, you will bind your mouth shut to any narrative about violence against another individual. You have no moral authority now to speak on it. You will bind your mouth shut to any talk about feeling protected, safe or secure.

I am an elected MP. I do not and will no longer feel safe or secure about being in any space where the Honourable Prime Minister is. But I will not have my lips bound against speaking the truth, Honourable Speaker.

Today, when you vote, you may think you have a clear conscience because of parties and loyalties, but you are, in effect, binding yourself as standing with the Honourable Prime Minister, cheering him on as he aggressively committed the offence of assault on Honourable Lt. Col. Tikoduadua. All those who will vote on it, including those who enabled this travesty of fake justice from outside of this Parliamentary Chamber, you will all stand condemned in the Court of public opinion. But that is your choice and also your consequences to live with.

We at NFP knew full well that the Privileges Committee would be up fast so as to undermine the work of the Police. That is why we did not opt to pursue that process. Imagine, our shock and surprise when the Committee suggested reconciliation or an apology should be on the table in the face of a criminal act and then, of course, you have today's *Fiji Sun* blaring out that nonsense as well.

I am quite sure that the Chief Legal Advisor to Government knows this well, but section 154 of the Criminal Procedure Act spells it out very clearly, that the offence of common assault or assault occasioning actual bodily harm or criminal trespass or damaging property, the Court ...

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. L.S. QEREQERETABUA.—...the court can only promote reconciliation, apologies and other measures after the perpetrator is charged.

I am left further wondering, if the Privileges Committee felt it at all appropriate to recommend counselling, especially for anger management. In light of what is about to be agreed on by the Government majority, I would respectfully submit, Honourable Speaker, that the House Committee should be convened without delay to ensure that our safety, security and well-being as MPs with regards to counselling is instituted without delay.

In closing, Honourable Speaker, I know for sure that today, only one man in this House can hold his head high, because only one man defended the rule of law and the rights of the people, and acted with integrity, and diligently carried out his responsibilities as he swore to do in his oath to the people of Fiji.

There is a salient quote that says, Mr. Speaker, and I quote: "In a room where people unanimously maintain a conspiracy of silence, one word of truth sounds like a pistol shot."

Given the seriousness of the actions of the Honourable Prime Minister on Friday, 9th August, 2019 at his high office, I strongly support the amendment to this motion as moved by the Honourable Tuisawau. I thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member for her statement. I now give the floor to the Honourable Aseri Radrodro. You have the floor.

HON. A.M. RADRODRO.- Thank you, Mr. Speaker, Sir. I stand to make my contribution to this unfortunate incident that has side-tracked the normal duties of this House. I am obligated to stand and make a contribution, given the seriousness of what has transpired.

Personally, Mr. Speaker, Sir, I denounce in the strongest terms the actions by the Honourable Prime Minister and even the Committee Report and its recommendations, but the amendment motion, Mr. Speaker, Sir. I take my place to also remind the Honourable Members of this august House to always be in a manner that is above reproach.

Having said that, Mr. Speaker, Sir, I respect the process of law and the investigation that is underfoot by the police. Given that we have been reassured by the Honourable Members from that side of the House of the independence of the Judiciary, the State and the Legislature, it is imperative that the investigations must be respected and allowed to take its natural course, and no question must be allowed to exert any form of influence over the law.

Mr. Speaker, Sir, while reading through the Report, I note that the verbatim had highlighted that making references to Members who are not part of this august House and making personal attacks which should not be entertained, Mr. Speaker, Sir, because it is very easy to descend into an all-time low as everyone has a history and we do not want this House to be turned into archaeological playground.

We have bigger issues to discuss, Mr. Speaker, Sir, for example, the failure of Government to address the high level of unemployment rate, the deplorable road conditions, traffic jam, escalating cost of living, low wages and other social inequalities, not to mention the high level of crime, like murder, drug trafficking, rape, et cetera, that is plaguing our nation, Mr. Speaker, Sir.

As we debate on this Committee Report, there are some who have lost their jobs, like today is their last day at work, as we have been informed. So, what will happen to their family from tomorrow and onwards, Mr. Speaker, Sir?

Every Honourable Member of this House needs to focus on that, especially on finding solutions, Mr. Speaker, Sir. For the Honourable Prime Minister, his actions were uncertainly unwarranted.

Despite, the provocation, he should have followed the process and lodge a complaint rather than taking matters into his own hands. Of all the people, he is the man, as rightly labelled by the Honourable Assistant Minister for iTaukei Affairs, carries the highest number of votes. Of course, that carries the highest level of responsibility as well and trust by the people of this country, especially those who voted him in.

The Honourable Prime Minister's tendency to allow his motions and temper to get a better of him, needs to be something that he immediately works on and, and perhaps seek professional counselling as well, Mr. Speaker, Sir.

I have read on social media all sorts of names levelled against him, including words such as thuggery. As a proud Fijian, these are not the terms that I would like to see associated with the position of the Prime Minister of this country.

Already, we are associated with undesirable labels that affect the image of our country, that affects our trading, that affects our trust and ability, and most importantly such behaviour sets a dangerous

precedent and model for our young people of today, who look up to Honourable Members of this august House to be people of integrity.

Mr. Speaker, Sir, I personally disagree with your findings and the recommendations of the Privileges Committee, as I had alluded to earlier, and I agree with the amendment motion. The laws of this House has been breached and that no one is above the law, and everyone must be equal before the law.

Finally, Mr. Speaker, Sir, the Honourable Prime Minister would do well to take heed of this deliberations today, as lessons in statesmanship. As I had earlier, he carries the highest threshold expected for political decorum inside and outside of this House. He needs to exercise wisdom and he needs to listen to the voices of reasons. What has happened in the last couple of weeks is a new low in the history of this country where an Honourable Prime Minister is seen to have manhandled another Honourable Member of Parliament.

Mr. Speaker, Sir, we can say everything we want to say, but the onus is on the Honourable Prime Minister. Failure to heed continued advices ultimately writes its own history. Unfortunately, today, Mr. Speaker, Sir, 6th September, 2019, I will have to say it as it is in the biblical words of Daniel 5: 27 which is fitting for the Honourable Member, and I quote: "*mene, tekel, upharsin*". In this august House, you have been weighed and have been found wanting. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Aseri Radrodro for his contribution. Honourable Semi Koroilavesau, you have the floor, Sir.

HON. CDR. S.T. KOROILAVESAU.- Honourable Speaker, Sir, I was not going to contribute towards the debate before the House until my name was mentioned by Honourable Qerequeretabua and I thought I should clear the issue that she has highlighted in respect of the incident that we are talking about today.

In fact, Honourable Speaker, when the debate happened and Honourable Tikoduadua stated what he stated, I knew straightaway that the Honourable Prime Minister was at his head. He was very disappointed, and I automatically went out in trying to separate the Honourable Prime Minister and Honourable Tikoduadua.

In my effort to try and prevent anything, I wanted to keep as much distance between the two. In fact, Honourable Qerequeretabua is lying when she said that when I was discussing with the Honourable Prime Minister, that he was actually asking for Honourable Tikoduadua. That is not the fact.

In fact, the fact was, he was just asking me about the person who had walked past him, and I said that it was Honourable Qerequeretabua. I just basically told the Honourable Prime Minister that it was Honourable Qerequeretabua and that he had to keep his cool, and I left it at that. That is basically my contribution because I wanted to correct what has been stated by Honourable Qerequeretabua.

HON. SPEAKER.- Hold it, Honourable Minister. I have got someone else on my list, Honourable Lynda Tabuya. I am going strictly by my list now because I have been looking around, no one is making an indication, so I will just stick to my list. You have the floor, Madam.

HON. L.D. TABUYA.- Thank you, Honourable Speaker. I like the Honourable Minister Koroilavesau who is not going to contribute to this debate, however, I do feel also that I need to make a brief contribution, especially after some comments that have been made by the Honourable female Member in this House that I need to clarify.

I do stand in support of the motion, the amendment to the motion as to the need to have the two years' suspension for the Honourable Prime Minister and I do not support the motion in the Report of the Committee.

Honourable Speaker, most of our Honourable Members of the Opposition have covered all the relevant points and to be honest, like I had mentioned, I was not going to speak until the Honourable Adimaitoga has accused me of being an actress on social media. Now, Honourable Adimaitoga, as a woman, called me an "actress". That is a dangerous precedent against domestic violence.

I was verbally assaulted and witnessed by Members in this House, and the Honourable Adimaitoga calls me an "actress", why is she belittling gender based assault. Does she believe that I pretend to have my feelings hurt by acting? Is this how victims are to be treated in our society when they want to address gender-based violence?"

Now, I can tell the Honourable Adimaitoga that yesterday's was not acting, it was a real anger and concern about how women are being treated and controlled by colleagues in the workplace. Now, the fact that the Honourable Adimaitoga return her back on her own gender to score political points is sickening. Now, I have been asked why, and so have our Members on this House have been asked why. Why did we not speak up to contribute the motion to condemn Honourable Bulitavu?

We, women on this side, were hammered by the Government Members of Parliament about it, especially my women colleagues on the other side. I want to remind the Honourable Members on the other side of the House that there is a fundamental difference between what Honourable Bulitavu's posting and what the Honourable Prime Minister did to both Honourable Tikoduadua and myself.

Honourable Bulitavu's post was not done in the Parliament precincts. There was no jurisdiction to bring the matter before this House and they know that very well. That is why the Honourable Attorney General, none of them that side filed a privilege motion against the Honourable Bulitavu because they know that it was not within the jurisdiction of this House.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. L.D. TABUYA.- Both what Honourable Tikoduadua and what happened to myself by the Honourable Prime Minister happened in Parliament precinct therefore, Honourable Speaker, it is your jurisdiction and the jurisdiction of this House to bring it here and to address it through a privileges motion.

That is what that side of the House should have done. Take it to Privileges, let the Committee decide if what Honourable Bulitavu did was against privilege, but we exercised freedom of speech under the Standing Orders and the matter was before the police, so we took a principled stance to respect the rule of law and let the police do their work. That is why they brought it by way of a motion because they knew they had the numbers and they proceeded to condemn Honourable Bulitavu for five and a half hours, so here we are.

Honourable Usamate rightly says, do not attack each other personally. The Honourable Prime Minister attacked me personally based on my gender. Mr. Speaker, Sir, this whole experience has made me sick and utterly berated.

HON. A. SAYED-KHAIYUM.- A Point of Order, Mr. Speaker, ....

HON. SPEAKER.- A Point of Order!

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, I understand that this morning, in fact, you ruled on this particular matter. Honourable Tabuya had written to you on precisely the same matter and you had ruled that it was not a matter of privilege and the matter should end. She is now, through this particular contribution to the motion, she is bringing that through the back door, Mr. Speaker, Sir, and she is actually going against your ruling, with respect. Thank you, Sir.

HON. SPEAKER.- Thank you, Honourable Attorney-General. Honourable Lynda Tabuya, take note of what has been said. You have the floor, Madam.

HON. L.D. TABUYA.- Thank you, Honourable Speaker. I just would like to correct the Honourable Attorney-General that, yes, Mr. Speaker, Sir, your ruling was that, it is not a matter privilege to be referred to the Privileges Committee.

It does not prevent me, Honourable Speaker, to discuss this matter in the House because it is on record on the video and I am allowed to refer to it, so I will proceed to basically saying, “The Honourable Prime Minister told me to cover up.”

We believe in transparency and accountability. “Cover-up” is something that that side of the House knows very well how to do. Honourable Pio Tikoduadua’s attempts to hold the Honourable Prime Minister accountable for his personal attacks of being sworn at and physically assaulted have turned on him as the villain.

Just now, I have heard that a Parliament staff member who took that video which the Honourable Attorney-General has not pushed to not allow into Privileges Committee has been forced to resign. Now despite the overwhelming video evidence clearly depicting a crime, despite both cases being witnessed by Honourable Members and staff of Parliament, the press and the public, despite clear Parliamentary precedents being set, two years’ suspensions with much lesser crimes and Honourable Ratu Naiqama Lalabalavu, Honourable Ratu Tikoca and Honourable Roko Tupou Draunidalo.

The following is abundantly clear, Mr. Speaker, there is no justice, no equality, no transparency or accountability. Today, the world has seen this Government for what it truly is, a dictatorship, democracy is just an illusion, but we should not be silent. We are going to continue the fight and we shall not wait. Honourable Speaker, I honestly believe that transparency and accountability die today and for that reason, I cannot support the motion that is before the Privileges Committee has brought to the House. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Lynda Tabuya. Honourable Inia Seruiratu, you have the floor.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Mr. Speaker, Sir. I will make a very short contribution: let me first of all say, Mr. Speaker, Sir, that it is very difficult to be in a Privileges Committee.

But, of course, we do respect the ruling by the Honourable Speaker, but it is very difficult in so many senses, Mr. Speaker, Sir. Let me just go back to the point raised by the Honourable Qerequeretabua about my participation in the Privileges Committee. Mr. Speaker, Sir, we know that the Honourable Attorney-General recused himself from participation in the Privileges Committee because of the objection from the Honourable Leader of the Opposition, and of course, from the Honourable Leader of the NFP as well.

However, I was not in that objection letter and, of course, you very well know, Mr. Speaker, Sir, that I also came to your office to declare my interest and, of course, I also asked that I be recused from the Privileges Committee, but it was your ruling that prevented me from doing so, and therefore I have to participate in the Privileges Committee because of the directive that came from your High Office Mr. Speaker, Sir. So that is what I wanted to clarify before I continue with my contribution.

Mr. Speaker, Sir, I stand to support the motion by this side of the House, the initial motion by the Privileges Committee as raised by the Honourable Mahendra Reddy.

Mr. Speaker, Sir, like I stated, I will focus more from the side of the Privileges Committee, the work that we did. Again, Mr. Speaker, Sir, if you look through the verbatim, we are limited to the evidences and what was presented to us, particularly the CCTV cameras and, of course, the statements that we were given.

Of course, we have discussed the reasons why there was no need for further witnesses to be summoned because we have established the facts based on the CCTV footage and, of course, the evidences that have been given to us, Mr. Speaker, Sir. And, of course, in all the issues, we did deliberate, we had thorough discussions and, of course, we came to conclusions and agreements as well, Mr. Speaker, Sir. This is what transpired in the Committee Room and, of course, when we wanted legal advice, we sought the assistance through the Chairperson of the independent legal advice that is provided to the Parliament so that we can be rightfully guided, Mr. Speaker, Sir.

However, to our surprise, while everything went well yesterday, the draft until last night, this morning, one of the Members on the other side of the House came very late. We were supposed to meet at 8.00 a.m. but she came at 8.20 a.m. and that is when things started to change. The whole intention we could figure out, Mr. Speaker, Sir, is for the Report to be the Report of this side of the House only, but we have deliberated, we have discussed, we have come to agreements but only when it comes to the signing of the Report, it was their intention that this Report is only from this side of the House.

The Honourable Salote Radrodro did indicate that we exercised and misused or even abused our majority in the Privileges Committee. That was not so, Mr. Speaker Sir. We have thoroughly discussed the issues and we came to agreements until this morning because we were going to come and debate it here in the House and, of course, probably a political interest take precedence over all other matters as we bring this issue before the House this morning.

Mr. Speaker Sir, based on the facts that the Committee was provided, there was the process of logical reasoning that led the Committee to come up with the Report that we have before you, and let me say that again Mr. Speaker Sir, based on the facts and the evidences that were provided to the Committee and the lead or guidance that we were given, we came up through logical process of listening with the Report that is before the House, Mr. Speaker, Sir.

Of course, we know that according to your Ruling, the *prima facie* conduct is established and that was where we focused on in our discussions and deliberations, Mr. Speaker, Sir, but let me also say here, Mr. Speaker, Sir, that when we came particularly to the recommendations, we have made thorough discussions. Of course, there has been recent precedents by the previous Privileges Committee, Mr. Speaker, Sir, but we did discuss thoroughly, Mr. Speaker, that it depends on the nature when it comes to the recommendations, although there has been precedents set in the past but in the administration of justice, we have to ensure that the very same law that we are using has to be also used in terms of protecting the very citizens of this country.

And with that includes the Honourable Pio Tikoduadua, includes the Honourable Prime Minister and, Mr. Speaker, Sir, we have to be reasonable in our recommendations based on the nature of the

offences although precedents have been set in the past, and that is where we were coming from in terms of the recommendations of the Committee.

Mr. Speaker, Sir, of course, the Honourable Prime Minister has made attempts to apologise through your Office and then a week later and even before the Privileges Committee and even when asked whether he was willing to do so in Parliament, Mr. Speaker Sir, he was willing to do that and other Honourable Members have talked about his remorsefulness.

Mr. Speaker, Sir, whether it is the Honourable Pio Tikoduadua or the Honourable Prime Minister, we are all human beings. We react and cope differently to events. We have personalities and there is character as well, and the Honourable Prime Minister, in our judgement, Mr. Speaker, Sir, has clearly shown the personality and, of course, his character as well. As I have stated, Mr. Speaker, we react differently to situations and of course, we adjust and we cope as well differently.

We are all different here, Mr. Speaker, Sir. I am different from the Honourable Attorney-General and of course I am also different from the Honourable Nawaikula. So when we are faced with incidences, we react differently and we cope differently, Mr. Speaker, Sir, and the Honourable Prime Minister as a human being, he has reacted. He has also made attempts although, that personality feature of his made him react, but of course you look at the character of the Honourable Prime Minister, he, standing on the high moral ground, the Honourable Ro Teimumu Kepa just walked out of the Chamber, she talked about standing on a high moral ground, that is what the Honourable Prime Minister did. That is the human being in him.

Of course, he was remorseful, he came to your high office, Mr. Speaker, Sir, and then a week later, he has made four attempts to apologise to the Honourable Tikoduadua. Mr. Speaker, Sir, our Honourable Members have talked about the long relationship that they have had and I agree with them - the Honourable Ratu Naiqama Lalabalavu traditionally, professionally and of course personally as well. You very well understand, Mr. Speaker, Sir, the role of an ADC or the role of a PSO, you are part of the family. Of course, that drew the simple statement that was made in this House was what prompted the Honourable Prime Minister to react in the manner that he did, Mr. Speaker, Sir.

Let me just say, Mr. Speaker, Sir, that here we are looking at the administration of justice. Again, I wish to say precedents have been set in the past but you have to put it into the right context. You have to look at the nature of the action that has been committed, Mr. Speaker, Sir. Of course, again I reiterate that there are serious offences and there are minor offences or whatever we may call it, and there are what we call, reconcilable offences.

Mr. Speaker, Sir, in our discussions as the Privileges Committee, maybe the other Members of the other side did not agree to and we facilitated that, unfortunately we have to vote because they have indicated that they disagreed. That resulted in the motion that is from the Honourable Ro Filipe Tuisawau before the House, Mr. Speaker, Sir. But again, I say that we need to look at the context, the nature of offence and that is where Government is coming from in this motion that we have and of course I stand to support the motion by Government this afternoon. Thank you.

HON. SPEAKER.- I thank the Honourable Seruiratu. Are there any other speakers on this side of the House who wish to take the floor? Honourable Saukuru, you have the floor.

HON. J. SAUKURU.- Thank you Honourable Speaker. I rise to support the amended motion before the House today, that the Honourable Prime Minister apologise unreservedly in Parliament and the nation, then he be suspended for two years. This is to ensure consistency with the precedent rulings of this august House in breaches of privilege.

Mr. Speaker, Sir, first and foremost, as a loyal representative of SODELPA and our people of Ba Province, I wish to pay a very special tribute to the three high chiefs in this House who as their ancestors took it upon themselves to act and conduct in a manner so as to avert the highest court of this land, see this sad, tragic and unfortunate day in the life and history of our Parliament.

Firstly, Mr. Speaker, Sir, let me remind this House of the Christian ideals and principles which ushered our ancestors and forefathers as well as the founder leaders of this nation as enshrined in our past constitutions about the elements of goodness and love that a human being must possess in a paradise place like Fiji. For the purpose, to foster the pathway forward to reconcile and reunite this beautiful nation of ours, let me quote from the *Holy Bible*:

“What if I could speak the languages of humans and angels, if I did not love others, I will be nothing more than a noisy gong or a clanging cymbal. What if I could prophesy and understand all secrets and acknowledge. What if I had faith that move mountains, I would be nothing unless I love others. What if I could give all that I owned and let myself be burnt alive, I would gain nothing unless I love others. Love is kindness and patient, never jealous, boastful, proud or rude, love is not selfish or quick tampered, it does not keep a record of wrongs that others do, love rejoices truth but not in evil, love is always supportive, loyal, hopeful and trusting, love never fails.”

It is really disturbing and disconcerting, Mr. Speaker, Sir, for me as a first time Member of Parliament, ever since I took my seat in this House, I have never witnessed any seating of this House conclude peacefully because of the amount of fear, mistrust, suspicion and animosity that has arose and exist in the form of our political rivalry. Today the person under whose leadership of our country, its institutions and its structures have shrunk so low finds himself facing the music of the band he so profoundly founded.

Mr. Speaker, Sir, our Parliamentary history is short in comparison to many Commonwealth and Inter Parliamentary Union Member States but we shall always be grateful to our former legislators for having set a rich legacy in the form of our Parliamentary standards and traditions which are by any account, praise worthy. Even today, it is a day of shame, three days before we mark Constitution Day, we witness the Head of the Government becoming the subject or matter of privilege.

While I am not surprised by the findings and conclusion by the Committee in the Report, yet, Mr. Speaker, Sir, I am totally flabbergasted that the sanctions proposed, in comparison to the sanctions imposed upon Honourable Ratu Naiqama Lalabalavu, Honourable Ratu Isoa Tikoca and Honourable Roko Tupou Draunidalo.

While the offences committed then were minor in comparison to what the Head of the Government has been found guilty of, the disparities in the sanctions by the Privileges Committee is not worthy and unsatisfactory. It just points the finger to the extent of political influence in our public administration and how selective applications of laws and precedents are made to say and secure those who are in positions of influence and power.

I will not stop there but endorse the comments made by the Honourable Leader of the Opposition and also the Honourable Leader of the NFP where they said that those who signed this report will vote accordingly in support of this motion, have their own personal and political agenda at stake rather than the interest of the nation, the ideals and principles of the rule of law.

Mr. Speaker, Sir, it leaves us to wonder how far are we going to be asked to excuse a person for committing a series of mistakes, historical errors and actions tantamounting to crimes. First, was a military *coup*, then immunity and now a relief by the Privileges Committee and as opposed to that, we

have had minor cases or matters of privileges coming to this Parliament and Members being suspended for two years. What ideal or principle of laws is applying and to whom that needs to be asked and determined. In this age, Mr. Speaker, Sir, we are not immune to public prophesy and I am sure the world is watching and history will surely judge better than the result of the vote on this motion today.

Honourable Speaker, the Honourable Prime Minister had been praised as the messiah by some parts of our community. But we know that there is only one Messiah; my Messiah, Honourable Speaker, was humble enough to be crucified and I believe that the Honourable Prime Minister of the nation should be brave enough to face two years suspension like it was done previously and to apologise to Parliament and the nation.

As opposed, what is perceived by the Opposition about the outcome of this whitewash report, the insinuation by the other side that it is a neutral report leads me to quote a France poet, Dante Alighieri, who has this to say in such situations of neutrality and I quote: "The hottest seats in hell are reserved for men, who in times of moral crises, maintain their neutrality." I rest my case in this House and before the people of Fiji, who had voted us into this House.

With those few words, Mr. Speaker, Sir, I strongly oppose the substantive motion but I wholeheartedly support the amended motion before the House. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Saukuru for his contribution to the debate. I now give the floor to the Honourable Attorney-General. You have the floor, Sir.

HON. A. SAYED.KHAIYUM.- Thank you, Mr. Speaker Sir. Mr. Speaker, Sir, there has obviously quite a lot has been said, in particular regarding this motion and indeed the amendment to the motion.

I rise in support of the substantive motion and oppose the amended motion. Mr. Speaker, Sir, I would like to start off by saying that I am also from Nadroga. But also, Mr. Speaker, Sir, I am actually, well maybe, now I can say, I was a friend of Honourable Tikoduadua. In fact, after the events of 2007, the Honourable Prime Minister had assigned Honourable Pio Tikoduadua to the Ministry of Justice where I was the Minister for Justice and he became the Permanent Secretary and we forged, from my assessment, a very deep relationship. I had a very close relationship with him.

In fact, he was there when I was courting my wife and when we got married, he was there. In fact, he was the only Permanent Secretary, apart from the Solicitor-General, the Honourable Prime Minister who attended the private function at my brother's house when we had the religious ceremony. He was the only person there and he was very dear to me.

Of course, Mr. Speaker, Sir, that relationship grew even further when he became the Permanent Secretary in the Prime Minister's Office and then of course, he became a senior Member of the Cabinet of the FijiFirst Government post-2014. I was, I must admit, Mr. Speaker, Sir and I am speaking from the heart, I was quite upset when he actually left the party and resigned. He said it was health reasons and obviously, subsequently, there are other reasons that came up and I was always at a loss about that.

Now, Mr. Speaker, Sir, I was upset about it and I was hurt about it and I still in a way, I am ambiguous because I still want to reach out to him but I see him, he is probably seeing me as a political adversary. My short relationship with him, if it can cause me so much anguish, in particular when I considered him to be close to me and very dear to me and I shared many secrets with him, as he knows, both about my personal life, my married life, et cetera and he saw my son grow up, Ibrahim.

So, Mr. Speaker, Sir, I was actually thinking, here am I, I have only come onto the scene very recently, what would be the deep sense of relationship between the Honourable Tikoduadua and the Honourable Prime Minister. That, Mr. Speaker, Sir, says a lot and I can say also, my experience with the military camaraderie, it was very new in 2007 and I saw the deep sense of loyalty, allegiance and camaraderie that the military actually did foster. I, in fact, put myself in the shoes of the Honourable Prime Minister, at the hurt, at the anguish he would have felt, if the Honourable Tikoduadua had said, which he had said, that you should look into your own house.

Mr. Speaker, Sir, I think it is quite disingenuous for those who subsequently said that when he said “in your own house”, he meant “your party”. No one ever says, your party as a house or the house is your party. No one ever says the house as this side of the House. The House is the entire Chamber, Mr. Speaker, Sir. Unfortunately and I hope it goes on record that the *Hansard* actually should change the “House” to small “h”. It is not the House, he said in your house. The House is a capital “H”.

Mr. Speaker, Sir, a lot of things have been said and I wanted to raise a few words that actually came to my mind and they are due process, rule of law, justice (and I believe in substantive justice), precedents setting (as has been talked about), the actual offences themselves in the law itself whether it is in the Crimes Act or whether in any other type of law, democracy, parliamentary democracy, looking at other jurisdictions, whether there is contradictions, any oxymoron that had been discussed, vindictiveness, whether we are, in fact, are being led by some form of vindictiveness because it happened to XYZ person, therefore it should happen to this person; and whether we are looking at trial by media. Someone talked about, “Well the public has already decided that he is guilty.”

Is this not contradictory to the rule of law? Is this not trial by media? The very essence of breaking down what we call the rule of law and, Mr. Speaker, Sir, of course, we talked about high standards of behaviour that is expected of us.

Mr. Speaker, Sir, just very quickly, and I know we have all discussed this quite a lot, the reality of matter is, the Honourable Leader of the Opposition talked about parliamentary democracy - the sanctity of Parliament. And I want to remind him that this is the very Chamber in which he violated the sanctity of Parliament of elected representation. Mr. Speaker, Sir, therefore, I find that contradiction is something that needs to be of course addressed.

Mr. Speaker, Sir, with many people on that side of the House who talk about the events of 2000 as, “we support the course but not the method.” Yet, the method, was actually breaching the rule of law, was actually evading, raping parliamentary democracy, Mr. Speaker, Sir. So let us look at it from a realistic perspective.

Honourable Bulitavu’s matter was used, absolutely, it is not a privileged matter. This is why the motion was brought because it was a matter of national importance, and this is why in the same way as Honourable Members from the other side have a right to bring motions on various topics which they believe is important to them, they do bring those topics and we do debate those topics. So this side of the House felt that it was an important topic that needed to be discussed, domestic violence that had been also given a racial tint, that is why it was discussed. That is nothing untoward about that.

Mr. Speaker, Sir, of course his comments were outside the precincts of Parliament, it does not mean the motion cannot be brought about.

Mr. Speaker, Sir, I found that a number of the comments by Honourable Members from the other side were quite contradictory because on one hand they talked about the independence of process, they talked about the independence of the Police, yet in the same breath or a few sentences later they condemned the Police.

They have already made an assumption that the Police will do XYZ. Where is the independence of the Police? They said the Police will already do this. They are already condemning the Police, they are already pre-judging the matter. They are saying it is assault. Where is assault in the Criminal Procedure Act? Mr. Speaker, Sir, it has not been established.

We have seen numerous instances of videos released on social media that had been doctored. I think someone from that corner mentioned that I had prohibited them from coming in because the Privileges Committee must look at evidence that is reliable, that is credible. So that is the reason, Mr. Speaker, Sir. They talked about due process, about natural justice. These are the essential ingredients of due process, of natural justice, Mr. Speaker, Sir.

Mr. Speaker, Sir, again, the Honourable Leader of the Opposition started quoting from the *Erskine May* about someone who had been criminally convicted. No one has been criminally convicted in this particular case, so it is completely irrelevant.

Mr. Speaker, Sir, we have, of course, heard the issue about Honourable Ratu Lalabalavu, about his particular matter. I mean, there is one particular word that Honourable Kepa said that he had said, in fact, he had said other words too, and I do not want to go into those words.

But Mr. Speaker, Sir, as any good lawyer will tell you, you do not apply the law equally to all evidence or on all matters; it depends. This is why even in the law there is a demarcation, there is a finesse, there is a nuance approach to law in area of assault.

You have common assault, you have occasioning Grievous Bodily Harm. You have murder, you have manslaughter. You have different grades, different instances, each matter turns on its own facts, on its own evidence, on its own law, on the precedent that has been set. To come here and say, “Let’s wipe the table clean with a one cloth” is completely incorrect. Honourable Ratu Lalabalavu’s matter was about the fact that the very institution of the Legislature was being attacked which is embodied in the Speaker.

Mr. Speaker, Sir, we came out in 2014 from an event of 2000 when in Veiuto people had again violated not just from a structural perspective but physically, people were found copulating on the chair of the Speaker. It is a fact. It is a documented fact. People were copulating on the chair of the Speaker.

This Chair, Honourable Speaker, Sir, that you are sitting on was found somewhere else, somewhere in the rubbish. It was brought and cleaned and put here. This was a gift from the Indian Government, Mr. Speaker, Sir. That was what happened. This is why it was so important to send a message in respect of anyone that violated the very institution of the Legislature.

Again, the Honourable Tikoca’s matter and the Honourable Roko Tupou Draunidalo’s matter, it was again to do with racial matters, Mr. Speaker, Sir. And we have had a history in this country of racial antagonism. The Honourable Leader of the Opposition justified his coups on that basis; we know that.

Events of 2000 were justified on that basis. It has been a bane of our society. That is why it was very important to deliver a clear message regarding those issues that we, as Members of Parliament, need to set a particular standard in those critical issues that affect the nation State of Fiji because that was what had been used, Mr. Speaker, Sir.

Mr. Speaker, Sir, again, the Honourable Leader of the Opposition talked about the Commission of Inquiry, et cetera. I mean, it is completely irrelevant.

Mr. Speaker, Sir, the other issue that I want to highlight is, again, the contradiction. Honourable Qerequeretabua said it is not a privileges matter and I, again want to be reiterate the letter that was sent by the Leader of NFP, Honourable Professor Biman Prasad on 9th August and addressed to you, Sir and I quote:

“We refer to a earlier letter of this afternoon under the above heading (the heading is, “Urgent request to secure CCTV footage of Parliament for Friday, 9thAugust, 2019) We need to clarify to you that this is a matter which we intend to bring to the Privileges Committee of Parliament. It will, therefore, become a Parliamentary matter.”

Mr. Speaker, Sir, I hope Honourable Members stop being disingenuous. We need to come this debate with clear hands. So, the reality of the matter is, Mr. Speaker, Sir, that the intention was there.

The reality of the matter is, that again, as highlighted by the Members on this side of the House, the Honourable Prime Minister as you are aware, Mr. Speaker, Sir, a few hours later, I think approximately three and half to four hours later was in your Chambers, apologised to you, apologised to Parliament and wanted to apologise to Honourable Tikoduadua.

We understand because of the non-availability of Honourable Tikoduadua, that meeting did not take place. It was to be on Saturday at 10.00 a.m. because the Honourable Prime Minister was leaving for Tuvalu for the Pacific Islands Forum Leaders Meeting on Sunday. That meeting did not eventuate.

He subsequently then again went to you, Honourable Speaker, Sir, at the InterContinental Hotel when we had a workshop on the SDGs. Again he made attempts. That did not eventuate. Again, through the Privileges Committee, Mr. Speaker, Sir, the Privileges Committee put it to him, is he willing to apologise? He said, “absolutely yes”.

So, Mr. Speaker, Sir, the reality of the matter as someone said, “Man up”, et cetera. I will tell you, it takes a bigger man to recognise his mistake, and apologise and say, “I did wrong and let us move along.”

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. OPPOSITION MEMBER.- You need help.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, we all know who needs help.

Mr. Speaker, Sir, the Honourable Professor Prasad talked about the sanctity of Parliament and how NFP has been there for 56 years, et cetera. I recall, Mr. Speaker, Sir, when the 1990 racist constitution was put in place, the skewed Constitution, they had the election in 1992. The NFP was the first party that said, “Despite the flaws of the 1990 Constitution, we will not boycott the elections, we will participate because we can actually change from within.” The Honourable Leader of the Opposition is aware of that, and that led to the relationship between him and the Leader of the Opposition then, Jai Ram Reddy.

The Labour Party decided to boycott. It was only the eleventh hour they decided to participate. Yet, the Honourable Professor Biman Prasad was absent from Parliament for the last four days. For the last four days he has not been here with his Party, and I hope the Party stalwarts are watching what he is doing, Mr. Speaker, Sir. This is the kind of hypocritical position, Mr. Speaker, Sir.

Mr. Speaker, Sir, the other issue that I wanted to talk about is that, again, people have talked about assault, it has not been established. You cannot say that. If you in one reath talk about the due process, if you talked about the rule of law, you do not make judgments even before the process is completed.

There are two processes available, Mr. Speaker, Sir. The Parliament, as one of the arms of the State has the ability to govern its own affairs. The matter happened in the precincts of Parliament, Mr. Speaker, Sir, so Parliament is seized of the matter and is dealing with the matter.

The Honourable Tikoduadua decided to report the matter to the Police. That is a separate process, and that process will be completed. Unfortunately, the Honourable Members here today decided to comment on that. They have already commented on the credibility of the Police Force, trying to taint the Honourable Minister for Defence, I know the Honourable Qereqeretabua has got some imbecilic reading of the Constitution, the Constitution is quite clear.

(Honourable Member interjected)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- The Honourable Minister for Defence does not run the Police Force, he is the Minister responsible, he does not run the Police Force, the Police Force is independent, it has got its own processes. They should know that, Mr. Speaker, Sir.

Mr. Speaker, Sir, again, anyone watching the video would know the Honourable Prime Minister was actually on his way to the car. Any person would know that, if you watched the video, he was on his way to the car, then obviously something gained his attention, then his attention was diverted. It was not pre-meditated, it was a spontaneous reaction, Mr. Speaker, Sir.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- This is why, within a few hours, he actually went and he immediately apologised to you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I want to, again, highlight this issue about what they brought in about Honourable Lalabalavu and the other members who were suspended. Like I have said, each matter turn onto its own facts and I have related to that. You cannot use that. Honourable Nawaikula, Honourable Tabuya, Honourable Qionibaravi and Honourable Bulitavu know that, they are lawyers, they know that these matters turned on their own facts.

Honourable Salote Radrodro said, if this had happened in Australia or New Zealand, people would have resigned. Let me quote what happened in Canada, which is a far more mature jurisdiction than Australia or New Zealand.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- The current Prime Minister of Canada, Mr. Justin Trudeau, when there were people who were gathered on the floor while Parliament was in session, he rushed to a group of people who were delaying the vote on a particular Bill. He rushed through them, there is video

footage on that. They have also the report of the Privileges Committee that dealt with it too. Please have a look at it.

He rushed towards them, he manhandled, as they say, grabbed one of the Whips, I understand, to bring him to vote. In the process, he elbowed the breast of one of the MPs and as quoted, since Honourable Qerequeretabua has decided to use expletives in this Parliament, he said, “get the fuck out of my way.”

Mr. Speaker, Sir, the matter was dealt with in that particular jurisdiction because they wanted examples of that. He actually apologised, Mr. Speaker, Sir. The matter was referred to the Privileges Committee also, Mr. Speaker, Sir.

So, these are some of the examples on a Commonwealth jurisdiction from Canada, a far more matured democracy than countries, like Australia and New Zealand because they should have actually done their research, Mr. Speaker, Sir.

Mr. Speaker, Sir, the reality of the matter is, the Honourable Leader of the Opposition, I was there, I saw the Honourable Leader of the Opposition with his own entourage that went to meet the Honourable Prime Minister on that particular day. The Honourable Prime Minister had already made overtures, not just overtures but made four attempts to do the apology.

The Honourable Leader of the Opposition came with the entourage and they asked him whether he wanted to apologise or not will be reconciled. He said, “Of course”, that was a good spirit but he had already started the train, unfortunately that did not eventuate. And Honourable Lalabalavu with all due respect to him, I found the first half of what you said, I liked, the second half I found that you contradicted yourself because you talked about reconciliation, the need to do it, and this is our way to do it, but in the next breath you said, “Get rid of him for the next two years.”

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- I do not know whether he said it because you were suspended for two years.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- So, Mr. Speaker, Sir, the Honourable Prime Minister unlike Donald Trump has not ever claimed to be the messiah, please, remember, that. He has never claimed to be the messiah.

Many people call you different names, it does not mean that you are that person. If other third parties are doing it, that is their choice, Mr. Speaker, Sir.

Mr. Speaker, Sir, I would like to commend the Privileges Committee. My last comment, Mr. Speaker, Sir, once you are appointed to a Committee, you have a fiduciary duty to that particular Committee. You cannot be implicated or influenced by those outside whether it is from your Party or not your Party, that is a fiduciary duty you have, Mr. Speaker, Sir. And by all indication it would appear that some of the members of the Privileges Committee did not fulfil that fiduciary duty by being influenced.

Mr. Speaker, Sir, the Honourable Leader of the Opposition wrote a letter which said that I was conflicted. NFP wrote a letter that I was conflicted, Mr. Speaker, Sir. I immediately stepped down, but the Honourable Leader of the Opposition continued to sit even though he made statements on it.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Even though he made statements on it.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- So, Mr. Speaker, Sir, just in my last sentence. I mean these are the kind of contradictions that are taking place.

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- It is a good sign. Mr. Speaker, Sir, I support the motion. Thank you.

(Acclamation)

HON. SPEAKER.- Honourable Members, I thank the Honourable Attorney-General. I now give the floor to the Honourable Pio Tikoduadua, you have the floor, Sir.

HON. LT. COL. P. TIKODUADUA.- Thank you, Honourable Speaker. It has been four days since I spoke in this House, I am being reminded again.

Before I make my case before Parliament and before the nation who are following this proceedings, first of all I would like to read a verbatim on the subject that has actually got me under hook here and perhaps, my hate rests upon the process that we follow after this, in terms of whether I be suspended or I am not.

Now I would like to read to the Honourable Speaker in terms of the verbatim on that day and in particular of what I had said during my right of reply, and I quote:

“Honourable Speaker, let me talk about yesterday. Honourable Professor Prasad gave the position of NFP on this matter and what my Honourable *Tauvu* did is deplorable, despicable. I was raised by a single mother, he should not have said that to every woman. But, Honourable Speaker, I tell the Government - get off your high horse, you are the last people to talk on this - The Honourable Prime Minister should be the last person talking about violence against women in this House, he should be the last. You should know what is happening in your own House. You should know!”

Honourable Speaker, I thought, just for the benefit of Parliament before it votes, I just need to speak on a few matters with regards to why I am standing up here in terms of speaking to Parliament before you vote. First, I acknowledge, Honourable Speaker, that this is a political process that is going to determine in terms of my fate in the House with regards to a political process that has been convened

through your directive, the formation of the Privileges Committee which has brought its recommendation to the House and the House is now debating and soon after this, we will report on it, after the address by the Honourable Prime Minister.

So, I will start, Honourable Speaker, and I would like to address you, in particular, with regards to a few issues and then I would go back to what I said in the House, then the events that occurred outside in terms of how I saw and what I felt when it happened and then eventually, I will then address the issue of apology.

Now, Honourable Speaker, perhaps the first critical decision that I want to point out is your Ruling immediately on that day with regards to the Point of Order that I had made. Honourable Speaker, on the day when I had made that statement that I read and the Prime Minister stood up to raise a Point of Order to say that I was personally attacking him, to which I said “No” and the verbatim would suggest also that the Honourable Attorney-General said “Yes, you did” and I said “No” and then after that by the Attorney-General, Honourable Speaker, you directed me to say that I could continue with my Right of Reply.

Now, I took that and I said this to the Committee, that your Ruling because you did not make a Ruling that there was no matter, that you did not see any issue with regards to what I said for the fact that I had made personal attacks on the Prime Minister, so I continued. But, of course, later on he had made that Ruling that you found *prima facie* evidence with regards to that but that was on that day. I continued to insist that you on that day, Honourable Speaker, did not see any issue with regards to what I said and therefore in accordance with the fact that I did not make personal attacks on the Prime Minister.

Now, Honourable Speaker, the other issue perhaps I want to raise with you whilst I am still on it, is that after all the events on Friday, then I got communications from the Secretary-General that you had wanted to see me on Saturday. I had replied to her by text that at that time, I still felt traumatized and I had to particularly look at my family who were worried about me at that time, that I would not be available on Saturday. So, I asked if I could see you, Sir, on Monday; Honourable Speaker you would recall.

On Monday, I was coming and as I had mentioned to the Secretary-General that I was caught up in traffic and particularly at that time I was in Koronivia and I was rather delayed, I could not get here in time as I was coming from the village. So, I called the Secretary-General to ask you, Sir, if it was all right that I would see you because I was on my way and she said that it was all right. Then in the course of that conversation, Honourable Speaker, I mentioned to the Secretary-General that I would like the Honourable Professor Prasad, my Party Leader to accompany me to see you, Sir.

And when I got to the junction at QEB, I called the Secretary-General because I saw her ”missed call” on my phone and I stopped and called and she said that you, Sir, could not see me on that day and that you would see me later. Obviously that was the first time that your office was involved and so on Friday, 9th and Monday, 12th that you could not see me and then later the other time that you reached out to speak to me was on the morning of 29th August which was the Thursday, the weekend that we were down at the InterContinental.

The Secretary-General came and stood in front of me, and I said, “Well, you do not normally come to see me at breakfast.” She said. “Yes, the Speaker wanted to see you.” I said, “Okay, that is fine”, so we went on to meet. But Honourable Speaker, why am I raising this to your Chair is because it relates to the apology that I am going to talk about later, particularly, for the Honourable Prime Minister is that at no time in your Ruling you said that, “Unfortunately, this meeting did not eventuate because Honourable Tikoduadua was not available to meet me on his own.” But I think the Honourable Leader of the House has just briefed the House that he had met you also with the Honourable Prime Minister. So now I am a bit baffled, Honourable Speaker, why it was that you could not see me because the first

attempt by the Honourable Prime Minister to apologise came through you, Sir, and that you also told me that when we met in Natadola.

Obviously, all those discussions came about with regards to why you wanted to know why it got to that and that why that happened, and we went back, so at that time when we met, you were alluding, Honourable Speaker, to your discussions with the Honourable Prime Minister. I never got the impression at all that you were going, that you had intended to facilitate that on his behalf with meet me there or come to Suva, because he expressed all what he wanted during a meeting. I am kind of a bit confused because when we are talking about reconciliation and your involvement, I am kind of a bit confused because it was all coming through your office and not directly to me.

So, I wanted to just leave it at that and maybe this whole issue of reconciliation, may be, Honourable Speaker, it would have been done better if perhaps you, Sir, had taken a bit more aggressive step or something to that effect.

Honourable Speaker, on what I said in the House, I have read it, there has been so much debate. There has been reference by the Honourable Attorney-General with regards to family, friends and friends versus enemy or opposition, particularly, my relationship with him, and I totally agree with what the Honourable Attorney-General is saying and how he saw my relationship with the Honourable Prime Minister. I was also asked in the Committee whether I was still his friend or whether I saw him as a friend.

Honourable Speaker, I am at peace. I know what I said, I have read it and it is on verbatim. I, at no time had any inkling whatsoever with regards to the mention of the Honourable Prime Minister and his house relating to his family. The word “family” has been coming out so often in this. I know one thing, I did not mention, the word “family”, I never mentioned the word “home”. It was all the assumptions about what I meant when I had said that.

But Honourable Speaker, I know what I meant and I want to tell Fiji that I know what I meant. I did not mean the Honourable Prime Minister’s family. I did not mean, Mrs. Mary Bainimarama, I did not mean Rubyanne, I did not mean Dee or Litiana, I did not mean Ditui, I never meant Tu Meli nor did I mean Bernie. This is the level of my familiarity with his children and Mrs. Bainimarama, never would I do that. It was quite clear what I meant, and it meant that I was referring to the Members of the FijiFirst Party.

In all sincerity, I took an oath to tell the truth during the Committee, that I stand by it, I absolutely stand by it. No matter what my fate, I stand by it. I am not and I have never, I know the family very well. Honourable Speaker, you have all heard Honourable Lenora describing the event outside, I am not going to go into it. I am just going to say one thing, the Honourable Prime Minister had never called out to me in four and half years. I know his voice, I know when he is angry, I know him 31 years, I worked intimately with him for almost 20 years and I know his voice. He never called out to me for that long - six years. Very sternly and I know that voice.

If someone who was obsessed with anger, I was questioned about my sanity in the Committee whether I was all right. When he called me in the manner that Honourable Lenora had described earlier and I am not going to follow it with a male tone, I walked back towards the car park and he came and I know what happened to me. No matter how it was watered down or evidence of assault, I know what happened to me. I know he broke my glass. I was not holding my sunglasses, it was in my pocket, I reached down to pick it up and Honourable Speaker, what did I do? My hands were falling, completely falling for very, very obvious reasons. I absolutely had no intent to create any reprisal with the Prime Minister.

It ran through my mind, if I retaliated now, those boys who were looking after him, I put them there; I put Sami there, I put Wara there. I protected him from 2000 like I told you, those boys are still there. They know me, I know them, I meet them every day, I know what they are, I know what are they capable of, I trained them, I only had to do something stupid as I told the Committee. The Honourable Prime Minister was this close to me. I am trained in every way in military capability, in unarmed warfare, in the use of arms, I did nothing. I absolutely did nothing. Who am I protecting in that first instance, it is the Honourable Prime Minister and the nation irrespective of those that were coming after him who did not even attempt to stop him, let alone the police who were standing on the steps.

My good friend, Honourable Seruiratu said he tried the attempt four times, he never came to me once. Honourable Speaker, he came to you twice, I was in the same room as you when he came to see you twice. He knows me, he knows where I live. When he called out to me to stop, it was not by a Standing Committee or Privileges Committee, it was never because in the House he called me “Pio” not in that tone but louder. That I expected because of what I had experienced that daily, if it was genuine enough, if it was sincere that he would have come to me, and I am sure Honourable Speaker, I am trying to find sincerity, it is not here tonight, not yet.

But I am only drawing all these conclusions and it is going through my mind. The sincerity of it and even the Honourable Sitiveni Rabuka and the chiefs came to see me, “no, no”. The Honourable Attorney-General said, “It is between him and I” and I would have loved that. But much has happened in between, so many lies, so many lies about me. So many things has been done, I worry for my family and the Police and what they would do. The sincerity of the whole thing, maybe it is very, very difficult for me to even think about it. The Honourable Prime Minister would apologise today and that is his right.

I would like now, Honourable Speaker, to speak particularly on the apology. The recommendation is that, if I do not apologise because that is the recommendation of the Committee, then the House would vote that I will be suspended for six months. I made a statement on oath, I swore on the *Holy Bible*. I know what I said. It is on record. I know exactly what I meant. I cannot apologise for something to someone else things about what I said; I cannot. Therefore, it is against my principle and my honour to apologise some things that are never intended.

All that is said and I accept what everyone has said, but I only know what I know and I feel. The Committee will tell you, so many questions were raised about the Honourable Prime Minister to me, I uttered no word. Not one. So I know what I said, I know what I meant. I will stand by my virtue, my principles and my honour before this House and before this nation. I never offended Mary nor Ruby (and I hope the children are listening to me) nor Dee, nor Ditui nor Bernie and Ratu Meli. The Honourable Mahendra Reddy was going on about Tu Meli to me, mentioned him four times. Why? It is terrible, in my view.

Therefore, Honourable Speaker, with everything that has been said, there is no conspiracy theory that I planned it. I did not. I did all my best not to attack the Prime Minister that day. If I had done a stupid thing, it would be a different situation now. Absolutely! I trained those boys. I know what they would do and therefore, with everything that has been said, I stand with my honour today and if that would mean that I leave this House for six months, I leave this House for six months and I hope that I would consider to come to the House again at the end of it. My mind and my conscience is clear. Thank you.

(Acclamation)

HON. SPEAKER.—I thank the Honourable Tikoduadua for his statement. We will now go into the Right of Reply and I call on the Honourable Ro Filipe Tuisawau for his Right of Reply. You have the floor, Sir.

HON. RO F. TUISAWAU.- Thank you, Honourable Speaker. In my right of reply, I know a lot has been said from both sides of the House regarding the issue. We have heard Honourable Tikoduadua regarding his version and it is not my duty to pass judgement on anyone except just to highlight a few issues.

The other side has tried to justify the six months suspension and the apology and we have heard all sides of the House, from our side, especially from Honourable Tikoduadua which I need not further elaborate on. We have heard, some of us explained about what good leadership is, the virtues of a good leader, righteousness, what the nation needs at this moment in times where there is confusion in the leadership as to what is right and what is wrong and there seems to be the situation where a wrong is a right and a right is wrong which is something we need to deal with as a nation. We also discussed what happened on the day, the assault, what “house” meant, whether it was this House or the family of the Honourable Prime Minister Bainimarama. We have heard from Honourable Tikoduadua and he himself knows what that means and he has explained it.

Sir, what is at stake here is the leadership of the nation, how we move forward, how we define leadership, what are the values required of us as leaders, and this is what is at stake and something which is very critical. The Committee has done its work, some of them have expressed their views today and we have heard it and there is no need for me criticise them again, that is their view and we have our views. The last point I think which I need to elaborate more is the process of apology.

When one apologises, you are apologising to another person which you have offended. The way the Committee has made its decision is an apology to me in a vacuum and in the process of apology, for example, in the Fijian context, *matanigasau*. When you offend someone, you expect that person to apologise to you through an agreement.

But here the parties who are offended and the offender, the Committee does not seem to have taken that into account. It seems that we will be apologising in a vacuum and a person who is apologising, if it is genuine, they will need to have a heart of forgiveness themselves. But we have not seen that from the Honourable Prime Minister for a long time since the events of 2000, from 2006 and even 2006, no one from the other side of the House has acknowledged that, that act was treason. It resulted in the illegitimately elected Government and even resulted in human rights abuses, and no one has apologised for that. In fact, there is a denial that that happened.

Honourable Speaker, Sir, to me, I do not understand the situation right now because he is being asked to apologise, but no apology has been made. Yes, the result of confusion is the leadership. I am not confused, I know what I am talking about. I know what I can do in order to correct that, but the other side of the House does not know what to do which has resulted in this situation.

With that, Mr. Speaker, Sir, I support the amended motion to extend the suspension for two years. Thank you.

HON. SPEAKER.- I thank the Honourable Ro Filipe Tuisawau for his Right of Reply. I now give the floor to the Honourable Minister Mahendra Reddy for his Right of Reply. You have the floor, Sir.

HON. DR. M. REDDY.- Mr. Speaker, Sir, a lot has been said with regard to the motion that I have put forward and also in response to the motion that some say that there was no violence, some say there was violence, some say that we must use precedence, some say that we must look at the gravity of the offence, some say that the process was not followed, some said that the Committee was not properly constituted, some say that the report tabled is not a Committee report, some say that we should have looked at the gravity and the breach of the privilege.

Mr. Speaker, Sir, I will be addressing these issues in my Right of Reply. Mr. Speaker, Sir, this morning in moving the motion I clearly stated that:

- a) We must at all times uphold the integrity and decorum of Parliament;
- b) We must at all times ensure that Parliamentary democracy is allowed to work.

Mr. Speaker, Sir, in light of the above, on 2nd September, 2019, your goodself referred a matter of privilege involving the Honourable Prime Minister and Honourable Lt. Col. Pio Tikoduadua to the Privileges Committee, to examine if there was any breach as to Parliamentary privilege and procedures. If found, recommend to this House what action needs to be undertaken on those who were found to have breached the privilege accorded to them by virtue of being a member of this House.

Mr. Speaker, Sir, we spent the last four days and this morning on this case referred to us. The two key issues that was left to us that we examined, was there a personal attack on the Honourable Prime Minister? Was there an attack on the family of the Honourable Prime Minister by Honourable Lt. Col. Tikoduadua?

The other complaint that we were required to examine, was there a breach of privilege in the manner in which the Honourable Prime Minister approached Honourable Lt. Col. Pio Tikoduadua to seek explanations on his comments in Parliament on 6th August, 2019? These were the two issues that we were tasked as a Committee to examine.

Mr. Speaker, Sir, in doing so, as you have heard the Honourable Lt. Col. Seruiratu, Honourable Maharaj in the Committee, unfortunately the two other Members of the Committee were very silent and did not utter a word.

In doing so, we interviewed the two parties, Honourable Prime Minister and Honourable Lt. Col. Pio Tikoduadua, and other witnesses. In doing so, we have examined case laws in other jurisdictions outside Fiji. In doing so, we examined privileges cases before this Parliament over the last five years.

Mr. Speaker, Sir, when we examined the witnesses, we gave particular credibility to the two witnesses - the Honourable Prime Minister and Honourable Lt. Col. Pio Tikoduadua. We wanted to hear them. We wanted to see their explanation and we got this, we got their response on oath. We did examine and get testimony of few other witnesses, and we had to disregard the testimony of some of the witnesses when we found that there was a contradiction in their testimony.

Mr. Speaker, Sir, when we examined the case laws and in jurisdictions outside Fiji, we put those case laws in perspective.

Mr. Speaker, Sir, when we examined the privileged cases before Parliament over the last five years that had been dealt with, we examined what was the impact of those issues on race basis in this country. We had examined the impact of those issues on the impact on national unity with the impact on those issues, on our Government's vision to achieve national unity.

Mr. Speaker, Sir, each case differed between the other cases. We cannot say that we should give the similar kind of punishment, similar kind of recommendation as the previous case because every case is different.

Mr. Speaker, Sir, when examining the matter, we noted and established beyond doubt that the Honourable Lt. Col. Pio Tikoduadua did make personal attack on the Honourable Prime Minister. Mr.

Speaker, Sir, let me read out the verbatim on Page 21, I had asked the Honourable Lt. Col. Pio Tikoduadua, right at the bottom of the page, I quote:

“Now, I will read the statement that you gave in Parliament on that day, the day this alleged event took place. I will read the entire paragraph from Page No. 2836 of the *Daily Hansard* of 9th August, 2019 and I quote:

“Honourable Speaker, let me talk about yesterday. Honourable Professor Prasad gave the position of NFP on this matter and what my Honourable *Tauvu* did is deplorable, despicable. I was raised by a single mother, he should not have said that to every woman. But, Honourable Speaker, I tell the Government - get off your high horse, you are the last person to talk on this. The Honourable Prime Minister should be the last person talking about violence against women in this House, he should be the last. You should know what is happening in your own House. You should know!”

I posed a question and asked, “Why did you say that the Honourable Prime Minister should be the last person talking about violence against women in this House?” Honourable Lt. Col. Tikoduadua’s response was this, and I quote from the verbatim:

“Thank you, Honourable Chairperson. I know the Honourable Prime Minister as Commander very well and for the dignity of this Honourable Prime Minister, I would ask the Committee’s discretion to tread very well, unless they want it on public record, but if you want me to answer this, then I am going to answer this.

Now, if you are implying anything because you have been asking me about Meli Bainimarama, I have never referred him in name.”

Honourable Speaker, Sir, what is it that he knows about Honourable Prime Minister? Over the last 31 years, he looked after him and today he comes and tell the Committee that “yes, if you want, I will tell you about him, but better not let me open my mouth”.

I again asked him later in there, I said “So your response now says that you know something about Honourable Prime Minister in person with regards to violence against women?” He says, “Yes.” Now he is coming and saying, “No I did not say anything personal about him”. Right here, he said, “yes”. Look at page 22 of the verbatim on his first interview to the Committee.

Honourable Speaker, we had established consensus in the Committee that Honourable Lt. Col. Pio Tikoduadua did make personal attack on the Honourable Prime Minister’s family. Mr. Speaker, Sir, on that day, the Honourable Prime Minister stood up and asked him, “Why did you attack me? Why did you attack my family?” He did not say, “No, I was referring to the party” Why today, is he coming here and saying, “I referred to the party,” Why did he not say that on that day?

Honourable Speaker, Sir, we all know that when you said in Parliament, you have said it in Parliament in the past “that side of the House”. We do not say “your House”, I have never said to Honourable Rabuka “your House”. It does not make sense, it is not logical because in this House there are 51 Members. Not all 51 Members belong to him. I have never said to Honourable Professor Prasad, “Your House”.

Honourable Speaker, Sir, he had referred to the Honourable Prime Minister, he had attacked his family.

Honourable Speaker, Sir, the last 31 years of association from PSO to Lieutenant Colonel, to Permanent Secretary of Justice, to Permanent Secretary in the Prime Minister's Office to Minister for Infrastructure, and this is what Honourable Prime Minister has done, the liberation he has given him and this is what he gets.

Mr. Speaker, Sir, on that day when Honourable Lt. Col. Tikoduadua attacked him, he accepted it but the attack on his family was not acceptable.

Honourable Speaker, Sir, attacking his family implies attacking his children, attacking his grandchildren, attacking all children in Fiji for whom he has made education free.....

(Honourable Members interject)

HON. N. NAWAIKULA.- That is not in the record! Please, speak from the record. Be fair!

HON. DR. M. REDDY.- You've had your time.

HON. N. NAWAIKULA.- Don't come and mislead this House!

HON. SPEAKER.- Honourable Member, you have the floor on your right of reply.

HON. DR. M. REDDY.- I repeat, you have had your time. It is my time.

(Honourable Opposition Members interjected)

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- Logical extension.

(Inaudible interjection)

HON. DR. M. REDDY.- Logical extension.

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- Mr. Speaker, Sir, attacking his family implies attacking his children, attacking his grandchildren, attacking all children in Fiji because he is the Prime Minister of this country. I will repeat and continue to repeat, attacking all children in Fiji for he has made education free, for he made the bus fare free, making his best to secure a better future for them.

Mr. Speaker, Sir, attacking him means attacking his ideology for one Fiji with one vision of peace and prosperity. Mr, Speaker, Sir, I can say that too.

(Honourable Opposition Members interjected)

HON. DR. M. REDDY.- I can say that too but I respected you.

HON. N. NAWAIKULA.- Shame on you!

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- Mr. Speaker, Sir, at that moment he was hurt, he was a broken man, he was searching for answers as to where he had gone wrong. He was a broken man. Where has his family gone wrong? Where have his children gone wrong? Where have his grandchildren gone wrong? Where have the children of this country gone wrong?

(Honourable Opposition Member interjected)

HON. SPEAKER.- Order!

HON. DR. M. REDDY.- Mr. Speaker, Sir, he got up to seek answers, he was not given answers.

HON. N. NAWAIKULA.- Where are you reading this from?

HON. DR. M. REDDY.- You know what a right of reply is?

(Honourable Opposition Member interjected)

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- Mr. Speaker, Sir, he got up to seek answers. He was not given answers and he left the House to go home.

On the way home as he approached his vehicle, he saw Honourable Lt. Col. Pio Tikoduadua at the car park. The hurt man, the broken man looked at Honourable Tikoduadua to get answers after 31 years of association and gave him the leverage to get him to where he is now.

(Honourable Opposition Members interject)

HON. SPEAKER.- Order!

(Honourable Members interject)

HON. SPEAKER.- You have the floor, Honourable Member.

HON. DR. M. REDDY.- Mr. Speaker, Sir, we note the manner in which Honourable Prime Minister approached Honourable Tikoduadua was not appropriate. Mr. Speaker, Sir, now let us compare who is a greater offender.

Mr. Speaker, Sir, the one who attacks the Honourable Prime Minister, his family, his children, grandchildren and the children of Fiji or one who holds the shirt and asks why you attack me and my family? Who is the great offender?

Mr. Speaker, Sir, they have not been through the documentation, they have not been through the examination, we have been through the five of us.

Mr. Speaker, Sir, despite this the Honourable Prime Minister made several attempts to apologise with regards to the manner in which he approached him to seek answers. He wanted to apply it in the manner in which he approached him.

Mr. Speaker, Sir, the Honourable Tikoduadua refused to accept his apology. In the Committee we asked the Honourable Prime Minister, are you willing to apologise? He said, 'yes'. We asked Honourable Tikoduadua, are you willing to apologise. He said, 'for what?' Exactly, he said for what.

HON. N. NAWAIKULA.- He has explained.

HON. DR. M. REDDY.- I explained to him for what and I said, are you willing to take Honourable Prime Minister's apologies? He said, 'I need to think.' I said, alright, how long do you want to think, half an hour? He said, 'I need to think', I said, one hour? He said, 'I need to think.' I said, "give us a time". He said, "No I cannot."

Mr. Speaker, Sir, the six Member Committee agreed with the recommendation last night.

(Honourable Member interjects)

HON. DR. M. REDDY.- You do not know because you were not there.

HON. DR. M. REDDY.- Mr. Speaker, Sir, in the morning, we were supposed to sign the Report, the six Member Committee. Two members said that, 'no', we have problems, we have difficulty and we need 15 minutes of time.

Mr. Speaker, Sir, they said that they need to consult their Party, they left. Mr. Speaker, Sir, you are a member of a Committee. As the Honourable Attorney-General has said, your fiduciary duty is to the Committee. You cannot be influenced by your Party caucus, you cannot.

Mr. Speaker, Sir, they asked for a vote, we voted and it was defeated. When it was defeated, then she said, "We will not sign the Report."

Mr. Speaker, Sir, they did not get the result that they wanted then they refused to sign the Report. After we voted, they participated, they voted. When the vote did not get through, when they could not get the result then they decided not to sign the Report.

HON. ADIL QIONIBARAVI.- A Point of Order.

HON. ADIL QIONIBARAVI.- Mr. Speaker, Sir, I would like to inform the House ....

HON. SPEAKER.- What is your Point of Order?

HON. ADIL QIONIBARAVI.- The Honourable Mahendra Reddy is alluding to the fact that we had agreed yesterday. I would like to inform the House that I had made reservations to the recommendations that were made yesterday, thank you, that is in the verbatim. *Vinaka*.

HON. SPEAKER.- Order, order!

Honourable Minister, you have the floor. You have heard the Point of Order, you have the floor.

HON. DR. M. REDDY.- Mr. Speaker, Sir, I repeat that they, knowing that they had agreed with the recommendations yesterday, they have made some reservations, we have noted.

(Honourable Members interject)

HON. DR. M. REDDY.- Mr. Speaker, Sir, Honourable Qionibaravi is there, Honourable Bulitavu is there. They know, they asked for some reservations on the definition. They had deferred with us on the definition of "House". I am talking about last night, on the definition of "House". We say, Mr. Speaker, if you look at the Report the difference in opinion is noted there.

We said “All right, you do not agree with this, we note it here.”

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- After that, they agreed with the recommendations. Mr. Speaker, Sir, this morning, they came then they say “We think that we will not sign.” We said, “We ....”

HON. ADIL QIONIBARAVI.- A Point of Order, Honourable Speaker, Sir.

I would like to inform the House that we had asked for case laws, we have asked for the decisions of all the previous Committees. We had asked for the decisions for the relevant Parliament decisions on previous cases. Those information did not come to us until yesterday afternoon. There was no discussion to analyse the previous decisions of the Committee and the House. There was no discussions on the case laws. *Vinaka.*

(Chorus of interjections)

HON. SPEAKER.- Order, order!

Honourable Member, you have heard the Point of Order, you have the floor.

HON. DR. M. REDDY.- Mr. Speaker Sir, the Members were given research materials. The onus is on them to go and read and do their research as well and come prepared to the Committee. Mr. Speaker, Sir, having said that, I beg to support the motion that I move and I urge all Honourable Members of this House to support this motion. Thank you.

HON. SPEAKER.- Honourable Members, we will now vote on the amendment to the motion. The amendment is that:

- a) The Prime Minister, the Honourable Voreqe Bainimarama, apologises to Parliament and the Nation today;
- b) The Prime Minister, the Honourable Voreqe Bainimarama, is suspended for 2 years given the gravity of his breach of privilege and the high office he holds.

We will now vote.

Votes cast:

Ayes	-	23
Nays	-	27
Not Voted	-	1

The amendment is, therefore, defeated.

HON. SPEAKER.- Parliament will now vote.

The Question is:

That having received the Report of the Privileges Committee:

- a) That both, the Honourable Prime Minister and the Honourable Pio Tokoduadua, to immediately issue their apologies in Parliament today; and
- b) If the Honourable Prime Minister and the Honourable Pio Tikoduadua fail to do so, that they be suspended from the Parliament for a period of six months with immediate effect from 6th September, 2019.

Does any Member oppose the motion?

(Chorus of “Nays”)

HON. SPEAKER.- The motion is agreed to unanimously.

Motion agreed to.

(Acclamation)

HON. SPEAKER.- I call on the Honourable Prime Minister. You have the floor, Sir.

HON. J.V. BAINIMARAMA.- Thank you, Mr. Speaker. Mr. Speaker, Sir, I would like to once again apologise for my role in the incident involving the Honourable Tikoduadua which was recently taken up by the Privileges Committees.

As you have heard, Mr. Speaker, Sir, and as you know, Honourable Tikoduadua is a man I have known for decades, a man who once served as my Personal Staff Officer before and during the events of 2000, and subsequently as my Permanent Secretary. He, of course, then became a Senior Member of my Cabinet in the FijiFirst Government, after the historical Elections in 2014.

As my Personal Staff Officer, he spent many hours in my home with my family. He is a man I once felt was part of my family. He was a comrade in many changes we brought about in Fiji. We have a history.

Today, we find ourselves on different sides of the political isles, but our history as friends and colleagues taken with the statement he made about my family is why I reacted as I did the morning of Friday 9th August, 2019.

I fully admit that I momentarily and spontaneously let my emotions and the love of my family get the bad out of me. My actions were not appropriate and should not have happened. Indeed, Mr. Speaker, Sir, soon after the incident happened, I realised my mistake and came to you immediately to apologise to you, to Parliament and to the Honourable Tikoduadua.

It is unfortunate that Honourable Tikoduadua was not available to receive my apology in person nor has he made himself available in the subsequent attempts. Regardless, Mr. Speaker, Sir, I offer my unreserved apologies to him, to my colleagues, to the Parliament and to you, Mr. Speaker, Sir, for my actions, and I regret this event that has caused the distractions from the vital work of the Parliament in advancing the wellbeing of all Fijians.

I look forward to getting back to the national business of this august Parliament and to upholding the highest standards of conduct the Fijian people deserve and expect from those elected to serve their interest. Thank you, Honourable Speaker, Sir.

(Acclamation)

HON. SPEAKER.- I thank the Honourable Prime Minister. Leader of the House, are you ready?

Honourable Members, I intend to carry over the remainder of the agenda to the next Session of Parliament, so we will adjourn now. I am sorry, there is no dinner prepared, you will have to have cookies. The others are having cookies as well.

HON. SPEAKER.- I call on the Leader of Government in Parliament, Honourable Inia Seruiratu, to move a motion. You have the floor, Sir.

## **ADJOURNMENT**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Mr. Speaker, Sir, I move:

That Parliament adjourns until Tuesday, 12th November, 2019 at 10.00 a.m.

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote on the motion.

The Question is:

That Parliament adjourns until Tuesday, 12th November, 2019 at 10.00 a.m.

Does any Member oppose the motion?

(Chorus of “Nays”)

As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- At this juncture, Honourable Members, I sincerely thank you all for your participation and contributions during the Parliamentary proceedings in the course of this sitting period. The remainder of the agenda will be carried over to the next session of Parliament.

Honourable Members, I now declare Parliament adjourned until Tuesday, 12th November, 2019 at 10.00 a.m. We adjourn.

The Parliament adjourned at 6.52 p.m.