



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
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2018/19 SESSION

4 April, 2019

*Second Sitting of the Fourth Meeting
(Pages 1-27)*

Dr. Hon. W. McKeeva Bush, OBE, JP, MLA, Speaker

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PRESENT WERE:

SPEAKER

Hon W McKeeva Bush, OBE, JP, MLA
Speaker of the Cayman Islands Legislative Assembly

MINISTERS OF THE CABINET

Hon Alden McLaughlin, MBE, JP, MLA	<i>The Premier</i> , Minister of Human Resources, Immigration and Community Affairs
Hon Moses I Kirkconnell, JP, MLA	<i>Deputy Premier</i> , Minister of District Administration, Tourism and Transport
Hon Juliana Y O'Connor-Connolly JP, MLA	Minister of Education, Youth, Sports, Agriculture and Lands
Hon Dwayne S Seymour, JP, MLA	Minister of Health, Environment, Culture and Housing
Hon Roy M McTaggart, JP, MLA	Minister of Finance and Economic Development
Hon Joseph X Hew, JP, MLA	Minister of Commerce, Planning and Infrastructure
Hon Tara A Rivers, JP, MLA	Minister of Financial Services and Home Affairs

EX OFFICIO MEMBERS OF THE CABINET

Hon Franz Manderson, MBE, Cert. Hon.	<i>Deputy Governor</i> , ex officio Member responsible for the Portfolio of the Civil Service
Hon Samuel Bulgin, QC, JP.	<i>Attorney General</i> , ex officio Member responsible for Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon Bernie A Bush, MLA	<i>Deputy Speaker</i> - Elected Member for West Bay North
Capt A Eugene Ebanks, JP, MLA	Elected Member for West Bay Central
Ms Barbara E Conolly, MLA	Elected Member for George Town South
Mr Austin O Harris, MLA	Elected Member for Prospect
Mr David C Wight, MLA	Elected Member for George Town West

OPPOSITION MEMBERS

INDEPENDENT MEMBERS

Hon D Ezzard Miller, MLA	<i>Leader of the Opposition</i> - Elected Member for North Side
Mr Alva H Suckoo, MLA	<i>Deputy Leader of the Opposition</i> - Elected Member for Newlands
Mr Anthony S Eden, OBE, MLA	Elected Member for Savannah
Mr Christopher S Saunders, MLA	Elected Member for Bodden Town West
Mr Kenneth V Bryan, MLA	Elected Member for George Town Central
Mr V Arden McLean, JP, MLA	Elected Member for East End

OFFICIAL HANSARD REPORT
FOURTH MEETING 2018/2019 SESSION
THURSDAY
04 APRIL 2019
12:06 PM
Second Sitting

[Hon. W. McKeeva Bush, Speaker, presiding officer]

The Speaker: Good morning.

I will call on the Member for North Side to say prayers.

PRAYERS

Hon. D. Ezzard Miller, Leader of the Opposition, Elected Member for North Side: Let us pray.

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

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

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

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

The Speaker: Please be seated. This honourable Legislative Assembly is now in session. Proceedings are resumed.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

The Speaker: None.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: None.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

The Speaker: None.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 18/2018-2019— SAME-SEX MARRIAGE COURT RULING

[Continuation of debate thereon]

The Speaker: The Member for Bodden Town West is speaking and we want to give him a few minutes to enter the Chamber.

Just to apologise to Members for this very late start. We planned to be here for 10 o'clock but it could not be helped.

The Member for Bodden Town West.

Mr. Christopher S. Saunders, Elected Member for Bodden Town West: Thank you, Mr. Speaker.

Mr. Speaker, I just want to continue from where I left off last night, and I do not intend to be long, but there are some things that I need to get off of my chest.

Mr. Speaker, yesterday there was an article in one of the local online media houses where it was reported that the FCO (Foreign and Commonwealth Office) was disappointed in the position taken by the

Cabinet of the Cayman Islands with regards to appealing the decision made last Friday. Mr. Speaker, when I read that story yesterday, I was a little bit ticked, but I also recognised that maybe yesterday it may have been a little bit of an emotional day where Members had to say what they needed to say with regards to defending our way of life. I read the story again this morning, just to make sure, after a bit of sleep, that if maybe, yesterday, I looked at it with the wrong lenses. When I look back at the FCO's history and consider the damage they have done in places like Africa, India, and even right here in the Caribbean, some people can probably say, *Well, you know, Chris, maybe those things are things of yesteryear when they were busy doing their little mischievousness or past behaviour.*

One of the things I always remember, Mr. Speaker, is that past behaviour is indicative of future performance and when you look now, more recent, there is an article that was published back in 2017 that reads, and just to give you the headlines: "Black and minority ethnic civil servants in the Foreign Office earn £10,000 less than their white colleagues". This was not in the '50s, '60s, or the '70s; this is 2017.

There is also another article from a few years back; the headline was violent and brutal—"UK's Foreign Office admits cover up in Saint Elena child abuse scandal". I will not get into the details, but in looking at the FCO's behaviour over the years or centuries, in terms of what they have done across this globe, there has to be a certain amount of audacity, temerity and hypocrisy to really sit down and tell somebody, or anybody, that you are disappointed in their behaviour. One must have lived in what is now the new term, "an alternative reality", for him or her to get up and believe that they are any paragon of virtue, that anyone can sit down or give anybody any advice.

Mr Speaker, when I look at the ultimate boss in the United Kingdom, according to them, it is parliament, and the full name, just for the record, it is referred to as: "the honourable, the Commons of the United Kingdom of Great Britain and Northern Ireland in parliament assembled". I am curious as to why is it that the Parliament of the United Kingdom of Great Britain and Northern Ireland can pass legislation to allow same-sex marriages, but for whatever reason, the Parliament of the United Kingdom of Great Britain and Northern Ireland has chosen not to allow Northern Ireland to have same-sex marriages. The very Parliaments of Great Britain and Northern Ireland that passes legislation have basically said: *You know what; Northern Ireland, you do not need to do this.* This then begs me to ask the question: is this issue really a human right? I went through United Nation's Charter last night to refresh myself and did not find anything that said same-sex marriage is a human right.

Mr. Speaker, I accept the fact that despite the Brexit vote the United Kingdom is still a member of the European Union even though they may be on their way out; and inside the European Union, they have a court which my colleague, the honourable Anthony Eden for Savannah, will speak about. The European Court of Human Rights already ruled that same-sex marriage is not a human right. And we can now see that the very Parliament of the United Kingdom of Great Britain and Northern Ireland have allowed Northern Ireland to basically not push through same-sex marriage. So, I was a little curious, Mr. Speaker, as to why there is this argument that this is a human right, when in fact, it is not.

Mr. Speaker, every Member in this House, except the Official Members, knows what it is like to campaign, and people will sometimes say, *Well you know Chris, sometimes you are playing politics,* and I will correct them and say, *no, no, no, no. Prior to 2017, you can accuse me of playing politics, but now, I get paid to do politics and I know politics when I see it.*

Mr. Speaker, here are the facts: There are 650 Members in the United Kingdom of Great Britain and Northern Ireland's Parliament. The Conservative Government has 313 Members. Anyone can tell you, that in quick maths, of the 650, 326 is needed to get a clear majority. The Conservative has 313 Members; they are short of having a majority. They went out, Mr. Speaker, and they got 10 seats from the Democratic Unionist Party of Northern Ireland, and a part of that agreement is that, *I will help you prop up your government, but you cannot push same-sex marriage on me.*

[Inaudible interjection]

Mr. Christopher S. Saunders: Oh yes, they are very adamant against it; they have made it clear that they are straight-up conservatives. So, the point is, if the United Kingdom's Government of Great Britain and Northern Ireland are now out there making deals with other politicians to say, *We need your number to come and join our number to make a majority, but the price for those 10 seats is that we will exempt Northern Ireland from same-sex marriage.* Why are we then sitting and saying that this is a human right when in fact, what it comes down to is politics? They need their numbers and that is all it is.

Mr. Speaker, I was not surprised when I heard a congress person from California get up and advocate for gay rights. San Francisco is a big city, it is a lot of votes and they have to go and represent the people that put them there. I have no problem with that. Equally so, I have no problem with a senator or congressman from Alabama, Georgia, or Mississippi opposing the same thing, because in his state, he does not want it.

Mr. Speaker, yesterday, I alluded to the fact that we are opening a door and we do not know who we are going to let through this door. I accept the fact that people can love people. I accept the fact that people can even love multiple people, but still, that does not give you the right to say, *You know what, I want to be married.*

Mr. Speaker, I am going to tell you something right now that came across me that really frightened me last night as I thought about this. Yesterday we were talking about the transgender; they have to get their rights, too and that is what the 'T' stands for in the LGBT community. What is going to happen when a male who, all of a sudden, wakes up thinking he is female and want to go use the women's bathroom? That is already an issue in some places. And when we think about the abortion rights, where do we stop? We even spoke about the people who want multiple spouses.

Mr. Speaker, there are, right now, States in the US that are trying to push through marriages between brothers and sisters and family members. Now, some places already, even in the EU, Mr. Speaker, have started looking at laxing the incestuous relationship between family members. Some countries ban it outright and their argument for banning it outright is that, that union would create the possibility of a health issue, where the child can come out with certain defects and everything, basically coming from having brothers and sisters doing what it is that you would do to make a child. And if they are arguing that this is a health issue as to why they would not allow incest, despite two people loving each other and demanding the right to marry,—and granted now, there are some places that are already taking a more liberal view in that regard—the question we then have to ask ourselves, Mr. Speaker, even from a health standpoint, what is more dangerous, than a homosexual relationship between two men? Is that not a health issue also for us here and for others to consider?

The point I am making, Mr. Speaker, is that when we open this door, we do not know what or who we are going to let in and where it stops. We cannot stop anyone from loving anyone but we have to draw the line somewhere as to what is in the best interest for the people and the country. That is what democracy is about—the needs of the many outweighing the needs of the few. And no better example of that, Mr. Speaker, than the constitutional crisis, the political crisis and the economic crisis that is going on right now in the Parliament of Great Britain and Northern Island as a result of Brexit. Despite 48 per cent, almost half of the population is saying, *We want to stay in the EU, because it is better for us, it is better for health reasons, better for job prospects*, 52 per cent said 'no' and that 52 per cent is pulling that other 48 per cent. We do not have these kinds of numbers but yet, people still want us to abandon what

it is that we have become and have accepted as our way of life.

Mr. Speaker, we have a responsibility I accept, if something becomes an international right or an international obligation, for us to follow suit. I accept that, and this is part of the price we pay, of being a British Overseas Territory but, it behoves me, that where the United Nations stands, this issue is not a human right. It behoves me, that where the European Court of Human Rights stands, this is not a human right, and it behoves me, that even in the Parliament of Great Britain and Northern Ireland, that even within Northern Island, this is not a human right. So then, the real questions are: why are we really and truly pushing this? What human right, therefore, is the Chief Justice relying on? The United Nations says it is not a human right, the European Court of Human Rights says it is not a human right and the British Parliament, by its own exemption of Northern Ireland, has basically accepted it is not a human right. So then, the question is: what human right is he referring to?

Mr. Speaker, as I said before, this is politics and I accept that one of the shortcomings we have, being "British", is that they like titles. Some people like their MBEs or OBEs and some people want their knighthoods and I am going to tell you right now if this is an attempt to get a knighthood, they need to do better than this, because this is not the way to get it. And I will say one thing clear, Mr. Speaker, because the press release came out on Monday from the Governor's Office talking about tolerance. The definition, Mr. Speaker, of tolerance is: "allow the existence, occurrence or practice of something that one does not necessarily like or agree with, without interference."

Tolerance? Mr. Speaker, well, I can tell you this much: when I look at the FCO's history and the fact that they had a ban on employees that worked for them who were gay, they were not exercising tolerance. They have had employees who committed suicide for being in fear. I have the news articles here, I can gladly share them. Employees committed suicide for fear of being a homosexual and they are talking tolerance, when we in the Cayman Islands for decades have already been exercising acceptance, because, Mr. Speaker, these people they are talking about are our family members and friends. We have not tolerated them; we have accepted them for who they are. And you do not have the audacity, the temerity, or hypocrisy to come and tell me about exercise tolerance. Who are you when you have people killing themselves? Who are you, when looking at what you have done in South Africa and Apartheid? Who are you?

[Inaudible interjection and laughter]

Mr. Christopher S. Saunders: No, I am not talking . . . [laughter] Sorry. Apologies; I am not referring to the Speaker, just so it is clear.
[Inaudible interjection]

Mr. Christopher S. Saunders: I am referring to the FCO, just for clarity.

Mr. Speaker, I will say this much: in my professional life, I have worked with senior people, I would say across, in British companies. I have met some of them; my first interaction was really when I was with the Cayman Islands Government, I met some nice people and I have met some people that I wish to God had never set foot in the Cayman Islands. I have worked at Cable & Wireless, which is an English company, and met some wonderful people there, and I've met some people whom I've wondered how the hell we gave them a work permit to come here.

[Inaudible interjection]

Mr. Christopher S. Saunders: I worked at HSBC and met some wonderful people but wondered how some of them even got here. But one thing I do give the English credit for: they have mastered the art of divide and conquer.

Mr. Speaker, at its peak, the British Empire had a population of 485 million people spread across half the globe. The problem is only 30 million were living in England. How then do you get 30 million people to control 485 million people? Master the art of divide and conquer. But one of the reasons why the British Empire failed is because the English has this belief that the only person who can do the job right is another Englishman. And unfortunately, men who were designed to be garbage collectors and postal workers were sent out into the colonies as governors, commissioners and other senior positions, but it did not change the fact that the only thing they were equipped to do was pick up garbage and deliver mail. And, Mr. Speaker, at some point, in every country's history, that has been a part or a one-time part of the British Empire, the people rose up and said, *You know what? Enough is enough.* When you look at the level of hypocrisy, temerity and audacity these people continue to operate in and then want to sit down and tell me to exercise tolerance, I know my history.

Mr. Speaker, I know generally in the House when we have private conversations we do not make them public but I said to the Premier yesterday morning, *I am really sorry for you in Government.* I did not go into details as to why I was sorry for the Premier, but the reason was because he has to work with people who do not mean the Cayman Islands any good. He has to sit at the negotiating table with them, knowing deep down inside, they mean us no good and as such, Diplomacy 101, we cannot say anything

bad about the people you have to work with and you have to deal with. I, on this side, do not have that problem and I can call them for who they are and what they are—a bunch of hypocrites.

Mr. Speaker, we have a Constitution that gives the Governor power over the Public Service under Section 55. In this very same Constitution, the Governor appoints the Chief Justice in his sole discretion. In this Constitution the Governor also appoints the Members of the Court of Appeal. The Governor's position is the first position listed in this Constitution, even before that of the Executive. The Governor is an institutionalised position and, just as how we have to watch what we say inside here as per our own Standing Orders, for people who hold constitutional positions in this country, I expect the same of them; respect begets respect. You cannot go out and make statements when you know that the very judges for the Court of Appeal are yours to appoint. The contracts for them to stay on, is yours to appoint. And now, I have to begin to question, when the Constitution gives you that responsibility as your sole discretion—I did not say it, the Constitution did; *sole discretion*—the question is, what and how are you now exercising that discretion? What is it that you are looking for in judges that we should be worried for? Are we looking for judges now that are going to be pro-abortion? Are we looking for judges that are going to be pro-gay rights? What are we looking for?

[Inaudible interjection]

Mr. Christopher S. Saunders: These are the kinds of things that we need to deal with, because, Mr. Speaker, let me tell you something: I am 46 years old, I have a lot miles on me.

[Inaudible interjection]

Mr. Christopher S. Saunders: No, you are old.

But, Mr. Speaker, I do know one thing: last Friday I got 71 calls and 17 missed calls. On Sunday it was a different thing, but they will understand that. Mr. Speaker, the amount of people that are upset over this issue, and we have a Constitution that tells us, as a legislature, that we must pass laws for the peace, order and good governance of this country, and now they have brought no peace and no order because the Chief Justice has decided to overstep his Constitutional bounds.

Mr. Speaker, let me say something and I am going to speak bluntly because I am getting ready to wrap up now. History has basically said, When those people blackball you (and you, of all people know), you're not going to get anything. He will never get his knighthood because of Eurobank—okay? And there is nothing that he can do that is going to change that.

[Inaudible interjection]

Point of Order

The Speaker: Honourable Attorney General, are you rising on a Point of Order?

Hon. Samuel W. Bulgin, Attorney General: Mr. Speaker, I understand, as I mentioned earlier, that this is a very emotive debate but I think we need to keep it very civil. The idea that somehow the Chief Justice might be motivated by anything other than the Law is unfortunate and unnecessary for the context of this debate.

The Speaker: Your point of order being that it is . . .

Hon. Samuel W. Bulgin, Attorney General: The imputation.

The Speaker: Imputation?

Mr. V. Arden McLean, Elected Member for East End: Not of you.

Hon. Samuel W. Bulgin, Attorney General: Imputation.

Mr. V. Arden McLean: Not of you.

Hon. Samuel W. Bulgin, Attorney General: —that the Chief Justice might be motivated—

The Speaker: Honourable Member for East End.

Mr. V. Arden McLean: Mr. Speaker, I recognise the Honourable Attorney General may think he has room here on a Point of Order, but imputation is against another Member and 35 (where are my glasses?) . . . [Standing Order] 35(7) I think . . . Mr. Speaker, I do not know exactly where but I know it is some place . . . 35(4) . . . No, it is (7).

The Speaker: It is Standing Order 35(4): “**No Member shall impute improper motives to another Member.**” It is section 35(4) in the Standing Orders.

Mr. V. Arden McLean: Yeah but, Mr. Speaker, I have no recollection nor do I see the Chief Justice in here as any member; you’ve got to get elected to get in here as a member. And Standing Order 35(7) I believe, goes on to say (and I am going to be fair to the Attorney General) that: “**The conduct of Her Majesty, members of the Royal Family, the Governor, the Presiding Officer, Members, Judges and other persons engaged in the administration of justice or of Officers of the Crown may not be raised or impugned except upon a substantive**

motion; . . .” We have a substantive Motion; that is the exception.

Now, Mr. Speaker, if you think that my colleague is out of order then it is for you to rule thereon, but with all due respect to the Attorney General, he has no place in here to bring a Point of Order on my colleague.

The Speaker: The Honourable Attorney General.

Hon. Samuel W. Bulgin, Attorney General: Mr. Speaker, I do not think we need a Standing Order to tell us that we need to be careful on how we speak about people who hold these offices and try to impugn improper motives or question their integrity; that is basic decency, good decorum and I am telling you that I think it is unnecessary in the context of this debate to go there.

Mr. V. Arden McLean: Mr. Speaker.

The Speaker: The honourable Member for East End.

Mr. V. Arden McLean: Mr. Speaker, I respect the Attorney General if he is putting it in that order and asking my colleague and all of us, to be respectful, but he don’t come in here ‘bout no point of order if he is not being impugned.

The Speaker: I think what is being asked is that we—

[Inaudible interjection]

The Speaker:—remember that people are not here to defend themselves—

[Inaudible interjection]

The Speaker: —and that in our debate, we be careful, as he said, not to impugn Members’ conduct.

Honourable Member, I think you were getting ready to wind up.

Mr. Christopher S. Saunders: Yep.

Mr. Speaker, thank you.

The Speaker: I would ask you to move on.

Mr. Christopher S. Saunders: Yeah, I will.

I think it is also clear, Mr. Speaker, as a Member of this House who worked very hard to get here, if someone expects to stay by their bench and beat up on this Legislature, they, will also have to accept that I have to stay by my position to say what it is that needs to be said.

Mr. Speaker, here is the problem I have with this entire situation that has gone down, just to put things in context. Based on the ruling that took place in Bermuda and recognising that the Bermuda Court

of Appeals already dealt with this issue, I believe the judges associated with that decision should have recused themselves from this case.

Mr. Speaker, truth be told: knowing that the Honourable Chief Justice is a member of the Bermuda Court of Appeals and they already ruled on this issue, I find it hard to believe that one thing can be said to the people in Bermuda and say something else to the people in the Cayman Islands. And like I said, maybe he should have recused himself because I am not satisfied that he looked at it with an open mind, bearing in mind what it is. And having read the reports coming out of Bermuda, they have also said in their publications that, *Well, the Cayman Islands had this Law in their Constitution and look at what happened to them anyway*. I have friends in BVI [British Virgin Islands], Mr. Speaker, now asking to send through the judgement and other stuff because they are preparing for this onslaught within their community.

[Inaudible interjection]

Mr. Christopher S. Saunders: Yeah.

I also recognise, just like how the Honourable Attorney General pointed out my weakness as a human being, that many of us have our weakness as human beings too, including you, other colleagues, and even the Chief Justice. We all make mistakes. And all I am saying is that this is one time that he made a mistake and I accept that maybe I went a little bit far.

Mr. Speaker, I will close with just one simple thing, and I know that I have reminded you guys inside here already about the story of Jesus in the Bible when His disciples brought the blind man to him and Jesus asked the man how he saw people and he said "I see them like trees". Jesus took some spit, rubbed it in the man's eyes and then asked him, "How do you see people now?" And he said, "I see them as they are."

Mr. Speaker, I see the FCO for who they are. I see the Parliament of United Kingdom, Great Britain and Northern Ireland, who passed legislation but exempted Northern Ireland, I see them for who they are, and they need those ten seats of the DUP [Democratic Unionist Party] to keep their Government and that is all it is. It is politics! And Mr. Speaker, just like how they have the political right to look out for their people, I also have that political right to look out for my people.

[Applause]

Mr. Christopher S. Saunders: Mr. Speaker, the first part of the Constitution that deals with this legislature says, we must pass laws for the peace, order and good government—'we, not the courts'. And what we have right now, Mr. Speaker, is, an assault on

democracy and on the will of the people. And that I can tell you, as the Member for Bodden Town West, duly expected by putting my money up and going out and getting the wishes of the will of the people, like every other Member inside here, that is my job, that is my right, and that I will have to defend. This is not a human right, this is politics.

I will tell you, when the brothers and the sisters start to say they want to get married and people want abortion, the transgender, the polygamists, bestiality, paedophilia and all of them which they are now arguing is something else, that is the door we are opening. And, Mr. Speaker, I will tell you one thing: I am not going to roll over and play dead and watch my society that my forefathers and foremothers worked hard to build, because some people just believe *You know what, this is who it is I want to love*. I am not stopping anyone from loving anyone, all I am saying is your human right cannot infringe on my human right. Not what you think it is.

Anyway, Mr. Speaker, I want to thank you all. God Bless and I really wish the two young ladies well. At the end of the day, they have chosen who they love and I respect that, and I give them all the props for pushing this issue and at least having us discuss it, because it is something timely that we should have dealt with, but it is still a democracy and it goes by the will of the people and that is a contravene.

Thank you all.

The Speaker: The Member for George Town Central.

Mr. Kenneth V. Bryan, Elected Member for George Town Central: Thank you, Mr. Speaker.

I rise to give my contribution on what has been rightfully categorised as a historical Motion and definitely will go down in history in the Hansards to be read over and over again—

The Speaker: Honourable Member, I do not know whether it is my hearing or not, but I am not hearing you loud enough. Maybe the volume from the control needs to be turned up.

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker. Very seldom, I have been told that I don't speak loud enough. Is that better, sir?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

As I was saying, I stand to give my contribution to this Motion that will be considered a historical one that generations to come will be reading as to what each Member's view was or is, and how we got to this stage. Mr. Speaker, as the minutes, hours, and days have passed, I realise this Motion before us is more serious than we will ever imagine. It is only

until time has passed that we recognise what this means today. So, I hope in my debate, to highlight some of what I believe is at play right now, and what I think we, the people of the Cayman Islands, should pay close attention to and some of the things we need to think about.

Now, before I get into my views on this Motion and my thought process about what we are facing as a country, I want to take the opportunity to read my commitment to the people of George Town Central upon which I was elected. Mr. Speaker, if you need a copy, I would be happy to provide but I think it is something I have read in this House before, but I want it to be read again because it has context to what my delivery will be about. It says:

"To the people of the Cayman Islands; In my bid for Office, this is what you can expect from me when making decisions on your behalf.

"I promise to protect the interest of all Caymanians first before any others.

"I promise to always be fair to all people no matter the gender, race, income bracket, age or nationality.

"I promise never to be influenced or driven by special interest.

"I promise to consider all political viewpoints regardless who or where it comes from. CDP, PPM, Independent.

"I promise to protect and maintain our culture and religious beliefs.

"I promise to never allow ego, personalities, alliance or any other biases to hinder the opportunity to work with others that are elected persons to find the best solutions for you, the people.

"I promise to make logical, fact based decisions while using common sense.

"I promise to always respect the position that I hold and the positions of the other elected representative regardless if they are a part of a Party or not.

"I promise to always carry out my duties in a mature manner.

"I promise to remain humble and have empathy when making all decisions.

"I promise to always be honest and transparent.

"I promise that all my allegiances would only be to you and never to a Party or a group.

"Most importantly, I promise to serve you with all my heart."

Now, that may sound like a political campaign already, but it is a commitment between me and the voters of George Town Central, whom I represent. I also represent the wider Cayman Islands but, primarily, from a legal position, they are who I am obligated to.

Now, Mr. Speaker, I want to get into what is my responsibility as a legislator, and putting it simply,

my job is to represent the majority of the people within my community on their thoughts. So how do I do that, with this very sensitive topic?

The only way for me to do that is to survey the people and quantify their views. And, Mr. Speaker, you've heard of the Referendum held in 2009, where much discussion has been about the commitment by many Members of this House to put protections of marriage between a man and a woman within the Constitution. So you heard references to - *Well, that is an example of the people's commitment to protecting marriage*. I agree, because I feel and talk to my people, but the sad part about that statement is, we do not know exactly why the majority of the Caymanian people voted for that Constitution. I believe, in my heart, it is because of the protection that marriage is between a man and a woman due to our religious heritage but I cannot be certain. It is not something that I can say for a fact, unlike a referendum that spoke specifically to a question of: Do you believe marriage should be between a man and a woman only? Mr. Speaker, I do not have that assurance.

Mr. Speaker, I want to also read from another document I have, and I am happy to hand it up to you to see, but in my hopes to be elected here, for the election, I did a survey, probably like what some of the other Members of this House may have done to understand their constituents as to what to stand up for on their behalf during the campaign time, of what the issues are which are important to them. I want to take the time to read some of the things, with your permission, Mr. Speaker, of what I had on this survey. First question was: "What do you want Kenneth Bryan, as an MLA to address, fix, focus on, implement, or change? Please number in the order of importance." I have:

- (a) employment concerns, unemployment and wages;
- (b) cost of living (I have sub sections like electricity, food, water, business, fuel, education);
- (c) education;
- (d) health insurance and costs (basically health, housing, business and children insurance as a subsection);
- (e) iguanas as a pest (those were relevant at that time and still relevant today);
- (f) the dump;
- (g) crime;
- (h) cost of doing business;
- (i) discrimination against Caymanians (there were subsections against Caymanians—gender race, convictions, like criminal records);
- (j) immigration matters (subsections - work permit numbers, lack of enforcement)
- (k) trade schools;

- (l) pensions (subsections - losing money concerns, not working, should it be mandatory by way of pensions);
- (m) attention to the less fortunate;
- (n) corruption;
- (o) same-sex marriage – for or against (most importantly on this survey in respect to this discussion today).

Mr. Speaker, I have 1,256 voters in my constituency. I surveyed over 500 and I have the documents at my office for history. Not one person in my constituency even answered that as a matter of priority for them—*not one!* And I say that in context to my responsibility as a representative. My job as a representative is to come here on behalf of my people, talk to them and find out what they want me to do and come and put their voice here in this honourable House. My stomach and my heart tell me that my people do not want same-sex marriages. Again, I go back to the fact that I do not have the facts, but I think, Mr. Speaker, we should have had a referendum on this topic ages ago, because it would have given us a clear sign to everybody that wants to know, how we feel about same-sex marriages.

Why we are here today, Mr. Speaker, is because of a number of reasons and some of those reasons is that the stance against, and the protection of marriage has not been clear on behalf of the people. Mr. Speaker, we have heard discussions about the Chief Justice's ruling and I going to be ever so gentle in my delivery as I don't want to be before the courts ever again, so I am going to be cautious with that. But, he said some very impotent things in his Judgment that we had the opportunity to rectify this problem before it got to this stage. Does that justify the Chief Justice for making the decision that he made? In my opinion, 'no'; he had other options, and the appropriate option in my mind, would have been to send that solution back to the people and the people of George Town Central is Kenneth Bryan, in this Legislative Assembly, so I believe he is wrong in that. But Mr. Speaker, we have a serious problem, and here is the problem.

Mr. Speaker, this Motion is asking us . . . forgive me as I find the Motion. I can paraphrase. This Motion, we have to recognise what it is asking us to do. The Motion is asking us to appeal to a higher court that the Chief Justice did not have the authority to change the Law. The Motion is not saying the Chief Justice was wrong, that the complainants' rights were violated and, as awkward, Mr. Speaker, as that reality may be, this is where we are at. We have a Bill of Rights in our Constitution. We also have within our Constitution the protection of marriage. It is conflicting and I think we can all agree on that; and the Chief Justice was right to say they are conflicting and needs to be fixed.

Mr. Speaker, I am a Christian and very, very proud of that. No one will ever take that away from me. And I think the definition of marriage is one that has a religious context to it. Now, there may be other people in jurisdictions that may disagree with that. The Chief Justice even referred to it in his ruling, talking about when the State took over the conventions or the ceremony of marriage from the Church. So, before the State had marriage, it belonged to the Church; that is in his ruling, not mine. For me, as a Christian believer, marriage by definition is God's word, not the State's word.

Now, Mr. Speaker, what we have come down to is what is perceived in different jurisdictions as what marriage is. Overtime, in the UK, our mother country, that interpretation has changed. It has not changed for us as Caymanians. It has not changed for me as a representative and I have no indication on behalf of the people of George Town Central that they think that definition is any different either. Even though we do not have a clear measure, there is no tool, no way to quantify the people's feelings because we have never asked them directly, we always assumed so. I think we failed with that. So, this goes down to a matter of definition and I was reading an article . . . I beg your indulgence, Mr. Speaker.

I will paraphrase again, Mr. Speaker. I was reading an article yesterday about the various views of what the definition of marriage is and what the arguing points are, and there are some psychologists and neurologists that say - *You can affect a person's viewpoint on something if you force it on them.* I believe the actions of the Chief Justice, changing the narrative of marriage without the people's voice involved in it, through us the legislators, is him forcing the definition of marriage. I think that is forced from his interpretation as to his obligations to the mother country, England.

Now, the article also talked about a definition of any word, is about what the majority of people in one area believes it to be. What that did for me was to clarify that my view of marriage and England's view of marriage can be two different interpretations. What it boils down to, Mr. Speaker (this is the crucial part we must think about), is that this is going to boil down to the crossroads of our relationship with the United Kingdom. Because, guess what, do you know what we all are as Caymanians? We are grown children living in our parents' home. I know what I believe marriage to be, but it does not matter what I believe and it does not matter what any one of us in here believes marriage to be. If we continue under this relationship—and by all means, Mr. Speaker, I am not suggesting that we go independent—but we have to be honest with the realities that are facing us as a people. We live in our mother's house and what our mother says is what goes. And until we as a people recognise the reality before us, we are playing games.

Mr. Speaker, I will tell you something, and the people who are listening: this Motion is asking us to appeal his overreach. Let us say we win that appeal; do you know what will happen? He will have to change his Order or some process will be changed as to coming back here to the House and do you know what it will be then? For us to find a solution to the rights that were violated because this Motion is not calling for us to say their rights weren't violated; it is saying that he took the responsibility that was given to me, by the people of George Town Central, and that was given to each one of us by our people in our constituencies. That is what this Motion is about; not about the fact that those rights were violated.

Mr. Speaker, it is time to get into what rights were violated, and again, I want to remind this honourable House, we are grown children living in our mother's house.

In the Summary of the ruling of the Chief Justice, page 26, those rights are listed under the Bill of Rights that were violated and are as follows:

- a) The right to private life and family rights.
- b) Freedom of conscience.
- c) Freedom of expression (basically saying they are not allowed to have any kind of union; specifically, not even to marriage, of not being allowed to express commitment to their partner.
- d) Freedom of Movement—due to the restrictions placed on the second Petitioner and the Petitioner's daughter's right to remain in the Cayman Islands; therefore it is an Immigration matter.
- e) As it protects the right to found a family (so they do not have a right to become a family based on the fact that we do not allow them to have marriage).
- f) Freedom from interference with the peaceful enjoyment of property.
- g) Protection of a child's right to family and parental care.

Mr. Speaker, the fact that they don't have the option to get married or have some sort of union has violated those rights. That is common sense stuff, now. Recognise, Mr. Speaker, that if we are successful with this appeal, that means we have to come back to this Parliament and create a legislative structure allowing them to have those rights, because we are not talking about the fact that their rights were not violated; we are talking about the fact that the Chief Justice did the job of the people and he should not be doing that. Whether he has the right to do it or not, there could be another time for another constitutional change that needs to happen because, as far as I know, he had every right to do it. Whether he should be doing it, is another question, but that is another debate.

We have to rectify these violations of these rights. That means, in simple terms, two things: we either accept same-sex marriages, and I do not agree to that, and do not think anybody in this honourable House agrees to that because of our Christian heritage and our cultural norms. Or we have some sort of union that allows them to have those rights because otherwise, we will be sued every day; that is the reality and whether I agree with it or not, has no bearing.

Mr. Speaker, let me make the honourable House know something: the Petitioner in this is my constituent. She lives in my constituency. I have an obligation to her. She is not a part of the majority in respect of same-sex marriages, but I am obligated to understand her views and her rights. That is what they sent me here to do! And I cannot agree, in my role and responsibilities that these rights were violated.

Now, if we are saying that as a people in this country we do not think that a person who is of the same-sex should be allowed to have a child; if we are saying that people of the same-sex should not be allowed to have their partner have immigration rights to this country; if we are saying they should not have the freedom of movement, expression and private life, well, let's say that! But I will tell you one thing: there is only one way you can say it, because England is not going to allow you to do it, Mr. Speaker. There is only one way you can say it, and that is [through] independence. That is the situation we are in. We live in our mother's house.

I agree with everybody in this honourable House that the Chief Justice chose to take the power into his own hands, but you know something? As serious as that is, I want the country to know that even when we are successful, or if we are successful; not when, but if, because I want you to recognise all the things that are against this honourable House today. We have the Governor who already came out and said that he supports it. Now, what part of the ruling he supports, I can't say, but he said he supports it. Does he talk about the overreach or the power that has been taken away from the legislators? I do not know. The Foreign Office said they are disappointed. So, what do we expect to happen next? And we as a people, my job, you asked me to represent you and to be honest with you, and I am being honest, and I think we as a country have to recognise the reality that is coming. I will be honest with you; I am worried it might be too late!

The Chief Justice was right by saying that we had an opportunity. I have failed too because it is two years now that I have been before this House and I should have come and said to let me bring a motion to have some sort of union. But unless we are saying that we do not want to give these rights then, we have to call for independence and that is the reality we have, Mr. Speaker! And this has nothing to do with my religious foundation, because nobody is going to

question whether I believe in Christ or not. They have to face God, not me! And at the end of the day, if I feel too uncomfortable with my role as a representative, I will resign. But I will tell you what, my job, and as I have said before, in respect to my commitment to the people, I am going to be honest, fair, straight and not going to tell lies; and that is the reality here. I think if we do not start thinking about that now, we will have ourselves in a mess. That is the reality that we are facing.

Now, if you want somebody else to tell you a lie, I am not the guy for the job, I'm going to be honest. And I will tell you what? I will continue to fight for the majority of my constituents because all of them that I have spoken to said they do not want same-sex marriages. But the question is: would they allow same-sex unions, and we have to ask the people because I believe that the UK is going to say, *Unna too face-ty; you're living in my house and you're going to do it how I like to do it*. That is what I believe they are going to say and there are already signs of this, Mr. Speaker. "I am disappointed"; it sounds like a parent, doesn't it?

Mr. Speaker, I am going to tell you the truth, this bothered me so much that I prayed on my bathroom floor this morning after my wife and kids went to sports day because I did not know what to do. The UK has put us in a position and decided our religious beliefs and rights and I think they're mad. I think they are upset and I think they want to shove marriage between same-sex down our throats.

The truth is, the Chief Justice—I am sorry if I am stepping out of place. I know the Attorney General may have his views—I think, could have used his conscience to say let this go back one more time to the people's representatives to find a solution, rather than ordering that. He knew, Mr. Speaker, that the people of this country would not be happy with same-sex marriages! It is not a part of our fibre and our fabric as a people. Yes, we have to give them their rights but he should have sent it back! Let us figure it out! Let the people figure it out!

Maybe your signal, as a Chief Justice, should have said, *Unna are going to get sued; this is wrong.* Maybe then we would have woken up. But he stroked the pen. And I tell you something, whether he likes me or not, I do not respect him for it because he had two options and he did not have to choose that option. I believe, in my heart, that they were instructing him to take that option rather than send it back to the people. Yes, we have to give them their rights but we could have found a different way.

Mr. Speaker, I feel it for those who are disenfranchised in our community, but my responsibility as a representative is to represent the majority and that is what democracy is. The majority of people in my constituency have said to me that: *You cannot say Oi'Boy, the survey or the Constitution*

or the referendum were ten years ago, I did my own polling and that is just under two years ago. So, I can speak from an informed position. That is what I do. Whenever there is something serious, I go to my people and ask them. I have foundation to stand on and the majority of the people of George Town Central have said they do not want same-sex marriages, but I cannot even say they want same-sex unions either, because I have not asked them that. But it is either that, same-sex marriages, or independence; those are the three options. And I just want to be real. I just want to be honest about what we are facing and encourage the people of this country, to please understand what is before us. Understand it because if it something that we are so committed to by way of saying we do not accept any kind of union at all, maybe it is time we consider independence, because that is the only way we are going to get out of it.

I believe, and I will try to steer this to more of a positive note, now. Mr. Speaker, genuinely in my heart, I do not believe the two challengers of our marriage system, in this ruling, genuinely really wants to be "married religiously". I do not think they are saying, *I want to be recognised under God's eyes or under the Church*. I believe they wanted a union; one that yes, our Christian heritage and beliefs do not support, and it is hard. I know it is hard for the people because they will say, *Listen, I want representatives that are in there to stand on my Christian beliefs*. I am a Christian but our obligation in here is to do what the majority says, and God forbids, 20 years from now, the majority changes, they are going to be obligated to hear that.

The Speaker: Honourable Member, are you close to winding up or do I take the break at this point?

Mr. Kenneth V. Bryan: Ten minutes.

The Speaker: Ten minutes?

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker—

The Speaker: So, do you prefer to complete at this point?

Mr. Kenneth V. Bryan: Mr. Speaker, I think it is best that we go for lunch and then come back.

[Inaudible interjection]

The Speaker: The House will take a suspension and come back at 2:30 pm.

Proceedings suspended at 1:25 pm

Proceedings resumed at 2:42 pm

The Speaker: Proceedings are resumed.

Please be seated.

The Member for George Town Central continuing his debate.

**PRIVATE MEMBER'S MOTION NO. 18/2018-2019—
SAME SEX MARRIAGE COURT RULING**

[Continuation of debate thereon]

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

Before we went to the break, Mr. Speaker, I was speaking on what I believe were the views of the LGBT community. I know I cannot speak on their behalf but based on comments, local and global, and focusing on the local, I am not certain their ultimate goal is to have a marriage. I say that in the context as to whether they care as much about the word marriage and its origins, than the opportunity to have the other rights that were outlined in the Chief Justice's ruling they believe were violated.

Mr. Speaker, if that is the case and the LGBT community is willing to accept another structure of legislation allowing them the other rights that were highlighted in the Bill of Rights, without it being considered 'marriage', it is something that we as a society have to start thinking about.

Mr. Speaker, as I was saying before the break, my rationale behind that, because of my theory, is that we as Caymanians live in our mother's home and therefore, we have to abide by our mother's rules. And that is political element and the reality of the world we live in. Now, that contradicts our faith. It is a very difficult position to be in but I have to be practical and honest with my people as to what is before us, and I suggested in my earlier part of my debate what options we have.

Mr. Speaker, I hope that I do not go on much longer but there were some other things concerning me which I would like to highlight as to my concern of what the majority of us here believe is an overreach by the Chief Justice.

Now, again, I am reserved and committing to the term "overreach" because it is either he legally did it or did not, but it is a matter for the courts when it is appealed to make that decision. But what I have had by way of feedback from my community, is that people are now not happy with the justice system itself, because they feel they were cheated by their voice not being heard on how to rectify this problem, by his decision not to transfer the responsibility back to the people through this Parliament and through their representatives. I am worried, because I have heard lots of comments outside of this House from respectable people in our community who now, do not have as much faith in the justice system as they once did. And that is the worst thing you could want, to have a society that second guesses our justice

system, the persons responsible for keeping law and order in respect to interpretations of the law.

Mr. Speaker, I have to take my hat off to the honourable Member, Arden Mclean, for bringing this Motion.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Thank you.

Correction, Mr. Speaker, it is the Member for East End bringing this Motion; it is timely and something that needs to be addressed and I, myself, up until Tuesday night, was at a loss as to where do we go next? So, I thank him for taking up the leadership role and stepping forward, and I thank all the Members of this honourable House for accepting the Motion. I thank you, Mr. Speaker, for approving the Motion to be heard by the people of this country.

Mr. Speaker, another thing that concerns me about this subject matter is the potential effects of the Chief Justice's ruling in connection to the FAC's report and its suggestions or recommendations. For those who may not be familiar with that report, it is the Foreign Affairs Sub-Committee's report released a couple months ago which made suggestions that we have to make way for same-sex marriages, which is the topic that we are talking about today. But also in that, was the suggestion that we should make a pathway to allow UK residents here in the Cayman Islands, the ability to vote and to also run for office.

Now, Mr. Speaker, it was touched on by another Member, but I want to make sure that I share that fear because, ultimately, the fear is, if the Chief Justice is able to write legislation for us, and that legislation happens to be two of the more serious concerns within that report for us, could there potentially be a chance for the Chief Justice writing legislation on behalf of the UK to allow UK nationals to vote and run for this honourable House?

Mr. Speaker, it could be a farfetched theory, but it is not a theory that I alone share. Many others in our community are really, really concerned about that topic and that issue, and I hope that there can be some dialogue and discussion by us as Members as it is not primarily in the focus of this debate, but it is directly or indirectly connected.

Mr. Speaker, I am going to go out on a far, far, limb by asking the lesbian, gay, bisexual and transgender community to please, do not accept the Chief Justice's ruling; and to not accept the definition of marriage to be one between persons of the same sex or between two persons. And the reason I am asking them to do that is because I believe their intention is not to try to undermine our social fabric. At least I would love to believe that. I believe that their intention is one of, *I want the rights that allow me to have life and family*, and there is a way to get that done without accepting the Chief Justice's ruling. And the reason why I am asking them not to accept that is

because, if it is left to be that way, it is going to create a divide in our country that is not healthy for us. The definition of marriage in our society does come from a Christian heritage and none of us should be ashamed of that. That same Christian heritage is what got us to where we are today, so ultimately, in the best interests of us as a society, can we not find that equilibrium?

This is a call to the LGBT community. It may be perceived as a “win”, but it could be a loss for us as a nation, because a divided society cannot be good for growth. We need to be focused on building and strengthening our human capital; that means everybody in our society. When we have a strong divide such as this and we cannot find compromise, it will get in the way of other things.

Mr. Speaker, I also want to speak about public displays of affection because it is one of the triggers that remind persons on either side of the realities of what they are seeing. For example, my religion says a man and a man and a woman and woman is a sin. When you do an indication of that sin, it triggers my religious belief to be not in liking of that action, and a natural human behaviour then comes out to be one of . . . not disgust, but not happy with that action. Now, I understand the human behaviour of that but, as a society, we have to understand that the community also wants to be fair and balanced, but, do we, as [opposite]-sex couples and persons involved in a marriage understand that we have to taper ourselves as well, in respect of our public display if we expect them to do the same? We have legislation in this country that deals with public display of affection and I think the authorities in this country are going to have to be mindful that it is a trigger for the sides in identifying the divide. To monitor and police that is going to be important because, if it is not policed and is allowed, the human element of a disagreement is going to grow.

Basically, Mr. Speaker, I am going to say that there are same-sex couples out there—and I do not think they would disagree with this—that are rather bold and flamboyant with their behaviour. The laws stop that, but we, as a society, do not say anything when a man and woman are flamboyant and affectionate in their community because we believe that is the right thing. So, if we expect them not to do that in the interest of us living together, we have to also be mindful that we cannot do the same because it would be perceived as unfair.

I know some people may not be happy with what I am saying but I am worried, Mr. Speaker, about our society not being able to live together, because there are so many more important issues. Let me rephrase that; not more important because, particularly right now, this is the foundation of who we are, but there are other important issues in respect to the survival of Caymanians by way of work, cost of living, our democracy, our health and education

systems and many others, that we have to have the same amount of fight and concern about.

I want us to find that living space where we can co-exist, because of the realities of living in our mother’s house to what she says has to happen. If that is not what we want, then, we as legislators need to go back to our people and let them know that if this is not what they want, either by union, either by marriage, the next step only is to discuss the elephant in the room, which is independence, and nobody really wants to speak about that; it is the taboo word, maybe not for all Members, but for most. And, because I believe the majority of the country does not want to go independent, meaning, we do not want to leave our mother’s house, but if we don’t want to leave our mother’s house, then we have to learn how to live in our mother’s house with others under that roof.

Mr. Speaker, some may say, *I do not care what other people think and how they view the Cayman Islands; we stand by our beliefs.* I believe we stand by our beliefs but I think we do have to care about how we look internationally, because it can affect our tourism product. A person may normally say *Well, okay, I don’t care if the gays come here*, but, it is not only the gays who may not want to come here as a result of how we handle this situation. There may be people that are in decent, Christian-like marriages who may say, *I don’t think you should treat persons like that, and therefore, I do not want to come to your Caribbean island.* So we have to be mindful of how we handle this very sensitive topic, because it can affect our tourism product which is second to financial services, as the main provider for our income.

Again, some may say, *I don’t care about that*, but you care about it when you don’t have any money coming in to pay your bills and I want us to be mindful of that. It is my duty, my responsibility as a legislator on your behalf, to put these things out there for us to think about, and these are not things that are necessarily politically beneficial for me, because some people are going to say, *Yes, see he likes that and he likes this.* This is my obligation to tell you the realities of what we are facing and I am going to do my job. And these are some of the realities surrounding this matter. Maybe I should reiterate it for those who are unaware: I am a Christian, I believe in the Bible, I was brought up by the Bible, and God forbids, if my mother ever thinks anything different than that. However, in my role as a legislator, I have to explain to you the realities before us; politically, economically, socially, and logically, because that is what I have committed to do. That is what I said I would do if I were elected.

Mr. Speaker, I know it is sensitive, I know it is emotive, and some people feel that it goes against the grain of what we are as human beings, but it is like how some advisors said to me during elections: “Kenneth, you need to calm down and take your time.”

I ask all of those who are listening, let's take our time with this; we have to be understanding of each other's views. I am not saying for us to accept something we do not believe, in respect to our religious faith; I am not suggesting that, but I am saying that if we choose not to accept it, let us know what we have to do to prepare for the other option because that is the reality. I am here on behalf of the people.

Mr. Speaker, when this Motion is done and I go back to Shedden Road, Crew Road, Palm Dale, Tropical Gardens, Breezy Way, Seymour Drive and Sound Way, and ask my people what they want me to do, I want them to be prepared with the understanding of all parameters of this discussion, because I am here to do what they want me to do. It is like I said in the campaign, Mr. Speaker, if the people of George Town Central were to say, *Kenneth, we want a law that we want to kill chickens on Saturday in the Town Hall*, then, I am going to bring a law to this House to say that we are going to kill chickens on Saturday. That is my job and I am here to represent them.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, some people represent differently than I do —

[Inaudible interjection]

Mr. Kenneth V. Bryan: —and my job is to do what the people in my area tells me to do. I want to make it clear: I have no mandate to support same-sex marriages in this country. I did not campaign on it. All of the surveys I have done said they do not want it, so I do not support it but I know what our obligations are internationally and they are to the mother's house. I know that all of us in here can say what we want to say, if they are ready and they say, *Boy look ya; Order in Council, same-sex marriages*, there is nothing any one of us in this House can do about it. All I want is for us to be clear in what we are discussing.

I hope, Mr. Speaker, the outcome of this Motion is that it is appealed. I hope the sitting judges listening to the Appeal, will come back in our favour, that the responsibility for making provisions for those violations of rights are brought back to this House, the people's House, and George Town Central's voters' chair, so they can have an opinion on how to handle it. We need to handle it, because if we do not handle it, the UK will.

Mr. Speaker, I am not sure if I can offer anymore to that, other than say I am happy to see that we are all willing to sit together and talk about this very important matter and personally, I think this is a strong signal as to the next steps of our future and that we all should be mindful of how we handle it.

I am so concerned right now with the statement by the Foreign Office. I think of Bermuda and what happened there. I think a lot of past

experiences with other jurisdictions on when the mother strikes and the child that live in the house don't play by the rules. I must say that I am concerned. I am worried because, my faith is called into question, my belief system has been called into question and I may be forced to accept something that I do not want. But I think there is a way out and I think all of us as humans together can find that solution as long as we are willing to have dialogue in a mature way.

Thankfully, Mr. Speaker, we live in a society that is a lot better than many others where we can live freely, we do not have riots every day, we have people who are intelligent, educated, logical and reasonable to discuss these matters, but it is time now that we have those serious discussions with our constituents because that is the reality we face.

Mr. Speaker, unless I can offer anymore assistance to you, that is my contribution. Thank you.

The Speaker: Does any other Member wish to speak?

The Member for George Town South.

Ms. Barbara E. Conolly, Elected Member for George Town South: Thank you, Mr. Speaker.

Mr. Speaker, I rise to give a brief contribution to Private Member's Motion No. 18/2018-2019—Same-Sex Marriage Court Ruling which has been brought to this honourable House by the Member for East End.

As the representative for George Town South, I too have received numerous phone calls and WhatsApp messages from my constituents and my family who expressed their shock, disappointment, and concern with the ruling made by the Honourable Chief Justice last Friday.

Mr. Speaker, let me first thank the Honourable Premier for delivering his statement to this honourable House yesterday, which he so ably articulated on the various issues and concerns that we all have relating to this judgement.

I also wish to thank the Member for East End for bringing this Motion which, in my opinion, was the right thing to do and which he passionately debated.

[Applause]

Ms. Barbara E. Conolly: As stated in the contributions delivered by all Members that have debated thus far, we are all concerned and troubled with this ruling on same-sex marriage and, equally important, the overreach of the Judiciary. There is absolutely no question that there has to be a separation of powers between the Judiciary and the Legislature.

So, Mr. Speaker, I think this honourable House and the public, on the whole, are quite clear as to where we all stand on this issue but, as was stated

in the Honourable Premier's Statement, I quote: **"Mr. Speaker, the genesis of section 14 of the Bill of Rights of the Constitution, which was described by Sir Jeffrey Jowell as the "rock" of the Government's case, was the concern by the religious community in Cayman to ensure that the institution of marriage, which Christians believe to be God ordained, remained available exclusively to persons of the opposite sex. Thus section 14 (1) provides: "Government shall respect the right of every unmarried man and woman of marriageable age freely to marry a person of the opposite sex and found a family."**

Mr. Speaker, I stand by the moral values that my parents instilled in me, and that I have passed on to my children and grandchildren; that marriage is between a man and a woman.

God's design for the family is that children grow up in a stable, loving environment provided by a man and a woman in a committed life-long relationship. This design is clearly seen in God's creation of Adam and Eve, and God's command for them to have children. But, Mr. Speaker, having said all of that, I would like to remind all Members of this honourable House by quoting from the Premier's statement again: **"At all times we should keep in mind that those in our community who are in same sex relationships, or have family members who they love in such relationships, are like us, made of flesh and blood with feelings and emotions . . ."**

Mr. Speaker, permit me also to commend all Honourable colleagues for the unity they have all displayed as they debated this Motion.

Democracy is important to all of us and it is wonderful that we all stand strong together to support and preserve it. We also wish to assure our constituents that as representatives, we continue to work extremely hard to protect everyone's interests and concerns. We have taken note of how troubled the country is over the judgment last Friday and we ask for your continued prayers and support as together, we try to come to a positive solution.

Caymanians are God-fearing people and we are confident that we will see us through this very sensitive and complex issue. Therefore, I offer my support to this Motion brought by the Member for East End.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Does any other Member wish to speak?

The Member for George Town West.

Mr. David C. Wight, Elected Member for George Town West: Thank you, Mr. Speaker.

I rise to make a brief contribution to [Private Member's] Motion No. 18/2018-2019 brought to this honourable House by the Member for East End and seconded by the Member for Savannah. I doubt that I can add or contribute anymore to what has already been said and, I support everything that everybody has said so far.

As was outlined by the Premier, after lengthy and deliberate discussions and negotiations, our 2009 Constitution provides that **"Government shall respect the right of every unmarried man and woman of marriageable age (as determined by law) freely to marry a person of the opposite sex and found a family."** The final wording in the Constitution was the result of eight years of extensive consultation across all sectors of the Caymanian community, followed by very difficult and complex negotiations with the Foreign and Commonwealth Office (FCO). It was then approved through the democratic process of a referendum and became a part of our Constitution. It was only included in the Constitution after a very lengthy and thorough process, which aimed to represent the wishes of the majority of our Caymanian community.

The Marriage Law was amended in 2008 and defines marriage as **"the union of a man and a woman as husband and wife"**.

Same-sex relationships are increasingly a reality of our society and we must respect the rights of those involved in these relationships however, I believe it is wrong to change our Constitution and laws; to change our long-held understanding of what marriage is, especially if this change is attempted through the court system, rather than bringing it through the Legislative Assembly in a democratic manner. We must ensure that all members of our community are treated fairly and with respect, but we must also remember that this goes both ways, and as the Premier said in his statement: **"I have no doubt that the feelings of the majority of Caymanians are that marriage should retain its traditional and religious definition and meaning; the union of one man and one woman"**. It is for this reason, that I give my support to this Motion and to the Premier and the Cabinet's move to appeal the recent ruling by the Chief Justice.

In closing, I briefly want to add that since Friday afternoon, I have also been bombarded with text messages, phone calls and especially visits and quite a few of them have been very, very angry people. Everyone has instructed me to plead with the Premier and the Government to fight the Chief Justice's ruling to the bitter end and now, with this Motion and the support received from the Members in this honourable House, this is exactly what is being done.

I have to be honest and say that at four o'clock yesterday afternoon, I got an e-mail from a

member in George Town West [constituency], which I showed to the Member for George Town South. That was the only correspondence I have, Mr. Speaker, of anybody asking me to tell the Government to stop this fight and stop wasting their tax money. Everyone else, like hundreds, have asked me to come here and tell the Government and the Premier to not give up the fight.

I thank you, Mr. Speaker, for allowing me to have these brief words.

[Applause]

The Speaker: Does any other Member wish to speak?

The Member for West Bay Central.

Capt. A. Eugene Ebanks, Elected Member for West Bay Central: Thank you, Mr. Speaker.

Mr. Speaker, I rise to make my contribution to this most pressing and important issue facing our Legislature and our country, and importantly, to state my unequivocal support of the Appeal of the Chief Justice's ruling on same-sex marriage, which was handed down last Friday, March 29th.

Mr. Speaker, this matter has proven to be the most emotive on a number of levels. Many, in the Christian community, are advocating for traditional moral standards and heterosexuality. Those in support of their homosexuality are advocating for human rights to be fairly recognised under the Law and we, as legislators, are advocating for proper separation of powers, defending the supremacy of Parliament and rejecting this daring expression of judge-made law.

Mr. Speaker, my colleagues have cited a number of important cases pointing to the unacceptability of this ruling. I would especially like to remind this honourable House of Judge Henderson's ruling—Re: Nairne 2013. [Section 20] states and I quote: **"Our new Bill of Rights does not give to any judicial officer, at any level, the power to set aside any legislative provision. Even after a declaration of incompatibility, the impugned provision continues in force. The task of bringing primary legislation into compliance with the Bill of Rights is left to the legislature and not the courts."** [2013 (1) CILR 345] Up to this point, Mr. Speaker, this judgement has not been challenged and remains good law.

Mr. Speaker, any change in this position must, by necessity, take into account the far reaching ripple effects of the impacts on associated laws. An amendment of this magnitude, to the definition of marriage would impact existing laws around property, child protection, employee benefits, immigration, and many more. Such an extensive change would clearly be more suited to proper parliamentary consideration and debate.

Mr. Speaker, as noted in a statement by the Regional Mission Council of the United Church in Jamaica and the Cayman Islands, on the issue of homosexuality, there are those who moved homosexuality behaviour from being a moral issue to being a human rights issue and, in doing so, have sought to silence the moral arguments. I agree with them, Mr. Speaker, that discrimination by any reason is unchristian which is not to tolerate behaviours that we believe are unbiblical. We believe that all persons are made in the image of God and should be treated with respect, grace, and compassion, including those with whom we disagree.

Mr. Speaker, my colleague, the Member for Savannah, quoted various scripture in his contribution yesterday. Those who stand on biblical authority in this matter are often accused of intolerance and a lack of love or homophobic, however, we are elected to represent all people, inclusive of persons with diverse sexual preferences or lifestyles. There are other options to ensure that we are not falling foul of any human rights infraction. There are other ways to recognize same-sex relationships, even though I do not support them. For instance: a civil-rights union, whereby such couples obtain essentially, the same rights and responsibilities as a civil marriage, including property rights, access to pension, insurance interest and parental responsibility.

Mr. Speaker, as you are aware, the Chief Justice also sits on Bermuda's Court of Appeal. Without bringing their confusion around this issue in our jurisdiction, the Chief Justice may point us to Bermuda's Domestic Partnership Act, which replaced the short-lived Supreme Court Ruling legalising same-sex marriage. The Act is intended to strike a fair balance between two current irreconcilable groups by restating that marriage must be between a male and a female, while at the same time recognising and protecting the rights of same-sex couples.

While the UK sees the Chief Justice's ruling as progressive, we as lawmakers representing the majority views of our constituents staunchly, and I repeat—*staunchly*—disagree, Mr. Speaker.

England itself has had a long, difficult road to accepting such changes in their society and yet, they want to rush us into an era that we are not ready for.

In 2006, the British case of *Wilkinson v Kitzinger and Others*, the President of the Family Division, Sir Mark Potter, pointed out that marriage was an age-old institution which he suggested was, by long-standing definition and acceptance, a relationship between a man and a woman. It has taken another decade for the British laws to change.

Mr. Speaker, I contend that with other suitably equitable options available, there is no valid reason for changing our traditional definition of marriage as currently stated in our Constitution, the highest Law of the land.

Mr. Speaker, I leave with a message that resonates with the majority of our Caymanian people who hold the Lord, and by extension, traditional Christian values in high esteem: Genesis chapter 2, verse 24 reads: "That is why a man leaves his father and mother and is united to his wife, and they become one flesh."

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Does any other Member wish to speak?

The Member for Prospect.

[Pause]

Mr. Austin O. Harris Jr., Elected Member for Prospect: Thank you, Mr. Speaker, for allowing me this opportunity to rise to add my contribution to this Private Member's motion on same-sex marriages.

First, let me thank the Members for East End and Savannah for bringing this Motion, thereby causing for a debate on this issue to take place which, I believe, further allows each Member who wishes to do so, the opportunity to make their individual case as representatives of the people and their wishes. Let me also express thanks to the Premier, the Leader of this Coalition Government of National Unity, albeit in his absence—though I understand he is within the precincts, so, perhaps he is listening—for allowing his Members, the freedom of conscience to speak as led by their own hearts here today, rather than any particular political line of support.

Let me, especially, say thanks to you, Mr. Speaker, for readjusting the traditional schedule of the House for these past two days, so that these debates may take place. If I may be so bold I would have to say that true democracy is being exercised here today.

Mr. Speaker, the fact that this Motion comes after the Honourable Premier made a statement at the opening of this Fourth Meeting of the 2018-2019 Session of the Legislative Assembly, that a decision had already been taken by the Cabinet prior to the start of this Meeting and with the support of the Caucus, to appeal the Chief Justice's ruling, is a moot point at this stage. Instead, it simply assures the Member for East Member that this Motion will, in fact, receive unanimous consent or so, one would assume from the tone of arguments being made here these past two days on both sides of the aisle. And as such, Mr. Speaker, please allow me a few moments to share my two cents on this important national debate taking place in this honourable House.

Let me begin by saying that I fundamentally agree that discrimination in any form is wrong and should be abolished. However, as a Christian believer, I also accept that same-sex marriages run

contrary to the living Word of God and therefore, it too, is wrong. And it is those traditions, Mr. Speaker, based on the Christian belief that sits at the foundation, if not the bedrock of Caymanian culture; and, if I dare say, our national identity. And, Mr. Speaker, as duly electives representatives of the people, I and others in this House are charged with the responsibility of upholding the principles and desires of the wider majority and, as such, neither myself or any of the other 18 colleagues in this House, in my opinion, are really afforded a personal opinion especially, and particularly, on matters such as this, where the people have already spoken.

Mr. Speaker, as the Member for Bodden Town West pointed out, none of us campaigned on the LGBT platform because, simply put, Mr. Speaker, not a single soul in our respective constituencies raised it as an issue near and dear to their hearts. They had other pressing priorities and that was what we each contested a seat in this House for. And Mr. Speaker, while I believed, and, if I am honest, as a matter of fact, still believe, that there may still be a middle ground in all of this, one that does not require a change in the Marriage Law or the Constitution and, if adopted, may be a way to save this ugly situation getting worse.

Mr. Speaker, I have to acknowledge my strengths and my limitations and one of my limitations is I am not an attorney, however, as the Member for East End has clearly and correctly identified, there are indeed, more lawyers on this side than there are on that side, and I think that is a good thing and I thank the Member for East End for recognising that fact. However, Mr. Speaker, before I say that, I thank him for recognising that fact because clearly, we have ample opportunity for legal consideration of all the options and receive guidance particularly on matters involving complex litigation because of the many learned friends that make up the Government. I say that to say it is a strong Government and there are key strengths in all areas that impact life in the Cayman Islands and certainly, on matters of complex litigation, to the Member for East End's point; we have many lawyers of which to choose from of our own.

However, the Member for East End who is the mover of this Motion that we are now debating on this second day, made a number of excellent observations but none more important than his clarion call which insists that the Chief justice overstepped his authority by erasing in a single stroke of his individual pen, a major plank of this country's religious and cultural identity. Mr. Speaker, it is so much a part of our cultural identity and fabric, that the motto which takes up permanent residence on the Coat of Arms to which we have been celebrating for the past 12 months, quotes a verse from the Bible, which, in my opinion, further solidifies and identifies to the world, this country's acknowledgments of its Christian heritage.

Mr. Speaker, it is who we are, it is what sets us apart; it is what makes us different than what is quickly becoming a secular and godless world. And for the Chief Justice to have done so, with such audacity as to presume his word is the final word without consideration of the wishes of the people whose land this is. No, Mr. Speaker, as some of my constituents may say, *it does not go so*. Not in this country. I do not care who you are, and that is what I hope to defend in my contribution before this honourable House.

The rule of law prevails and the authority to make laws rests solely in the hands of the duly elected representatives of the people. It is a hallmark upon which our democracy and any advancement to it stand. And, as the Member for Bodden Town West said, we do not need another referendum to survey the wider public's views because the very existence of the Cayman Islands Constitution Order 2009 represents the wishes of the majority of the people of the Cayman Islands; their hopes and aspirations. We find this clearly articulated, for the avoidance of doubt, in the Preamble. The people have already spoken and the message has been received loud and clear. Frankly, Mr. Speaker, until the opinion of the wider people of the Cayman Islands should change on this particular subject, we, as elected representatives of the people are duty-bound to uphold their wishes. And that, Mr. Speaker, really is the crux of this entire conversation. Until the majority populace changes their point of view on this contemptuous issue, we as servants of the people, must do exactly what we have been doing these past two days, and that is, defending the wishes of the people. That is our remit.

Mr. Speaker, we do not accept the ruling and yes, we do agree it must be appealed and if I may offer a bit of reassurance that, despite the fact we are in the twilight of our Premier's time as Leader of this strong and yes, proud, country, there is no sign of him slowing down.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: I guess all that remains to be said, Mr. Speaker, to our detractors and anyone else, who, of course, now includes the Foreign and Commonwealth Office (FCO), is to quote my favourite English politician. I think we share a favourite, Mr. Speaker, and I am speaking, of course, to Sir Winston Churchill, by saying, Mr. Speaker, *We shall defend our Island, whatever the cost. We shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets, we shall fight in the hills and we shall never surrender.*

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: The Motion presently before the House has my full support. Thank you, Mr. Speaker.

[Applause]

The Speaker: Does any other Member wish to speak? Does any Member wish to speak? Last call: does any other Member wish to speak.

Is the Honourable mover intending to reply?

Mr. V. Arden McLean: Mr. Speaker, I thank you for your invitation to complete this debate.

Mr. Speaker, I am humbled to think that I could bring a Motion here to evoke such emotions in the other 18 Members and I should say, indeed, you also.

Mr. Speaker, I am touched but, more importantly, I want to thank all who so eloquently expressed their views, which was precisely the intent of bringing this Motion, so that we could all talk about where we are and where we want to be and express our disappointment. I do not want to prolong this, because I do not know if there is much left to be said. It has been made very clear by almost every Member, at least by those who spoke, that what happened last Friday is unacceptable; that is clear.

Before I go on, I want to say to this country that the intervention between the Attorney General and I, should not be viewed as there being anything other than an intervention. This House is about a debate versus debate. It is not about hate, it is not about hurt, it is one Member's opinion versus the others. Sometimes, acrimonious though it may be, we must remember that we are one body and we were put here to do the people's work and we respect each other, it was his view that that should be and it is my view that it should not be and it lies elsewhere. There are no hard feelings between the Attorney General and I because he has the awesome responsibility to advise this honourable House of its legal responsibility, which I know I cannot do and neither would I want to do. He has that lonesome responsibility. I certainly do not want to have acrimony on much of the things that we do here and there are enough outside forces that we need to occupy ourselves with and draw the swords, whether it is sabre-rattling or not. The fight is not here. We have sworn an oath to take on all enemies, foreign or local; those are the ones that we must fight, not amongst ourselves. There is no time to do 40 paces and turn amongst us.

Mr. Speaker, having said that, there are a few things I think I should speak on. A number of my colleagues, and in particular, this young man, the Member for Bodden Town West, spoke about Northern Ireland where there is no same-sex marriage but civil partnerships are legal there and in Wales and Scotland. But the House of Commons, very unsuccessfully, cannot get it implemented in those jurisdictions because they have councils that local matters have been devolved to.

Now, I think it takes us 10 hours to get home from England?

[Inaudible interjection and laughter]

Mr. V. Arden McLean: At 500 miles per hour, I figure that is around 5,000 or 6,000 miles.

[Pause]

Mr. V. Arden McLean: I have a very good friend in Oxford, where my son went to school and he goes home every weekend. It is 45 minutes by plane and you can drive to Scotland and Wales from England. If they cannot get it in place there, you mean to tell me they are exercising their authority 5,000 miles away? Really?

Mr. Speaker, the UK's Parliament is respected for defending the sovereignty of their Parliament, therefore should we not be respected also for defending the sovereignty of this? Many will say that what went on here in the last two days is mere lamentation. Well, I am sure they got that from the Bible, but there is another part that says, *Joy cometh in the morning*, despite me telling you that I don't go to church that often, Mr. Speaker.

The Speaker: I know the Member is not deliberately speaking so that I cannot hear him but—

Mr. V. Arden McLean: Okay, Sir.

Mr. Speaker, I do apologise because, like the Member for George Town, it is not too often that people tell me that they do not hear me.

Mr. Speaker, lamentations or not, we have a responsibility and I promise you that all of these Members here, in my time of knowing them, especially those I have known since entering these hallowed halls, including that Premier, I have never seen many tears fall from their eyes, okay? And I know it is going to take a lot to make me cry, so those who think that this is crying have made a big mistake.

In 2004, after the hurricane, when we eventually got back to this building, I told the people of this country, despite England's behaviour of giving us nothing, not even one grain of fertiliser for the trees that did not have one leaf on them, that we would survive; that we, this country, was the phoenix, the mythical bird who after 500 years, and appropriately, consumes itself in fire and rises from the ashes renewed, that we shall do now again. We will stand and deliver and fight on our feet but we will never, according to the Member for Prospect—we *will never*—live on bended knees begging for mercy. We shall rise from the ashes, again.

Mr. Speaker, the disrespect for the authority of this Parliament needs to stop. The disrespect for the people who are represented in this country

through the 19 Members that are duly elected and all had at least one parent Caymanian at the time of their birth, must stop the disrespect; it needs to stop. Mind you, fellow legislators, I implore upon all of us, including myself, that we must conduct ourselves in such a manner that they have no choice; that when we speak, we speak with the authority of the people behind us and not in gargled breath. This goes both ways.

Mr. Speaker, there are those in this country who feel their intellectual capabilities far exceeds ours. All of those believe that they are better than us. I am better than no man, but I am less than no man, either; or woman, for that matter. And whilst the AG asked to be respectful, and that I will, I expect them to be respectful too. It is six of one and half dozen of the other. Respect begets respect and if you do not respect me, I have none for you.

Mr. Speaker, they think that this Parliament is precisely what my father told me. He and a friend were in New York in the 30s or 40s and they took a taxi and the trip cost two dollars and his friend handed the taxi driver a twenty dollar bill and started walking off and my father said to him: "What are you doing? You need to wait for your change." His friend replied, "Do not embarrass us here, Lester, you know where we come from, zero don't mean anything."

[Laughter]

Mr. V. Arden McLean: I will always remember that because that is the position they are trying to reduce us to.

My fellow legislators—did you hear what I called you? Legislators! You have a responsibility and, indeed, you have the authority to run and make laws for this country for peace, order and good governance of the people who elected you; those in your constituencies in particular, and those in the country in general. Do not allow others to take it from you. I have spent 18 years in here and all of my productive years I have given to my country, and I will be doggone if someone, some fly-by-night is going to take it from me now. I shall stand and whether I lose friendships, family relationships, so be it. This is all I have.

I know, and so do you, Mr. Speaker, that we have a very unique way of getting back at those who speak out in this country. I have never seen it before anywhere else. They target our families. If one does not comply, you are punished! If one complies, you are rewarded! Does that not sound familiar of the days gone by when the whips were the means of discipline? Mr. Speaker, the only way you can consider yourself in control of punishment or reward is if you think you are in charge. We remember the history books, those who were in the fields and in the plantation house and the means of a reward and

punishment. Let us unshackle ourselves from that! Okay? It is time now. It is time.

Mr. Speaker, the FCO, the UK, espouses equality, yet, it is disappointed in this front bench's actions. They love to spin those words and all of us would do well to make sure that we get that 1999 White Paper and the 2011, 2012 or somewhere in that area, and keep them close by, because it is not worth the paper it is written on. Mr. Speaker, disappointment goes both ways; so am I. Do you think only the FCO can be disappointed? Tell the FCO I am disappointed in their behaviour too.

My good friend for Bodden Town West spoke earlier to making their employees commit suicide; that is disappointing too. And, yes, we have all expressed our disappointment in the ruling recently.

Mr. Speaker, in the life of this Parliament during my tenure, we have shown the maturity to recognise our mistakes. Do you remember the [case] I mentioned yesterday which referred to where [Judge] Henderson made a ruling and sent it back to us?— [Nairne]. Whilst it is a different case than the case at hand, Mr. Speaker, I have been here long enough, and many of us were here in 2013 when that was sent back to us to change the Police Law, and we responded and corrected our mistake. This Parliament is mature enough. No one, the FCO or anyone else, should think otherwise! And we should not be treated otherwise! We are very capable of understanding and we have done a pretty good job in recent years since then, to bring along all new Members, and if I have not, now is the time for those who I did not help, to say so.

Mr. Speaker, in 18 years, I learnt, in particular, that democracy is about processes. Sometimes we may not like the outcome. Many times, the Government comes here, and in particular, this Government at the current time, with things that I do not believe is the way it should go. I never went at the principle once. I have always objected to my good friend, the Premier, on the process. Many times I did not like it, and yes, disappointment, but that is the nature of democracy. The Government must have its way but the Opposition must be allowed its say, and that is as far as democracy goes. One, Mr. Speaker, can be a majority in this democracy. All that is required is one; 50 per cent, plus one. I do not know who that plus one is, but that is all that is required for the processes to be completed and when we start disrespecting that process, like was done on Friday, we are losing where we are, we are losing our way; our country becomes a country without rules or rules that are made by someone else when we do not give democracy and the processes of democracy a chance to succeed and we make our own rules.

That is why we are here today. That is why, Mr. Speaker, I beg of you to put this Motion on the floor because, in my view, the democratic processes were not followed. The Chief Justice did not like what

he thought would have been the outcome, he can't change the rules. He cannot make his own rules.

Mr. Speaker, I have friends in this society who encroach on the law and the police and the DPP are duty-bound, in the interest of keeping peace and good order, to prosecute them. I cannot go over and make the rules and tell any judge that they should let somebody go. That is the process. I may not like the outcome, but I must accept and respect the outcome. And it goes the other way too. But no, because we appoint someone they think they are anointed and they can change the rules as they go. They cannot change the rules to suit their personal desires! I have had to live with it for over five decades and so too should you if you intend residing in this society and hold a position of governance and, most of all, a position of equality in the application of the rule of law!

Mr. Speaker, make me stop there, you hear because . . .

[Inaudible interjection]

Mr. V. Arden McLean: Mr. Speaker, you know the irony of this whole debate is that my first cousin tried getting me urgently yesterday and I did not get her until this morning. She wanted to say that I had matured; I don't know how much, because I am still as I have always been. I am an advocate, just like how the Premier was too. Just like you, Mr. Speaker. We have stood here toe to toe, the Premier and I have stood here back to back, and we fought them all off, and that is the life we have chosen. Whether I am standing back to back with him now or with someone else, we fought them all off.

Mr Speaker, even you, I fought back to back with when the FCO wanted to do what they wanted to do. I do not do this because I want a place in history. Everybody knows where I come from and everybody will know where I am buried; that is history enough for me. As long as I leave this world knowing that I did not disappoint the people of East End, and I fought for them until the end of day, whether that is that they get rid of me or I get rid of myself or I pass on. That is all the history I need. Those who look for honours and subject themselves to the whim and fancy of others' wishes for that reward should be ashamed of themselves. They should be ashamed of themselves.

Mr. Speaker, I do not need anything on my lapel that I have to be taking care of. I am okay like this, five decades plus. There has been nothing on my lapel and I am not going to compromise my principles for the rewards that someone thinks I should have. One of my good friends once told me that my principles were going to be my downfall. Well, that means I am going flat on my face. I said, my principles mean more to me than a friendship or a reward.

When I was going into politics in 1992 and when I took my first dive into actual politics, I went to tell my mother and father of my decision and my

father said to me “I don’t want you to do this; this is not what I thought either one of my children would do.” because he had been involved on the periphery of it all of his life. I said, “Well, dad I have decided to do that”. He said, “Okay, obviously I cannot change your mind, it is already made up. Let me explain something to you, son: the only thing you can call your own is your name.” He paused and said: “Remember I gave it to you.” My father has been dead since July 4th, 2002. I visit his grave on every birthday, every Christmas. He and my mother, we put them side by side and the name is there for all to see. That is who I am. And we decided to write on his tomb: “God’s greatest gift to mankind is a noble man.” That is it!

Mr. Speaker, I trust that people will understand my motivation for bringing this Motion. The Chief Justice is wrong and I want the Government to use the people’s money to the full extent of the appeal process.

Mr. Speaker, my good friend reminded me to tell the country that the Ministers’ Association signatures against this, are up to just under 3,000, and efforts are ongoing to collect more signatures. Now, Mr. Speaker, I think that is a lot since Friday and is commendable. And the same way I said that I expect respect and respect begets respect from all others, then we have to respect the Ministers’ Association. They have their belief! I may not accord with that or with all of it, but I respect that they got one. They have one, let us respect that! And we know what people do when there are times of adversity and threat against them, they turn to their faith. Let them turn to their faith! I turn to this thing called mouth.

Mr. Speaker, you knew my father, and you know he did not sacrifice nor postpone his principles. You know he said that he wanted you to build a statue out there in Heroes Square for him and when you asked him why he wanted that, he told you he wanted the birds to deposit on him like they were doing on the others.

[Laughter]

Mr. V. Arden McLean: Mr. Speaker, such was my father. Many say that I am like him. If that is the only thing I go through this life with, then I am proud to be a Mclean; I am very proud. And, if my two sons grow up being able to speak for themselves, I will have done my job. That is all I can hope for.

Mr. Speaker, if I may—the FCO stated its disappointment in the Government; that is not us over here. We can say anything we want and if by chance, life is that long and we are fortunate to get over there, then, we will be the Government.

I know the difficulties of sitting in Cabinet on many occasions when decisions have to be made and there are people who have to refer to the imperial bosses. I know how difficult that is, Mr. Speaker. I

know that it causes the Government of the day to have extreme difficulty with execution of their policies on behalf of the country. I know how difficult that is Mr. Speaker, because you and I have both been there; especially, in my case, when we had Stuart Jack. Who was in Cabinet when I was there? Only the Premier was there. I do not want him to have to go through that again, Mr. Speaker, especially, because of me. I would not forgive myself. I ain’t worried about him forgiving me, because that has never happened, but I would not forgive myself to expose the seven Members who are enabled by this Legislature to do the work of this country. With some of them, the innocence can be seen. They are innocent-looking and I certainly would not forgive myself for them to be in any acrimonious situation causing frustration and they then throw their hands up in the air.

In the interest of making sure this country stays on an even keel, and that those who believe they are the imperial powers, not to hold it against the Government of the day, I am going to propose an amendment to this Motion of the second resolved. Mr. Speaker, this has gone through eight iterations and the others were not very good and now I am doing another one.

AMENDMENT TO SECOND RESOLVE

Mr. V. Arden McLean: Mr. Speaker, I move that the Second Resolve be deleted and replaced with the following: “BE IT FURTHER RESOLVED that this Legislature records its disappointment in the decision’s seeming failure to recognise or respect the Doctrine of Separation of Powers that is enshrined in the Cayman Islands Constitution.”

[Inaudible interjection]

Mr. V. Arden McLean: Yeah, but I will speak after this.

Mr. Anthony S. Eden, Elected Member for Savannah: Mr. Speaker, I beg to second the amendment.

[Inaudible interjection]

The Speaker: I need to get the full wording.

The new wording of that ‘further resolved’ section: “AND BE IT FURTHER RESOLVED that this Legislature records its disappointment in the decision’s seeming failure to recognise or respect the Doctrine of Separation of Powers that is enshrined in the Cayman Islands Constitution.”

The Premier, Hon. Alden McLaughlin: Mr. Speaker, just—

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin:—drawing your attention to the fact that I believe the Standing Orders would require that notice to move the amendment be waived or . . .

Mr. V. Arden McLean: No, not for a motion.

The Premier, Hon. Alden McLaughlin: I just want to make sure that we do it correctly; I am not trying to be obstructive.

[Inaudible interjections]

The Speaker: And what the Member is doing is removing the current one and replacing it . . .

[Inaudible interjection]

The Speaker: Yes.
[Inaudible interjection]

The Speaker: I think to be safe, there are two things: let us get it typed, first of all. I think we should take the break. We are reaching 4:30 when we will soon take the suspension of Standing Orders in any event.

[Inaudible interjection]

The Speaker: Seven minutes slow, given.
I will call on the Premier to move the suspension. We will take the break at that point and get this typed and I will have a further look at the Standing Orders.

**Moment of interruption—4:30 pm
Suspension of Standing Order 10(2)**

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

Mr. Speaker, I move the suspension of Standing Order 10(2) in order that the business of the House to may continue beyond the hour of interruption.

The Speaker: The question is that Standing Order 10(2) be suspended in order for the House to continue after the hour of 4:30 pm.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: We will continue business. In the meantime we will take a suspension at this point.

Proceedings suspended at 4:31 pm

Proceedings resumed at 5:24pm

**PRIVATE MEMBER'S MOTION NO. 18/2018-2019—
SAME-SEX MARRIAGE COURT RULING**

AMENDMENT TO THE SECOND RESOLVE

The Speaker: Proceedings are resumed. Please be seated.

Honourable Members, we took the break to finalise the new resolve section of the Motion by the Member for East End. I waived the required two days' notice and so, the new Second Resolve section is: **"AND BE IT FURTHER RESOLVED that this Legislature records its disappointment in the decision's seeming failure to recognise or respect the Doctrine of Separation of Powers that is enshrined in the Cayman Islands Constitution."** That is the new Second Resolve.

Mr. V. Arden McLean: Mr. Speaker, I would respectfully ask you—

The Speaker: —Honourable Member for East End.

Mr. V. Arden McLean: —to receive me.

The Speaker: Let me read that again: **"AND BE IT FURTHER RESOLVED that this Legislature records its disappointment of the decision's seeming failure to recognise or respect the Doctrine of Separation of Powers that is enshrined in the Cayman Islands Constitution."** I find no fault in it.

Mr. V. Arden McLean: Okay, Mr. Speaker, no problem; put it to the vote and I will finish up.

The Speaker: I have accepted the Amendment to the Second Resolve section, and at this point, the House needs to accept it.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Amendment to Second Resolve of Private Member's Motion No. 18/2018-2019 passed.

**PRIVATE MEMBER'S MOTION NO. 18/2018-2019—
SAME SEX MARRIAGE COURT RULING**

[Continuation of debate thereon]

The Speaker: The Honourable Member for East End continuing.

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

I do not know why the day does not come to an end without more and more of these people weighing in on this country's business that they have no business in.

An Hon Member: Amen.

Mr. V. Arden McLean: If the day had come to an end, I would not have gotten all frustrated again.

[Laughter and inaudible interjections]

Mr. V. Arden McLean: But then, I would not have had the chance to respond to them either. It just so happens, that it falls my lot to put these people in their place.

Mr. Anthony S. Eden: Hear, hear.

Mr. V. Arden McLean: Mr. Speaker, as time moves on we see the seeming behaviour of those in charge to put in place those they can control

Mr. Speaker, while we were on the break, James Austin-Smith—

Mr. Anthony S. Eden: He should have been gone long ago.

Mr. V. Arden McLean: —as Chairman of the Human Rights Commission, sent out a release. I know this man has beaten my good friend for Savannah since he has been ya.

Mr. Christopher S. Saunders: Tried to.

Mr. V. Arden McLean: Now, I have given him another back to jump on.

Mr. Anthony S. Eden: Thank you, mine is sore.

Mr. V. Arden McLean: Mr. Speaker, he sent out a release under the guise that it is the Human Rights Commission, of which he is the Chairman, but this is his personal opinion. This is mine too.

Mr. Speaker, I said in this Motion that that Governor has unfettered responsibility and authority to appoint judges. He also has it to appoint the Human Rights Commission under Part VIII of our Constitution, entitled "Institutions Support Democracy": It reads in section 116:

Subsection (1) states: "**There shall be in and for the Cayman Islands a Human Rights**

Commission (referred to in this section as "the Commission")."

It continues in subsection (3) which states: "**The Commission shall consist of a Chairman and four other members appointed by the Governor, acting after consultation with the Premier and the Leader of the Opposition, at least two of whom shall be experienced lawyers.**"

'Consultation' means, he is telling um, and 'advice' means, they have to submit names for him to put on. So, he has unfettered authority again.

In subsection (5) it states: "**The Commission shall replace the Human Rights Committee.**"

In subsection (6) it states: "**The Commission shall have power to –**

- (a) receive and investigate complaints of breaches or infringements of any right or freedom contained in the Bill of Rights or international human rights treaties that have been extended to the Cayman Islands, and investigate such possible breaches or infringements on its own initiative;
- (b) provide advice to persons who consider that their rights or freedoms have been infringed;
- (c) provide a forum for dealing with complaints by mediation or conciliation or by making recommendations;
- (d) issue guidance on procedures for dealing with any complaints of breaches or infringements of rights and freedoms;
- (e) contribute to public education about human rights;
- (f) issue reports relating to human rights issues on its own initiative;
- (g) undertake such other functions, for the purpose of fulfilling its primary responsibility under subsection (2), as may be conferred on it by a law enacted by (where?) THE LEGISLATURE."

Subsection (2) says: "**The Commission's primary responsibility shall be promoting, understanding and observance of human rights in the Cayman Islands.**"

Subsection (7) says: "**The Commission shall have no power to –**

- (a) represent or provide representation to parties to litigation;
- (b) act in a judicial capacity or make binding determinations as to

whether any right or freedom contained in the Bill of Rights or any international human rights treaty or instrument has been breached;

Mr. Speaker, I want to read that again: **“The Commission shall have no power to –**

(b) act in a judicial capacity or make binding determinations as to whether any right or freedom contained in the Bill of Rights (in this Constitution) or any international human rights treaty or instrument has been breached;”

I thought that was clear. It says: “. . . **at least two of whom shall be experienced lawyers.**” I am no experienced lawyer but I can read and this Chairman, Mr. James Austin-Smith, is supposed to be a lawyer.

Mr. Speaker, I’m going to get to part of what he has written here today, but first let me tell the people who he is. He came here to your country, and hung his shingles on taking away people’s homes—

Mr. Christopher S. Saunders: Mm-hmm

Mr. V. Arden McLean:—under foreclosure.

Mr. Christopher S. Saunders: Yep.

Mr. V. Arden McLean: Those are the kinds of rights he is promoting. He hung his shingles on taking away people’s homes under foreclosures. Everybody comes and do as they please.

My good friend, the Premier and I used to listen to a song by The Eagles entitled “The Last Resort”.

An Hon. Member: Say what?

[Inaudible interjection]

Mr. V. Arden McLean: Call it paradise and kiss it goodbye. They come from all over and they build their churches and put up their shingles. They come to hide something; something to that nature it is, Mr. Speaker. I guess he is one of those who came to hide something but I encourage you all to go and listen to song, “The Last Resort”.

Mr. Speaker, the Minister of Education, Honourable Julianna O’Connor-Connolly, the Minister of Financial Services, Honourable Tara Rivers, and the Premier, Honourable Alden McLaughlin, we all entered these hallowed Halls together. The Premier was only about five minutes in front of me on swearing-in together. As lawyers, the three of them made their contribution to the betterment of this country in the prime of their life. I know because I was very good—was—very good friends with the Premier.

[Inaudible interjections]

Mr. V. Arden McLean: And for the benefit of all those who came since, let me tell you he owned 20 per cent of the company he moved from; gave it up to come in here.

[Desk thumping]

Mr. V. Arden McLean: In the prime of his life; he was in his late 30s when he came here.

Mr. Speaker, others came here and did not contribute; like Smith . . . well, he can come and tell me what he did, if he so wishes, other than taking away people’s homes through the courts. They came and plundered and are still taking. Pillaging everything but they do not give anything back, and that is okay if they do it, but give something back. At least the three of these in here . . . the Attorney General too, he’s getting nothing out of it; poor him.

[Inaudible interjection]

Mr. V. Arden McLean: They gave this country the most productive years of their lives when they could have been out in the private sector making money too. But along comes this one that couldn’t find a shingle in his own country much less hang one, and says to this august body today: **“Regrettably, many of the statements made in the Legislative Assembly yesterday demonstrated that the speakers had also not taken the time properly to analyse even the Executive Summary of the judgment.”**

Mr. Speaker, I was a seaman from time I turned 18. Let me say, I was a sailor and sailed for a long time, and I promise you that if we were not in here, I would have some colourful words for him. He then went on to say **“This appeal seeks to perpetuate discrimination and if successful. . .”** but has just said that it is not going to be successful — **“. . . would (serve, I guess) to remove protections from all minorities . . .”** We should remove it from him! No one in here hoped for that; not one Member of this Parliament has hoped that we will encroach on the rights of minorities. What we want is our rights. I want to know why he is so pining on this when the European Courts have said same-sex marriage is not a human right! He has no place!

[Inaudible interjection]

Mr. V. Arden McLean: Oh, I have that written down here too.

[Inaudible interjection]

Mr. V. Arden McLean: Under subheading, **“Rational Decisions Regarding the Use of Public Funds”**,

did you hear anything in the duties of the Human Rights Commission that says they are responsible for advising how we spend money?

Let me, for the benefit of those who do not know, read . . . you know sometimes . . . we should not even be paying him. I hope they are not paying him to be on that board.

Part VII, Mr. Speaker, under “Finance” . . . and I know this Constitution back and forth you know, because the Premier and I were there.

Part VII, section 111(1) states: “**The Legislature shall have the authority to levy or [change] the rate of revenue unless otherwise provided by law.**” Subsection (2) states: “**All Government expenses, assets and the incurrence of liabilities shall require appropriation by the Legislature, unless otherwise provided by law.**” Whereby, this is where we give Cabinet responsibility to do the 10 per cent under section 11.

Subsection (3) reflects that: “**A law enacted by the Legislature shall govern the operation of the Government’s financial system and process.**”

Where do we hear James Austin-Smith’s name in that or the Human Rights Commission? Do you now see, Mr. Speaker, why, what happened last Friday is damaging? He is one of those, that could apply to run for up in here; I-o-n-g may that remain! He is one of those that could go and do it. Unna see why, I guess, he did it around the collar. Understand this country is slipping out of our grasp and if we do not stop it, it is people like James Austin-Smith that is going to create soap box in this country. And you know what? He’s going to gain traction because it is more of them than it is of us.

[Inaudible interjection]

Mr. V. Arden McLean: Maybe, my people don’t feel it. I hope it is joy that cometh in the morning. I hope it is not sadness. The morning is not tomorrow; I am talking about the future.

Mr. Speaker, this man says that “**Having lost (or conceded) every legal point in the trial, the Government was ordered to pay the Petitioners’ costs.**” That is not true. He does not know what he is talking about— the Petitioners’ costs?

[Inaudible interjection]

Mr. V. Arden McLean: Yes. Okay. Not damages.

He continues to say: “**The Government is also responsible for paying its own Senior Q.C. to fly out to Cayman, stay here, and defend the discriminatory position it wished to perpetuate.**” You know, I was going to wait until the end, but it will fall on deaf ears anyhow. I hereby call on the Governor remove this man from that position.

[Desk thumping and applause]

Mr. V. Arden McLean: Everybody wants constitutional overreach. The Chief Justice started it, now this one gone in it too. What does that tell you all? It tells me and it should inform you that once it starts, it is going to go and go and go and go and go!

[Inaudible interjection]

Mr. V. Arden McLean: And the only person who is going to be Premier . . . it won’t be this one nor either one of us up in here; that is where it is going, Mr. Speaker. We dare not sit down and be complacent about this little position we hold, that we can lose in 2021. We dare not, Mr. Premier, sit down and become complacent. I promise you all 19 of us will be walking on peg-legs by the time 2021 comes here. They will chop our legs off us— and by the extension, the people. This little slippery . . .

[Inaudible interjection]

Mr. V. Arden McLean: He continues by saying: “**The first trial has cost the public hundreds of thousands of dollars. This ill-considered appeal will waste many hundreds of thousands of dollars more.**”

[Inaudible interjection]

Mr. V. Arden McLean: He further states: “**The Commission received regular complaints from Caymanians who cannot afford basic necessities like shelter . . .**”—

[Inaudible interjection]

Mr. V. Arden McLean:—that he took away through foreclosure and then they send them over there by him to complain about him.

[Inaudible interjection]

Mr. V. Arden McLean: You know sometimes these people come here and make their own rules and we acquiesce to them. He has no authority, Mr. Speaker, to be making these kinds of positions publicly against this Legislature. Anywhere else in the world he would be in cold steel by now. This is what we have gotten. Is it any wonder that the FCO sent these ya to lead the country with pre-conceived positions and what they must do? This is how it works. And we must put up with them as being necessary evils.

[Inaudible interjection]

Mr. V. Arden McLean: This is the first confessed Atheist in the country and we got him and he has only been in there two months again. He was on it and they took him off and now he is back there again. Two months under whose tenure?

[Inaudible interjection]

Mr. V. Arden McLean: The same one that came out and rejoiced on TV jumping up here Friday appointed him.

Mr. Speaker, colleagues, we have a problem. Mind, I do not know this man. He could walk in here now, I would not know him. It matters not to me. The more faceless he is, the better off he is to me. Is it any wonder I go home at night and sleep well? Because I work myself up on these all day, but I will remind them that there is no history of heart attacks in my family. I don't get them, I give them!

[Laughter]

Mr. V. Arden McLean: And those of us in this country who remember that one that was at the Law School, what is his name, Raznovich?

[Inaudible interjection]

Mr. V. Arden McLean: Raznovich—unceremoniously removed from the Law School! Tell him come sue me now. I see what he is going to get. You know what he is going to get? He going to get me taking a trip to Northward in bangles, and unna don't want to put me there because that is the greatest concentration of Caymanians in this country.

[Laughter]

An Hon. Member: You will be king.

Mr. V. Arden McLean: I will be king of all.

You all think I can't say what I have to say? Many in this country are afraid to do that, not me! And this one, Raznovich or whatever his name is, we should never have acquiesced to him. We should have sent him off the Island long time. And if they want to say that I am talking about minorities now, tell him to send another press release out. If he thinks that I can't take him on the radio, he has made a big mistake.

Mr. Speaker, there was a time in this country and within the Caribbean when you better go sleep in your full suit, because if you did anything against the country, they were picking you up and putting you on the first plane out. I do not know how we are so weak now.

[Inaudible interjection]

Mr. V. Arden McLean: Do you know how many people were picked up in this country and deported midnight and they have not returned since? That is what we have to do with people like this man James Austin-Smith and Raznovich or whatever his name is.

[Inaudible interjection]

Mr. V. Arden McLean: We are elected to make laws for peace, order, and good governance and they are disturbing all three of them. You don't think it is time to get rid of them now?

Fellow legislators, he went on to say that for medical care, or even clothing, that they received complaints. I believe he is exaggerating for his own purposes. This is not his remit! He has no authority to tell us how to spend government funds. This is the people's money that he should not be a part of. Now he is going to say that oh, because he spoke out, I am trying to curtail the minority. Yes, if he put himself in that minority, I want to stop him, yes!

Since I have been here, Mr. Speaker, your good-self brought a motion to this floor to remove an Attorney General from this country and I stood here and said that my greatest regret was that he was not here so I could look him in the eye to tell him what I had to tell him. What is his name?

An Hon. Member: Ballantyne.

Mr. V. Arden McLean: Ballantyne. And, Mr. Speaker, during that same period, for that same particular reason, the UK brought in a military plane and took one out.

Mr. Christopher S. Saunders: If a Caymanian did that, it would be something different.

[Inaudible interjection]

Mr. V. Arden McLean: When the then Leader of Government Business called us to the Cabinet because the Minister for the Overseas Territories, Amos or one of those for the Caribbean—Scotland or Amos was there. And she proceeded to say, *Oh, we were concerned about his safety*. Really? I said, *Stop right there; we were only looking justice*. We are not the people who cause hooliganism because of football matches. We don't burn tires and turn over cars, and I am not encouraging that. Long may it remain our civility over all those others who believe they have imperial power over us! I am sick to it! Taking away people houses and then trying to cover it up by advocating for them.

[Inaudible interjection]

Mr. V. Arden McLean: Advocating for the same people they took the houses from? And then they turn

to us to get the money to help them because of the same people. You know, that is like some of them come here, work for government, getting in charge of certain aspects of industries in this country and then open their own without getting permission to do so. Eh? That is what bothers me, Mr. Speaker. Not knowing that those people, civil servants, they are chief in their field that protects this country from a rash of things that could happen to it and they go and open their own business in that same field?

Everybody comes here and do as they please because we have been so passive. We sit down and God forbid, I would say that being passive is a bad thing. You can be passive and firm. We need to stand together and run those who would otherwise destroy this country and fair out of it!

Mr. Christopher S. Saunders: Yes.

Mr. V. Arden McLean: What did Bob Marley say?

[Inaudible interjection]

Mr. V. Arden McLean: *Crazy bald head man, we run them out of town.*

Mr. Speaker, I see one of my pastors in the gallery. He knows I don't get heart attacks and I will stand up.

[Inaudible interjection]

Mr. V. Arden McLean: He's praying; his knees are going to wear out ya today. I know he is consistent with that too, to stay down on his knees but, he's going to need plenty of it.

Mr. Speaker, I do not know how James Austin-Smith could have the audacity, the temerity, and hypocrisy to issue such a press release. It is on Facebook too; a flagrant disregard for his responsibility that is spelled out in the Constitution. You see? You see? It all comes back to our Constitution and everything is unconstitutional until we say something about it and then we are not supposed to say it, because they know better than us. Know better? I want to give him a little sailor language one of these days, one of those colourful ones.

What time is it? It is six o'clock already.

An Hon. Member: It is not over yet, though.

Mr. V. Arden McLean: Mr. Speaker, I am sorry, sir.

Mr. Speaker, I've walked the streets of this country and so have all others; free, unencumbered and no need to fear any human being until now. There are times in my life; more recently I have had to pinch myself to see if it is really me because of the freedoms and the things I did in this country, I did not know that I would ever end up in here. I did not set out to end up in here in my life and that is why I had fun. They are

taking away the veracity of my children's youth by not being able to be free and run and play and use this as their playground, as their only home, the only place they know, because they have taken it over.

When I was growing up in East End I did not have any shoes. Pastor Marquiss can tell unna that it was seven children with my mother and my father in a one bedroom house, but I had love, respect, and the community raising me. I could fish, I could go down the road in string car (*sic*), I could play gig and marbles. My children and my grandchildren, if there are any to be, will not be able to do that any longer. They have taken the veracity of my youth from me. Who is to blame? Mr. Smith, I agree with you, sir, we are to blame. We are to blame because we have allowed it to happen. But I say to my colleagues, be steadfast. I do not believe it is too late. I say to my fellow Caymanians, the time has come to take it back. *[Inaudible interjection]*

Mr. V. Arden McLean: The time has come to stand and deliver. And yes, Mr. Smith, this is a rally call for my people. I do not know you, I know them. The time has come to once again rise from the ashes. The time has come for you, my fellow Caymanians, to have more say than writing to your elector, your politician, whilst others write checks. The time has come for you to help us, the 19 people you elected in here, regardless of whether you like them or like me or like them individually as to why you voted for them or not. Your job is to understand that this hole in this boat is getting bigger and we are trying to ensure all boats rise in the tide but there is a hole in it and we need you to help us plug it, so that we can all rise together. And all of those who have come here and made this home, we are calling on you too, because I promise you, that which attracted you here, will be gone forever if you do not stand up.

I have always said about myself, that as a conservationist I am no tree hugger but I understand that extinction is forever and when we are gone, there will not be anything left of us. The few of us left, will be that zero that means nothing here, of that \$20 bill. That is all we will have. Our hearts will be full and our hands will be empty. Take it now. Stem this tide, now. You do not have to listen to me, but I know you are hearing. Make sure today is the first day in the rest of your children and grand-children and future generations' lives, and they must be better than you. That is what you set out to do. Every human being has said they want their children to be better than them and we want to leave a better place for them. My clarion call to you is to let us concentrate on making better human beings and the future will take care of it.

Thank you very much.

The Speaker: The question is: BE IT THEREFORE RESOLVED that this Legislature records its support

and recommendation for the Government to appeal the said ruling to the full extent of the appeal process on behalf of the people, to ensure that the tenets and the veracity of the Cayman Islands Constitution Order 2009 is upheld in accordance with the wishes of the people of the Cayman Islands; and

BE IT FURTHER RESOLVED that this Legislature records its disappointment with the decision's seeming failure to recognise or respect the Doctrine of Separation of Powers that is enshrined in the Cayman Islands Constitution; and

AND BE IT FURTHER RESOLVED that this Legislature asserts its competence under section 59 of the Constitution of the Cayman Islands, as the only institution with the power to enact legislation and that such power can only be exercised through Bills enacted by the Legislature, either as principal legislation or by way of amendment.

All in favour please Aye. Those Against, no.

AYES

The Speaker: The Ayes have it.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, could we have a division, please?

The Speaker: Madam Clerk.

The Clerk:

Division No. 22

AYES: 18

Hon. Alden McLaughlin
 Hon. Moses I. Kirkconnell
 Hon. Julianna Y. O'Connor-Connolly
 Hon. Dwayne S. Seymour
 Hon. Roy M. McTaggart
 Hon. Joseph X. Hew
 Hon. Tara A. Rivers
 Hon. Bernie A. Bush
 Capt. A. Eugene Ebanks
 Ms. Barbara E. Conolly
 Mr. David C. Wight
 Mr. Austin O. Harris, Jr.
 Hon. D. Ezzard Miller
 Mr. Alva H. Suckoo, Jr.
 Mr. Kenneth V. Bryan
 Mr. Anthony S. Eden
 Mr. Christopher S. Saunders
 Mr. V. Arden McLean

NOES: 0

The Speaker: The result of the division: 18 Ayes, 0 Noes. The Motion is passed unanimously.

[Applause]

Agreed by the majority: Private Member's Motion No. 18/2018-2019 passed.

The Speaker: As Speaker of this honourable House, I have no vote but, if I could vote, you know, I would say "Aye".

[Laughter and desk thumping]

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, before I move the adjournment, let me just say that tomorrow we propose to deal with the Supplementary Appropriation Bill for the 2019 Year and that Finance Committee is expected to start at 9:30 am.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Thank you, Mr. Speaker, and I thank the Member for East End. I am getting ahead of myself.

The first part of what I said is correct, but the House will have to be first, before we resolve ourselves into Committee, so it will be a 10:00 am start.

[Inaudible interjection]

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: Mr. Speaker, with that bit of information, I move the adjournment of this honourable House until 10:00 o'clock tomorrow morning.

The Speaker: The question is that this honourable House do now adjourn until 10:00 am tomorrow, Friday the 5th April, 2019.

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

AYES.

The Speaker: The Ayes have it.

This honourable House do stand adjourn until tomorrow, Friday 5th of April at 10:00 am.

At 5:18 pm the House stood adjourned until Friday, 5th April 2019.