



MEDIA RELEASE

25th November 2021
For Immediate Media Release

Press release on the Matter between Veera Bhajan v the Equal Opportunity Tribunal, its Chairman and the Attorney General of Trinidad and Tobago.

The Equal Opportunity Tribunal (the Tribunal) notes the several news articles and social commentary that the words of Justice Quinlan Williams decision have provoked. Without reservation, the Chairman respects the Court as an institution and the judgments which are promulgated.

To date, the Tribunal has not issued any statement in relation to the matter involving Ms. Bhajan, and this is in keeping with the general practice that judicial institutions do not ordinarily comment in the public domain on judicial matters.

However, this situation is an unprecedented one and the Tribunal is constrained to protect and ensure continued public confidence and trust in its operations, which are essential to the performance of its statutory duties.

Notably, this action raised several issues of national importance. It was predicated on what appeared to be an irregular appointment of a lay-assessor, and her ensuing expectation to immediately assume office and to be paid emoluments, at a time when the Tribunal was crippled and did not have the infrastructure, financial wherewithal or resources to do so.

It is critical to note, that at no time in the pleadings for these proceedings, were any allegations of discrimination on the basis of race and or disability or hate, (now being mooted) raised by attorneys for the claimant. Hence there was neither necessity nor

reason for the Tribunal and or the Chairman to consider and or defend these scandalous and unfounded suggestions.

The evidence adduced in the matter included the transparency, procedure and fairness of legislative appointments and sought judicial confirmation as to whether public officers should be paid from the date of their appointments or from the date of their assumption of office.

The practice at the Tribunal not to pay public officers from the dates of their appointment, is in keeping with the traditional practice that exists in many government departments. Specifically, that public officers are paid from the date of their assumption of public office and not from the dates of their appointments. Further, there have been no official government directions changing this practice that is still widespread in the public service. The unchallenged facts put forward by the Tribunal was that the Tribunal was closed, because of the numerous challenges it faced (no internet, no phone service and unsafe conditions and improper ventilation etc.) and therefore the appointment could not be facilitated.

The Tribunal has done nothing injudicious. In fact, the Tribunal has always been guided by best practices and mature, reasoned legal and professional advice in these proceedings. The actions of the Chairman have and continue to be consistently intended to protect the independence and survival of the Tribunal, its finances and the well-being of its staff in keeping with the oath of office "without fear or favour".

Although the Tribunal does not intend to challenge the orders pronounced by the Judge, the Chairman on the advice of her attorneys, headed by Senior Counsel Mr. Ramesh Lawrence Maharaj, intends to immediately file an appeal against the orders made against the Chairman by Justice Quinlan-Williams on the grounds that the judge made serious errors of law which precipitated erroneous declarations and awards of damages. Senior Counsel advised that the judge had no jurisdiction because no sustainable claim with a cause of action to obtain damages was pleaded. He further advised that the awards were

inconsistent with established principles of law and that the adverse comments made against the Chairman were unsupported by any evidence in the case.

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