

CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY

Message by the Hon Speaker

MESSAGE: Hon Members, I received a response in writing on the 8th April 2019, from the Cayman Islands Human Rights Commission's Chair, Mr James Austin-Smith, despite, it being sent well after the appointed hour.

He offered a fauxpology for his written statement criticising the House's decision to support Cabinet's decision to appeal the Chief Justice's ruling to legalise same-sex marriage. Yet, it is important to note, that one of the most respected members of the Human Rights Commission has resigned. Ironically, Mr James Austin-Smith is expected to leave the position of Chair within six weeks. This prior arrangement gives me great satisfaction, for, being the Presiding Officer of

this House, I am here to provide a balance and keep the peace, even as I endeavour to protect you, the people's representatives. I must look at all sides of an issue: that is, ensure that the Rules of this Honourable House are adhered to by everyone, including those people outside it.

I observed the editorial dated 4th April 2019 of the Compass on this matter; however, I want to make it quite clear, whether The Compass appreciates it or not, that it ought to understand that the House is in its right to question Mr Austin-Smith's intention, particularly, where his actions are considered to be in contempt of the powers and privileges of this House as enshrined in the Legislative Assembly (Immunities, Powers and Privileges) Law.

In case the Compass doesn't know - if I were being heavy handed or unreasonable, I would have went to a heavier recourse to a fine and six

months imprisonment. But alas, there are those in this country that cannot control Members the way they want to. They only hold respect to those Members if they feel that they are falling within the same reasoning.

This is an emotive issue, and as Speaker of this House, it is my duty to rule fairly, promptly and decisively, and I have done so. The Compass and others may continue to ask, ‘why couldn’t we just change the law’? Well, because we do not agree! This is simple enough to understand. Anyone, who wants the law to change, can put up \$1,000 to nominate as a candidate, in any one of the 19 constituencies and campaign on the issue and let the voters have their say. That is the test!

Now, I would like to ask the Compass though, should the ruling made by the Honourable Grand Court change our Laws? If we allow that to happen, then within time, our Immigration Law

can be challenged by some judge under the grounds of being incompatible. If any judge is to have the power to amend the law in this manner, do they not realize that pure war would envelope our Islands' home? Is this what the Compass wants? I trust that everyone understands that this raises concerns that the courts could, in the future, use the same powers to amend the Elections Law, for example, to allow people from overseas to vote and run for office. This is what Members of this House are more concerned with and the vast majority of Caymanians, likewise.

Those of us who have the honour to be elected in this House, have to reconcile many competing and conflicting interests. When a ruling comes from a court which we have great difficulty in understanding, and when a vast majority of our people, including distinguished lawyers, are asking questions, it is the duty of the government to ensure that a matter is appealed in the hope that some of these concerns are addressed.

As the Honourable Premier rightly pointed out in this statement, the repercussions of this ruling and the manner in which it was arrived at could extend well beyond the issue of same-sex marriage.

It is disappointing that The Compass, in writing its editorial, failed to make a distinction between the result they wanted, and what we believe that the law allows, and does not allow to be done. They also paid no attention to the functions of the Chairman of the HRC vis-à-vis, the functions of the Legislative Assembly, or how the ruling may affect other rulings in future.

Again, let me be quite clear, those who want to live the alternative lifestyle, that is their business. I do not agree with same-sex marriages but I will never do anything to harm anyone's child. I know what I have gone through in every phase of my

life because of accusations and I do not push that on anyone; only because, I know who I am and what I stand for. Accusations have, from time immemorial, caused people to be murdered – killed ambition- killed people’s business – destroyed people’s character because of human beings, far too many times, not being the best to each other, because of jealous and hate and mean spirited people.

As a legislator and the Presiding Officer of this Honourable House, I will not agree to make changes to our Laws that I do not agree with. If anyone or any institution, including the Compass, thinks that I am wrong, it is only their opinion. They have a right to an opinion, and I have one too; to make my choice. I have long said to the Compass; if I make a statement and you can’t carry it in full, please don’t twist my meaning of the statement by picking out a few words, which suits what they want to chastise me on. And I

well know they can't carry everything everyone says – but in this instance – they carry all of Austin Smith's statement.

Hon. Members, we have a good country we just can't make every wind that blow change us to their liking.

We have our own issues, of course, but all these years we have survived by working together and with others who never sought to change Cayman the way it is being done today by some. So, we can't be shoved by every wind that blows.

If we allow these kinds of changes being sought today; then am I to agree for it to be taught within our schools? And affect the young and elastic minds of our grandchildren, our prodigy? Must we agree with them for the sake of being agreeable to ridicule, poke fun at, and demean our churches and our Christian beliefs?

No, our churches whether we have been the best Christians or not, our churches have been and is our moral fiber; which has kept us sane and remind us when we are on the wrong track. Without the Churches our Country would be in complete chaos.

The truth is, there are far too many who do not mean us well and are now dictating their terms of how Cayman must develop and grow. Well, same sex marriage is not a development that will get my support. I repeat again, whomever chose to do whatever with their life, it is their business, but do not ask me to change any law to agree with a minority- whether it is family, friend or unknown individual. That is my right!

Tearing up some sea grass, or going 50 stories high, will not hurt 1 soul in Cayman; but changing our laws for some outsider to 'vote and

run' will be a whole different matter. As far as I am concerned, this is an attack on our way of life, that we cannot and must not, adhere to – I will tell Mr. Austin Smith again, Atheism is not our way of life.

Yes, Mr James Austin Smith, I do believe in a supreme being; what do you believe in as an Atheist? I know that atheists say that they don't believe in God, but does God believe in atheists? I believe in the one and only God and I encourage you to have a read of The Apostles' Creed. It says...

**“I believe in God, the Father Almighty, creator of heaven
and earth, and in Jesus Christ,
his only Son, our Lord,
who was conceived by the Holy Spirit,
born of the Virgin Mary,
suffered under Pontius Pilate, was crucified,
died and was buried;
He descended into hell;
on the third day he rose again from the dead.**

**He ascended into heaven, and is seated at the right hand of
God the Father Almighty;
from there he will come to judge the living and the dead.**

**I believe in the Holy Spirit,
the Holy Universal Church,
the communion of saints,
the forgiveness of sins,
the resurrection of the body,
and life everlasting.”**

Amen.

While this House could have taken a much more severe punishable recourse in defence of our Rules and the Laws that govern the Cayman Islands Legislative Assembly, there are more serious issues to deal with than an upstart who rejects God Almighty; leave him to God who never sleeps or slumbers.

Yet again, let me take this opportunity to thank all those who have expressed views on this matter, on both sides, in this House and outside.

In accordance with our system, we will have to wait a final decision by the courts.

Thank You.