



TOBAGO

COMMONWEALTH PARLIAMENTARY ASSOCIATION
BENCHMARKS FOR DEMOCRATIC LEGISLATURES

FINAL REPORT



UK Representation
to the Commonwealth



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CPA BENCHMARKS SELF-ASSESSMENT REPORT

TOBAGO HOUSE OF ASSEMBLY

“The island of Tobago has a legislative history that spans more than two centuries. In 1768, it established an island government consisting of a Legislative Council and a Legislative Assembly, which were responsible for making laws for the island. However, when Tobago was united with Trinidad in 1889, these institutions were dismantled and replaced by administrative systems. The legislative system was re-established with two Acts in 1980 and 1996. In law, Tobago is part of the national legislative framework, as outlined in the Tobago House of Assembly (THA) Act. According to its provisions, Assembly Bills are required to pass through the national Parliament in order to become Assembly Laws. In practice, while Assembly Bills are drafted, the authority to enact legislation ultimately resides with the national Parliament. The Commonwealth Parliamentary Association (CPA) Benchmark exercise will provide both the THA and the national Parliament with an internationally recognised and objective review of the island’s legislative system. This is especially important as the country stands on the brink of reviewing and potentially implementing reforms to the THA Act. The CPA report will offer legislators and the public a neutral assessment, supporting broader discussions on what changes should – or should not – be made to the institution.”

Ms. Abby Taylor (Presiding Officer, Tobago House of Assembly)



Tobago House of Assembly Coat of Arms

Executive Summary

As highlighted by the House of Assembly's Presiding Officer, the island of Tobago has a proud legislative history and is currently in the process of considering reforms to how its House of Assembly is constituted and functions. The Presiding Officer recognises the importance of the CPA Benchmarks exercise and hopes that it not only provides an internationally recognised and objective review of Tobago's legislative system, but also helps strengthen the THA so that it can be a more complete Assembly tomorrow than it is today.

These are noble objectives and closely align with a fundamental belief of the Commonwealth that strong, independent, and effective Legislatures are one of the key political institutions of any functioning, flourishing, and successful democracy. To this end, the THA should be praised for how it conducts several of its affairs and citizens of Tobago can be optimistic that a clear commitment to these underlying values of good governance will continue to guide its work as it takes important steps towards becoming an increasingly effective modern-day Assembly.

The CPA's Recommended Benchmarks for Democratic Legislatures draw upon the 2012 Commonwealth Charter's ambition to create free, fair, and democratic societies in every nation of the Commonwealth. The THA is undoubtedly committed to these important principles and, positively, meets a number of CPA standards across many different workstreams. Senior political leadership in the Assembly should be commended for achieving these standards and warm praise given to the wide-ranging efforts of staff, who ably support many of its core services with skill, diligence, and pride.

The THA currently shows positive performance in a range of areas including: how the THA Act is adhered to; its Standing Orders are applied; Plenary business is facilitated; some core parliamentary services are provided to Members; certain external activities are coordinated with Tobago's wider society; and proactive steps towards further learning and development are taken. To this end, examples of current positive practice highlighted throughout this Report should be a notable source of achievement with both the Presiding Officer and committed team of staff who support the Assembly's work also sharing a strong conviction to ensuring that the THA continues to evolve for the betterment of all citizens of Tobago.

That said, there are a number of areas in which the THA does not currently meet the CPA's Recommended Benchmarks. These cover a range of the Assembly's core legislative, oversight, and representative functions which, when taken together, limit the efficacy of its activities across various different workstreams. Some of these current shortcomings listed below centre on the Assembly's current physical and digital infrastructure, the efficacy of some working practices and procedures, and its lack of autonomy from Tobago's Executive alongside true independence as a law-making body. In order to continue making positive democratic progress, a strong commitment at both the political and official level will be required to ensure that the THA reaches these important targets moving forward:

- Increasing the regularity of parliamentary sittings while ensuring that the Assembly's public calendar of meetings and official Hansard records are fully up-to-date;
- Completing its current review of the Assembly's Standing Orders while producing a companion guide on these for the benefit of new/returning Members and wider external stakeholders;
- Extending parliamentary privilege provisions to ensure organisations and individual citizens supporting the Assembly's work enjoy due protections;
- Drafting a new Code of Conduct for all Members to ensure that they maintain the highest standards of ethical behaviour while holding elected office.
- Strengthening mechanisms that provide for Members to disclose their pecuniary interests and the THA to publish how Assembly funds are spent;
- Modifying the set-up of Assembly Committees so that these important vehicles of legislative scrutiny are more fit for purpose;
- Ensuring that its new website establishes more effective provisions for the submitting of public petitions;
- Improving induction/orientation procedures for new/returning Members and staff that join the THA Secretariat;
- Expanding current professional development opportunities for Members and staff;
- Creating a suite of HR policies linked to bullying/harassment/sexual misconduct and relevant mechanisms for considering allegations made by parliamentary officials;
- Broadening avenues for public engagement with relevant Civil Society stakeholders and Media personnel;

- Establishing a multi-annual Strategic Plan to uplift physical/digital infrastructure on the Assembly's precinct with due consideration of persons with disabilities; and
- In the fullness of time, establishing a Parliamentary Service Commission (or equivalent corporate body) to give the Assembly more operational autonomy and financial independence from the executive wing of government with the ambition of achieving longer-term progress against several of these important targets.

The burden of responsibility for improvement in a number of these areas does not, however, rest entirely with the Assembly. The executive wing of government in Tobago should also take this opportunity to, among others:

- Make positive strides towards upgrading the Assembly's precinct;
- Consider reforms around allowing the Assembly's Presiding Officer and Clerk to attend and participate in meetings of Tobago's Executive Council; and
- Crucially, no longer classify the Assembly as a Division of the executive and support any future efforts to establish a Parliamentary Service Commission while, in the meantime, providing the Assembly with greater fiscal independence and operational autonomy to run its own affairs.

Overall, the THA should be praised for building an Assembly that meets many of the CPA's Recommended Benchmarks and, positively, appears to be improving its performance on a continuous basis. While a number of areas for reform are identified in this Report, we hope that its Recommendations will act as a valuable resource to the Assembly moving forward. Utilising its content as an impartial guide will hopefully help build a stronger THA, develop better government, and ultimately deliver more for the people of Tobago.

Background

The Commonwealth Parliamentary Association (CPA¹) is an international community of 180 Parliaments and Legislatures working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Founded in 1911, the CPA brings together Members of Parliament and parliamentary staff to identify benchmarks of good governance and implement the enduring values of the Commonwealth. It offers vast opportunity for both Parliamentarians and officials to collaborate on issues of mutual interest and to share best practice across many fields.

In 2018, the CPA undertook a consultation and review process that resulted in the adoption of updated Recommended Benchmarks for Democratic Legislatures². The Benchmarks provide a set of minimum standards for how a Parliament should be constituted and a comprehensive guide on how it should function. Together they play an important role in developing the effectiveness of parliamentary institutions across the 180 Parliaments and Legislatures of the CPA and contribute to effective implementation of the UN's Sustainable Development Goals³.

In May 2025, the Tobago House of Assembly used this framework to conduct a Self-Assessment against the Benchmarks. The Self-Assessment exercise was approved by the THA's Presiding Officer, Ms. Abby Taylor, and organised by parliamentary staff. CPA International Secretariat Headquarters appointed Mr. Fraser McIntosh (Good Governance Project Manager, CPA Headquarters) and Ms. Colleen Lowe (Clerk to the Houses, Parliament of Jamaica) to undertake this Self-Assessment from 5-8 May.

During their time in Tobago, Fraser and Colleen met Presiding Officer Taylor and other Members of the THA. They also held discussions with Mr. Lincoln Nelson (Clerk of the Assembly, Tobago House of Assembly) and various THA staff alongside additional meetings with external stakeholders including Hon. Farley Chavez Augustine (Chief Secretary of Tobago), as well as representatives of Civil Society groups and local Media outlets.

These meetings took place in conjunction with a review of certain key documents including: the Constitution of Trinidad and Tobago⁴ and the Tobago House of Assembly's Standing Orders⁵, as well as other related parliamentary materials.

The Report below is a summary of the main findings of the Self-Assessment.

1 Commonwealth Parliamentary Association – Homepage. [online]. Available at: <https://www.cpahq.org/>.

2 Commonwealth Parliamentary Association – Recommended Benchmarks for Democratic Legislatures. [online]. Available at: <https://www.cpahq.org/media/10jkk2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf>.

3 In particular: Goal 16.6 (Develop effective, accountable, and transparent institutions at all levels) and Goal 16.7 (Ensure responsive, inclusive, participatory, and representative decision-making at all levels).

4 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

5 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

Acknowledgements

The Tobago House of Assembly proactively chose to assess itself against the CPA Benchmarks. As such, Presiding Officer Taylor, the Clerk, and other parliamentary staff should be praised for both their willingness and enthusiasm to undertake this important piece of work. Their doing so demonstrated a positive approach to the CPA Self-Assessment, which was consistent throughout Fraser and Colleen's time in Tobago. This commitment to continued learning and improvement is admirable.

The CPA would also like to place on record its warmest appreciation to all stakeholders who participated in this Self-Assessment and draw particular attention to the efforts of the Clerk and Mr. Brian Caesar (Clerk of the House, Parliament of the Republic of Trinidad and Tobago) for helping coordinate a successful programme of meetings, facilitating important logistical arrangements, and extending such warm hospitality throughout Fraser and Colleen's visit to Tobago. Other officials with whom the CPA delegation met are all a credit to the House of Assembly and its continued efforts to improve parliamentary democracy for the people of Tobago.

Support and Follow-Up

Following the publication and consideration of the findings of this Report, and within financial constraints, the CPA is committed to supporting the Tobago House of Assembly in further strengthening its democratic processes. As such, the CPA stands ready to potentially enable the Assembly to take forward these Recommendations – where requested and appropriate – through its Technical Assistance Programme⁶ scheme and wider efforts linked to institutional parliamentary strengthening.

Political, Economic, and Social Context

Tobago, officially the Ward of Tobago, is an island and ward within the Republic of Trinidad and Tobago. It is located 35 kilometres north-east of the larger island of Trinidad and approximately 160 kilometres off the north-eastern coast of South America. It lies to the south-east of Grenada and south-west of Barbados⁷.

According to the most recent official census (2011), the population of Tobago was approximately 60,000⁸. The majority of Tobago's citizens are ethnically African with a growing proportion of residents being of East Indian and European descent.

The official language of Tobago is Tobagonian English Creole, albeit international English is widely used for commercial, educational, and touristic purposes. Religion is central to the lives of many citizens of Tobago with the majority of residents following Christianity⁹.

Trinidad and Tobago is classified by the World Bank as a high-income country¹⁰ with the country's economy heavily reliant on the oil and gas industries¹¹. Trinidad and Tobago has also developed a significant financial sector, with Tobago specifically growing its tourism industry on an annual basis to form an increasingly sizable proportion of the island's economic wealth. Its main trading partners today are Brazil, China, and the United States¹².

Historically, Tobago was a major source of sugar cane which saw it become a focal point for repeated European attempts at colonisation throughout the 17th and 18th centuries before the Treaties of Paris ceded it to Britain in 1814. In 1768, an island government (consisting of a bicameral Legislative Assembly and Legislative Council) was established before Tobago was amalgamated with Trinidad by Britain in 1899. This saw Tobago retain its sub-national Legislature but become an administrative ward of the united colony of Trinidad and Tobago. During the 20th century, nationalist movements led to constitutional reform, Trinidad and Tobago gaining independence from Britain in 1962, and becoming a republic in 1976. Subsequently, Tobago's own legislative system was re-established in 1980 with the creation of its House of Assembly¹³.

The contemporary politics of Trinidad and Tobago takes within the framework of a democratic republic state alongside key elements of Westminster-style parliamentary democracy. The President of Trinidad and Tobago is the country's Head of State. This largely ceremonial role replaced that of the Governor-General (representing the British Crown) when the country became a republic. The Head of Government is the Prime Minister, who is appointed by the President and typically commands the support of the House of Representatives following general elections held every five years.

6 Commonwealth Parliamentary Association – How is the CPA supporting Commonwealth Parliaments? [online]. Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

7 Encyclopaedia Britannica – Trinidad and Tobago. [online]. Available at: www.britannica.com/place/Trinidad-and-Tobago.

8 Government of Trinidad and Tobago Central Statistical Office – Population Statistics. [online]. Available at: www.cso.gov.tt/subjects/population-and-vital-statistics/population/.

9 Encyclopaedia Britannica – Trinidad and Tobago. [online]. Available at: www.britannica.com/place/Trinidad-and-Tobago.

10 World Bank – Trinidad and Tobago. [online]. Available at: www.worldbank.org/en/country/trinidadandtobago/overview.

11 UN Trade and Development Data Hub – Trinidad and Tobago. [online]. Available at: www.unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/780/index.html.

12 Encyclopaedia Britannica – Trinidad and Tobago. [online]. Available at: www.britannica.com/place/Trinidad-and-Tobago.

13 Tobago House of Assembly – Homepage. [online]. Available at: www.tha.gov.tt.

Since 1980, Tobago has had a separate House of Assembly currently consisting of 15 Members (elected by district at a primary election), four appointed Councillors (chosen by the Chief Secretary and Minority Leader), and a Presiding Officer (who may or may not be a Member of the THA). In 1987, Tobago was granted full internal self-government, and a measure of devolution in areas such as revenue raising and collection, agriculture, industry, tourism, environmental conservation, and social services. In practice, however, while all Assembly Bills are drafted by Tobago's House of Assembly, the authority to enact legislation ultimately resides with the national Parliament¹⁴. To this end, Tobago is directly represented in the national House of Representatives by two of its 41 elected seats.



Ms. Abby Taylor (Presiding Officer, Tobago House of Assembly) and the CPA team

¹⁴ Parliament of the Republic of Trinidad and Tobago – Homepage. [online]. Available at: www.ttparliament.org.

I. GENERAL

OVERVIEW

Elections

Provisions for the election of Members to the Tobago House of Assembly are outlined in the Tobago House of Assembly Act 1996¹⁵, which repealed and replaced the original THA Act of 1980, and was established to ‘provide for the membership powers, and functions of the Tobago House of Assembly and its Executive Council and matters incidental thereto’. The 1996 Act provided for 12 elected Assemblymen, four appointed Councillors, and a Presiding Officer chosen at regular Assembly elections held every four years. These arrangements served the THA well until 2021 when, in January of that year, elections for the THA delivered an electoral deadlock between the People’s National Movement (PNM) and Progressive Democratic Patriots (PDP) parties, both of which won six seats.

To break this deadlock, the national Parliament passed and assented the THA Amendment Act 2021¹⁶, which gave the Elections and Boundaries Commission (EBC) a mandate to increase the number of seats in the THA from 12 to 15 so as to avoid further ties in future Assembly elections. Following entry into force of the related EBC (Local Government and Tobago House of Assembly) (Tobago) Order¹⁷ in October 2021, the THA grew in size and fresh elections for the 15-Member Assembly were called for December 2021. The result of this election saw a decisive victory for the PDP party, which won 14 of the 15 seats being contested, and Hon. Farley Chavez Augustine sworn in as the fifth Chief Secretary of Tobago.

Elections to the THA are overseen by the national Elections and Boundaries Commission¹⁸ which, as an independent body, has important responsibility for overseeing voter registration in Tobago, ensuring correct procedures around the conduct of Assembly elections are maintained, and facilitating civic education programmes in Tobago around the holding of elections to the THA. Positively, the national Constitution (Part I¹⁹) and separate Representation of the People Act 1967²⁰ have open eligibility criteria in place for those candidates seeking election to the THA (which do not discriminate along religion, gender, ethnicity, race, or disability lines), and all citizens aged 18 or over who are legally resident in Tobago are entitled to register for and vote in Assembly elections. The most recent THA election in December 2021 saw 45 candidates from five political parties contest 15 seats under first-past-the-post voting. A total electorate of 51,383 was registered ahead of polling day with turnout reaching approximately 57%²¹.

While the conducting of Assembly elections in Tobago is positive in several ways, discussions held by the CPA team with stakeholders did raise three important areas in which improvements could be made against the CPA’s Benchmarks²²:

- At present, the electoral framework in Tobago does not currently contain any provisions that allow for the ‘power of recall’ whereby those constituents who are dissatisfied with the performance of their elected representative can seek to have them removed from office between Assembly elections. This absence can create a culture among certain Members of not spending sufficient time in their constituencies between elections. Introducing such provisions (along with the holding of linked by-elections) would help to strengthen accountability between elected representatives and the citizens they serve.
- Furthermore, Tobago does not currently have any robust campaign finance laws in statute which regulate the manner and extent to which candidates receive monetary contributions from individuals or corporations ahead of Assembly elections. Introducing such provisions alongside clear mechanisms for recording/publishing these contributions would discourage potential financial misconduct and create a more level playing field during electoral campaigns, as well as demonstrating greater transparency for the benefit of Tobago’s electorate at large.

15 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

16 Parliament of the Republic of Trinidad and Tobago – Tobago House of Assembly Amendment Act 2021. [online]. Available at: www.ttparliament.org/wp-content/uploads/2022/01/a2021-02g.pdf.

17 Parliament of the Republic of Trinidad and Tobago – EBC (Local Government and Tobago House of Assembly) (Tobago) Order 2021. [online]. Available at: www.ttparliament.org/motions/consider-the-draft-ebc-local-government-and-tobago-house-of-assembly-tobago-order/.

18 Elections and Boundaries Commission of Trinidad and Tobago – Homepage. [online]. Available at: www.ebctt.com.

19 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

20 Elections and Boundaries Commission of Trinidad and Tobago – Representation of the People Act 1967. [online]. Available at: www.ebctt.com/wp-content/uploads/ROP-ACT1.pdf.

21 Elections and Boundaries Commission of Trinidad and Tobago – Report on the December 2021 Tobago House of Assembly Elections. [online]. Available at: www.ebctt.com/wp-content/uploads/Report-of-the-Elections-and-Boundaries-Commission-of-the-Tobago-House-of-Assembly-Elections-held-on-Monday-6th-December-2021.pdf.

22 Commonwealth Parliamentary Association – Election Planning Handbook. [online]. Available at: https://www.cpahq.org/media/vilpux02/election-planning-handbook_final.pdf.

- Finally, while the national Elections and Boundaries Commission monitors and reports on the holding of Assembly elections in Tobago, the CPA team was not made aware of any external delegations from the Commonwealth or other international partners having historically observed elections to the THA. Introducing such initiatives at future Assembly elections would not only demonstrate a strong commitment to openness and transparency but also help enable the THA to benefit from international best practice in conducting future Assembly elections.

RECOMMENDATION 1

The Tobago House of Assembly should explore: introducing ‘power of recall’ provisions for its Members; establishing means of regulating campaign finance laws relating to candidates running for office; and inviting international observation missions to monitor future Assembly elections.

(Benchmark 1.1.3 – Term lengths for Members of the popular House shall reflect the need for accountability through regular and period legislative elections / Benchmark 1.1.4 – There shall be legislation to ensure campaign finance laws are in place to regulate the manner and extent to which political parties and candidates receive monetary contributions from individuals and corporations / Benchmark 1.1.2 – Legislative elections shall meet international standards for genuine and transparent elections).

Upon taking their seats in the Assembly, the THA Act (Section 13²³) stipulate that Members must take an Oath or Affirmation of Office. These are administered by the President and are mandatory for all candidates successful in Assembly elections before they can take up their seats. During their time in Tobago, the CPA team was not made aware of any specific cases of Members (newly elected or returning) refusing to fulfil this requirement.

Separation of Powers

Under current constitutional arrangements, the THA's operations are effectively divided into two arms: the legislative Arm (Assembly Legislature) and the executive Arm (Executive Council). All persons and powers relating to the judicial Arm of government in Tobago reside at the national level in Trinidad.

Assembly Legislature: the House of Assembly is the forum where all Members (elected and appointed) meet in Plenary sessions and in Committees to conduct the Assembly's business. The THA has its own Standing Orders²⁴ which govern procedures in the Assembly much like the Standing Orders of a national Parliament. Among other areas, these include provisions for the consideration of motions, bills, questions, and debates.

Executive Council: the Executive Council is headed by the Chief Secretary (Tobago's equivalent of a regional Chief Minister) and Secretaries (akin to Ministers) who have responsibility for discharging the functions of the Assembly across nine Divisions²⁵ which cover the 33 policy areas²⁶ that the THA is responsible for administering in Tobago (as per the THA Act). The Executive Council is formed from among Assembly Members (elected and appointed) which, positively, reflects the Westminster-style parliamentary principle that the executive is drawn from and accountable to the Legislature.

In this respect, Tobago enjoys a relatively clear separation of powers between its two branches of government²⁷. By way of example, in a positive demonstration of parliamentary practice, no sitting Member of the Assembly may simultaneously hold an executive civil service position while they are in office. Furthermore, any employees of Trinidad and Tobago's national Public Service who become a candidate for election to the THA must take a leave of absence for the purposes of their candidacy. Conversely, any sitting Assembly Member who begins employment within the Public Service must resign their THA seat, at which point a by-election is called to elect an eligible replacement.

Where the THA has historically lacked clear separation of powers provisions relates to its central status as the supreme law-making body for Tobago. Despite replicating the structure and working practices of many Legislatures across the Commonwealth, the legislative power and independence of the Assembly is limited.

23 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

24 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

25 Tobago House of Assembly – Divisions. [online]. Available at: www.tha.gov.tt/divisions/.

26 Tobago House of Assembly – About the Assembly. [online]. Available at: www.tha.gov.tt/about-the-assembly/.

27 Commonwealth Parliamentary Association – Latimer House Principles on the Three Branches of Government. [online]. Available at: https://www.cpahq.org/media/kafl4zuf/commonwealth_principles_cpa_sept_2023-v2_single.pdf.

Under the THA Act, primary law-making powers were not transferred to the Assembly (much like a federal Constitution grants a State Legislature) and, in practical terms, the THA cannot independently pass laws that have the force of statute in Tobago. As per the Act, the THA is prescribed as a 'body corporate' (not a Legislature), decisions taken by the Assembly do not equate to Acts of Parliament, and any Bills passed by the THA require formal consideration, ratification, and implementation by the national Parliament. Accordingly, the THA does not enact primary legislation for Tobago. Instead, it administers policies and services within the confines of laws passed by the national Parliament and only in so far as doing so is delegated by those laws themselves.

The THA's limited autonomy is further underscored by the fact that any decision taken by the Assembly can be modified or overruled by the national Parliament in Trinidad. In fact, the THA Act itself establishes a Dispute Resolution Commission (to mediate disputes between the Assembly and central government authorities) which further demonstrates that the THA cannot be considered fully sovereign over the affairs of Tobago. In recent years, various attempts have been made to address this issue and entrench the Assembly with formal law-making powers. However, long-running deliberations around the Constitution (Amendment) (Tobago Self-Government) Bill 2020²⁸ and the Tobago Island Government Bill 2021²⁹ have yet to result in the special majority support from Members of the national Parliament (three-quarters in the House of Representatives and two-thirds in the Senate) required to see them enter into force.



28 Parliament of the Republic of Trinidad and Tobago – Constitution (Amendment) (Tobago Self-Government) Bill 2020. [online]. Available at: www.ttparliament.org/publication/the-constitution-amendment-tobago-self-government-bill-2020/.

29 Parliament of the Republic of Trinidad and Tobago – Tobago Island Government Bill 2021. [online]. Available at: www.ttparliament.org/wp-content/uploads/2022/01/b2021h06g.pdf.

Privileges and Immunity

When in office, Members of the THA are afforded due privilege and immunity from liability for anything they say or do in the Assembly. As per the THA Act (Section 70³⁰), the Assembly mirrors those privilege and immunity provisions employed in the House of Representatives by way of the national Constitution (Section 55³¹), which outlines these protections in greater detail. Unless ordered otherwise by the Presiding Officer, Members of the THA are immune from any inquiry, arrest, detention, or prosecution relating to their legislative duties, whether in the Chamber or as part of Committee work. While it was suggested to the CPA team that informal practice is for former Members to be granted immunity relating to any parliamentary activity undertaken during their time as a Member, there does not appear to be any formal codification for such occurrences in statute. Accordingly, the THA should, therefore, look to update relevant provisions to have this clearly enshrined in law.

Positively, the immunity privileges afforded to sitting Members of the Assembly are extended to individual citizens, representatives of Civil Society organisations, and personnel from Media outlets who contribute to or report on parliamentary proceedings. Accordingly, Trinidad and Tobago's national statute book includes a Justice Protection Act³² and (more recent) Whistleblower Protection Act³³, both of which enshrine in law welcome protection for these stakeholders in their interaction with the THA. One area, however, in which the Assembly could look to introduce another positive means of protecting external stakeholders who engage with its activities would be to provide citizens that feel their reputation has been damaged or brought into disrepute during Assembly proceedings with formal means to a right of reply. Introducing such provisions would add invaluable extra protections for those citizens supporting the Assembly's work and bring the THA more in line with best practice demonstrated by other Commonwealth Legislatures.

RECOMMENDATION 2

The Tobago House of Assembly should explore updating its parliamentary privilege/immunity provisions to enshrine in law due protections for former Members, while also introducing a citizens' 'right of reply' scheme in relation to adverse references made to individuals during Assembly proceedings.

(Benchmark 1.4.4 – The Legislature shall have mechanisms for persons to respond to adverse references made to them in the course of the Legislature's proceedings / Benchmark 1.4.5 – The freedom of speech immunity shall continue to apply to former legislators after they have left office in respect of works spoken or acts done while holding office and participating in or directly facilitating the Legislature's proceedings).

Two linked areas in which the THA does fully meet the relevant CPA Benchmarks are both the application of natural justice legal norms and related sub judice provisions. Positively, the Constitution of Trinidad and Tobago (Chapter I³⁴) details the upholding of fundamental rights and freedoms of the individual while the Assembly's Standing Orders (Number 45³⁵) protect the integrity and independence of Tobago's courts by prohibiting Members of the THA from publicly discussing issues that are subject to live judicial review. Members throughout the Assembly appear to respect these rules and the CPA team was not made aware of any issues relating to their application during stakeholder discussions.

Remuneration and Benefits

The remuneration, benefits, and other statutory entitlements for Members of the THA are overseen by the Salaries Review Commission which is established as a formal body under the national Constitution (Sections 140-141³⁶). The Commission comprises a chairperson and four other members appointed by the President after consultation with the Prime Minister and Leader of the Opposition. With approval of the President, the Commission periodically reviews the levels of remuneration and benefits paid to a range of public office holders (including Members of the THA) before tabling any related reports in both Houses of the national Parliament for consideration by Members in Trinidad. Positively, these Reports are made publicly available and provide a clear methodology for why the Commission has recommended remuneration and benefits be set at a particular level³⁷.

30 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

31 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

32 Laws of Trinidad and Tobago – Justice Protection Act 2000. [online]. Available at: www.oas.org/en/sla/dlc/mesicic/docs/mesicic5_tto_annex45.pdf.

33 Laws of Trinidad and Tobago – Whistleblower Protection Act 2024. [online]. Available at: www.ttparliament.org/wp-content/uploads/2022/06/a2024-09g.pdf.

34 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

35 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

36 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

37 Parliament of the Republic of Trinidad and Tobago – 120th Report of the Salaries Review Commission. [online]. Available at: www.ttparliament.org/120th-report-of-the-salaries-review-commission/.

In another demonstration of sound democratic practice, the Commission is an independent body which provides objective and independent assessments of salaries and compensation, thus reducing the risk of political bias or influence and ensuring consistency, equity, and fairness among the public office holders that are included in its remit.

All Members of the THA (elected and appointed) are paid a base annual salary and receive additional monthly allowances to support the facilitation of their parliamentary duties. Basic salaries are allocated on a tiered basis depending on the position held by the Member in question with supplementary allowances being granted on an equal non-partisan basis. A recent report by the Financial Scrutiny Unit of the national Parliament (covering the 2018-2024 period) shows that on average the THA spends approximately 30% of its annual budget on 'personnel expenditure' costs linked to the remuneration and benefits of Members³⁸. While not unduly high, the THA should ensure that other important activities in the Assembly (discussed in subsequent chapters of this Report) also receive the funding they need moving forward. This is particularly important in light of recent developments which saw the levels of remuneration paid to Members of the THA increase by approximately 10% in March 2025 following an adjustment/uplift recommended by the Salaries Review Commission³⁹.

Infrastructure

The Assembly Legislature building was originally constructed in 1825 and remained the official seat of government in Tobago until the abolition of representative government and adoption of Crown Colony administration in 1877. Over the years, the building has accommodated a variety of public offices including the island's Court House, the Inland Revenue Department, the Election and Boundaries Office, and the Public Library. Following establishment of the THA Act in 1980, the building was refurbished and officially opened by Her Majesty Queen Elizabeth II on 2nd November 1985. Over the last 40 years, the building has undergone a number of renovation projects which have included upgrading existing infrastructure, establishing new facilities, and trying to enhance public openness for the wider citizens of Tobago that befits a modern-day Legislature.

For example, the plenary Chamber is bright, spacious, and equipped with impressive modern technology in parts. Every Member has their own designated seating space, and there are distinct viewing sections for visiting dignitaries and invited guests. In a further positive demonstration of transparent parliamentary practice, members of the public are also able to watch live proceedings in person.

Alongside the main plenary chamber, the Assembly Legislature building hosts designated office space for the Presiding Officer and Clerk as well as shared working premises for wider THA Secretariat staff. The parliamentary precinct also includes bespoke rooms for Committee meetings and Assembly seminars, a small but well-used Library and Information Centre, and popular dining/refreshment space for both Members and staff.



Plenary Chamber in the Tobago House of Assembly

38 Parliament of the Republic of Trinidad and Tobago – Financial Scrutiny Unit: Tobago House of Assembly. [online]. Available at: www.ttparliament.org/wp-content/uploads/2023/10/BG2024_THA.pdf.

39 Tobago Updates – Salary Uplift for THA Officials. [online]. Available at: www.tobagoupdates.com/salary-increases-for-tha-officials-including-chief-secretary-secretaries-assemblymen-minority-leader-and-more-to-go-into-effect-in-march-2025/.

While several of these facilities are positive, the current Assembly Legislature complex lacks adequate space and resource, as well as optimal physical/digital infrastructure, in some key areas that would better enable the THA to fully meet its various prescribed functions.

For example:

- At present, rank and file Members of the THA do not have their own offices providing private working space. These provisions are commonplace across many other Commonwealth Legislatures, and, in this regard, the Assembly should look to improve the working environment for its Members moving forward.
- Linked to this, the CPA team learned that other aspects of the THA's physical infrastructure would benefit from upgrades. Stakeholder discussions with parliamentary staff highlighted, for example, health and safety concerns around the legislative precinct not having a fit-for-purpose fire alarm system, fully watertight plumbing, or compliant electronic wiring in parts.
- Whilst the current Library and Information Centre is reasonably well-stocked with hard copy materials and staffed by a small team of dedicated parliamentary officials, it is short on space and appears to lack valuable internationally recognised digital resource facilities. Uplifting resources in this regard would not only provide a better working environment for Secretariat staff but also enable them to deliver a higher level of service to Members seeking assistance with their legislative responsibilities.
- Arrangements for persons with disabilities across the parliamentary precinct are also sparse. While access to the plenary chamber for Members and visitors with mobility issues is possible (but challenging), wider legislative premises would also benefit from, among others, disabled-friendly access ramps, lifts, and public restrooms. To this end, the THA should make use of materials and best practices generated by the CPA's Commonwealth Parliamentarians with Disabilities (CPwD)⁴⁰ network.
- Further stakeholder discussions with parliamentary staff also highlighted that several aspects of the THA's digital infrastructure would benefit from improvement too. While the Assembly has a broadly positive public website (discussed in greater detail later in this Report), technological constraints were flagged to the CPA team with outdated operating systems being used on a range of legislative ICT equipment.

During their time in Tobago, the CPA team heard a range of views from stakeholders on how the Assembly could best take forward several of these important projects relating to the physical and digital infrastructure of its precinct. One suggested means of doing this, which was positively received by Members and staff, was to establish a multiannual Strategic Plan⁴¹ that would help the THA and its senior decision-makers to develop a coordinated roadmap for making at least some of these important improvements over the next several years. This Strategic Plan could include phased uplifts to physical infrastructure, upgrading digital capabilities, and improving accessibility provisions that, when taken together, would help the Assembly identify desired reforms and related actions needed to make the institution more productive and responsive to both internal and external stakeholders. In the meantime, the THA should seek to prioritise more immediate means of improving levels of physical and digital infrastructure on its premises which enable it to be an even better Assembly tomorrow than it is today.

RECOMMENDATION 3

The Tobago House of Assembly should establish a multiannual Strategic Plan that enables it to uplift and improve the physical and digital infrastructure of its legislative precinct with a particular focus on: providing individual Members with their own office; improving health and safety standards on site; modernising its Library and Information Centre; enhancing accessibility services and provisions for persons with disabilities; and ensuring that digital capabilities are up-to-date, resilient, and fit for purpose.

(Benchmark 1.9.1 – The Legislature shall have adequate physical infrastructure to enable Members and staff to fulfil their responsibilities).

40 Commonwealth Parliamentary Association – Commonwealth Parliamentarians with Disabilities (CPwD) Network. [online]. Available at: www.cpahq.org/our-networks/commonwealth-parliamentarians-with-disabilities/.

41 Agora Portal for Parliamentary Development – Parliamentary Strategic Development Plans. [online]. Available at: www.agora-parl.org/resources/aoe/parliamentary-strategic-development-plans.

Professional Development

The THA Secretariat conducts an induction programme for all Members (returning and first time) at the beginning of each new session of the Assembly following elections. During this, key information concerning the THA Act, Standing Orders, and parliamentary duties, services and entitlements are shared with Members to help facilitate their understanding of how the Assembly functions. Positively, Secretariat staff also produce an excellent series of information brochures covering many different aspects and areas of THA life, which have proven a useful resource in supplementing the in-person induction programme.

In general, these orientation sessions appear valuable and well received by Members, however those who met with the CPA team also voiced a desire for such training opportunities to be made more comprehensive and conducted on a rolling basis throughout the Assembly's life cycle. From speaking to senior officials within the parliamentary administration, there is a clear ambition to enhance the levels of training currently provided to Members. Positively, doing so would bring the key benefits of continually developing Members' knowledge and ensuring that the THA remains in line with evolving best parliamentary practices across the Commonwealth.

Officials within the THA Secretariat do receive some training as part of their own professional development, however stakeholder discussions noted that these are currently few and far between. To this end, increased learning opportunities should be afforded to parliamentary staff. Speaking to many different officials within the Secretariat, it was repeatedly flagged to the CPA team that there is a real appetite among them to gain deeper knowledge, build further capacity, and develop new skills in a range of areas relating to model parliamentary practice. To increase sustainability and prepare for future succession planning within the Assembly Secretariat, it is advised that the THA focusses resources on adequately training all staff (regardless of seniority) throughout the parliamentary term.

Another way in which the THA could improve its professional development opportunities would be to provide relevant external stakeholders with more formal platforms to meet with Members and staff throughout the life cycle of an Assembly. During conversations about the role of Civil Society and with representatives of Media organisations, a desire was voiced to be afforded greater opportunities for presenting to Members and officials information about their respective organisations and how they interact with the THA to improve understanding between parliamentary stakeholders and these groups. Doing so would not only ensure that the THA meets relevant CPA Benchmarks in this regard but also be a positive demonstration of the Assembly's commitment to improving how it interacts with external stakeholders and, by extension, citizens of Tobago at large.

More broadly, many different stakeholders who met with the CPA team in Tobago positively voiced a desire for the Benchmarks Self-Assessment exercise to be used as an opportunity for the THA to engage further with the CPA moving forward. While acknowledging that the THA is not currently a CPA Branch in its own right, Members and staff of the Assembly should continue making use of free online courses through the CPA's Parliamentary Academy⁴².

RECOMMENDATION 4

The Tobago House of Assembly should expand its Professional Development Programmes to include the participation of key external stakeholders, hold these periodically between Assembly Elections, and ensure that such opportunities are open to all Members and Secretariat staff.

(Benchmark 1.6.1 – The Legislature shall take measures to ensure that newly elected Members are assisted in understanding how the Legislature works and its rules of procedure / Benchmark 1.6.2 – The Legislature shall take measures to assist legislators increase their knowledge and skills in the performance of their parliamentary duties).

42 Commonwealth Parliamentary Association – The CPA Parliamentary Academy. [online]. Available at: <https://www.cpahq.org/parliamentary-academy/>.

II. ORGANISATION OF THE LEGISLATURE

PROCEDURES AND SESSIONS

Rules of Procedure

The Assembly Legislature operates pursuant to provisions outlined in the Constitution (Chapter 11A⁴³), the THA Act (Section 69⁴⁴), and its own internal Standing Orders⁴⁵. These Standing Orders have been in operation since the THA was formed in 1980. Positively, this framework reflects the Assembly's operations, albeit its broader culture is also shaped by a range of customary practices (separate to the Standing Orders) which have built up and been applied over time.

The current Standing Orders were last updated in 2015 and, in a positive demonstration of sound parliamentary practice, are periodically reviewed to ensure that they remain fit for purpose. In fact, while in Tobago, the CPA team attended a meeting of the THA's Standing Order Committee, which showed that this review process is alive and well. Best practice demonstrated in other Commonwealth jurisdictions, however, is for the Standing Orders of their Legislature to be routinely reviewed at the beginning of each new session of Parliament, something that the THA may wish to formally introduce into its working practices ahead of future Assembly Elections.

At present, any Member of the House can move a motion recommending an amendment be made to the Standing Orders, with that motion then being considered by the Standing Orders Committee before it reports back to all Members of the House for broader consideration. The Committee comprises the Presiding Officer (as chair), alongside four other Members and can also recommend proposed amendments to THA Standing Orders under its own initiative. A simple majority of Members in the Assembly is required to approve any amendments to the Standing Orders.

The Standing Orders are applied to manage the business of the House and of its Committees and, as such, form the key operational document for the THA's functionality. Stakeholder discussions held by the CPA team revealed varying levels of appreciation for the Standing Orders among Members, with a correlation between understanding and length of service often commonplace. As such, the Assembly could benefit from producing a companion guide to the Standing Orders, which would be useful as an explanatory tool setting out the rationale for the Standing Orders and any references made to the THA Act. It would also serve an informative and educational purpose for all Members but particularly those newly elected to the House.

The Standing Orders themselves are distributed to all Members at the first sitting of a new THA after Assembly Elections and further hard copies are held centrally by the THA Secretariat. Positively, digital copies of the Standing Orders are also published on Assembly's website for wider stakeholders and members of the public to view⁴⁶.

RECOMMENDATION 5

The Tobago House of Assembly should produce a companion guide to its Standing Orders and ensure that the Standing Orders are formally reviewed at the end of each session of the Assembly.

(Benchmark 2.1.3 – The Legislature's rules, procedures, and practice shall be reviewed to enhance parliamentary effectiveness and relevance / Benchmark 2.1.6 – The Legislature's rules, procedures, and practice shall be accessible to Members and to the public).

Presiding Officers

Both the THA Act (Section 7⁴⁷) and the Assembly's Standing Orders (Number 5⁴⁸) provide for the Presiding Officer of the THA. Candidates for the positions of Presiding Officer are sought from both within and beyond the Assembly's membership with any sitting Member eligible to be nominated by at least one of their peers. At the Assembly's first meeting following Assembly Elections, nominations for the position of Presiding Officer are sought. Should only one candidate be nominated, they assume the position of Presiding Officer. Should more than one candidate be proposed, their respective nominations and merits are

43 Constitution of the Republic of Trinidad and Tobago 1976 (Revised 2000). [online]. Available at: www.laws.gov.tt/pdf/Constitution.pdf.

44 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

45 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

46 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

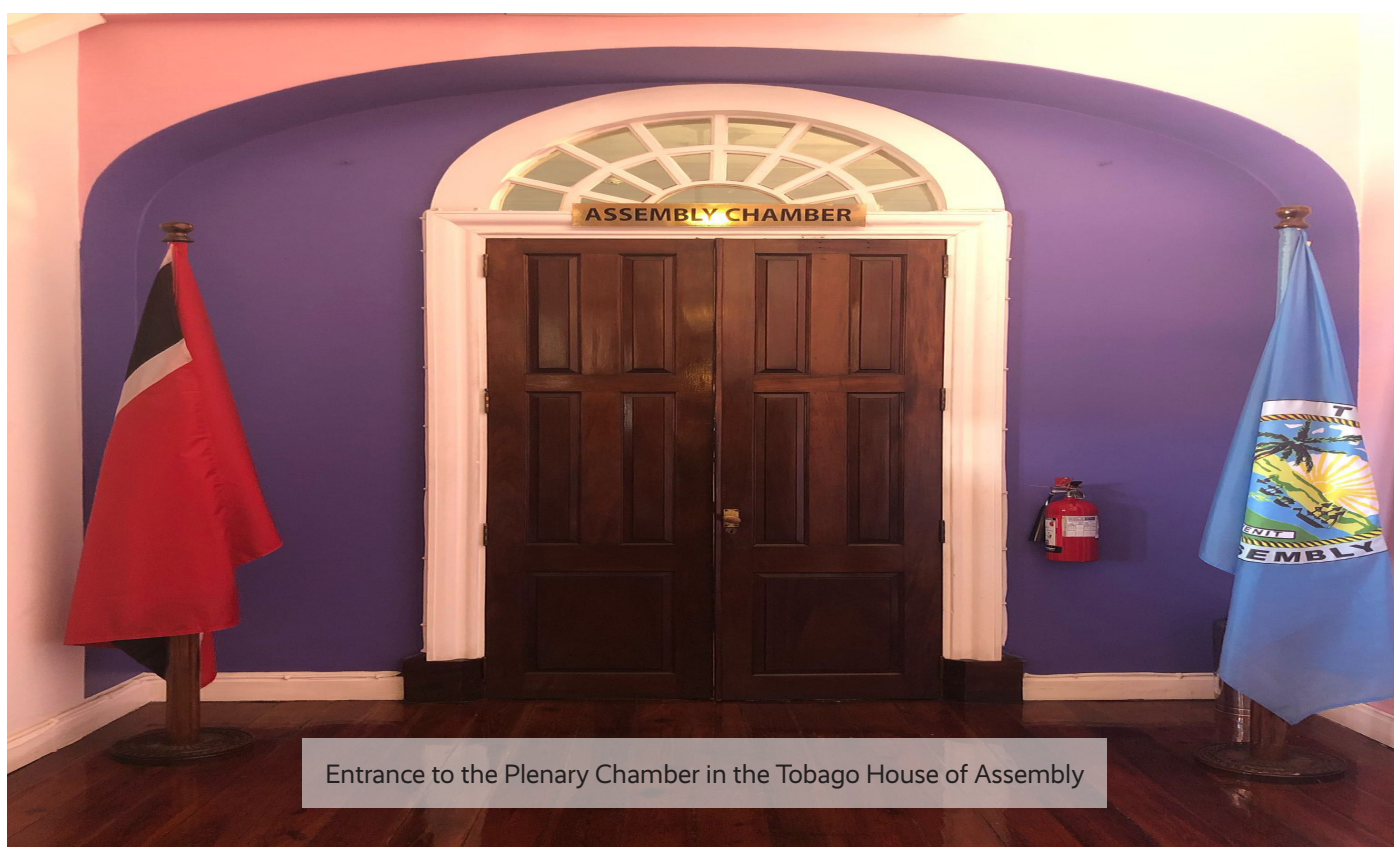
47 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

48 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

considered by the whole House until such a time as a prospective candidate receives the highest number of votes from among their peers. Both the THA Act and Standing Orders also provide for the election of a Deputy Presiding Officer who supports the Presiding Officer and stands in for them in the event that the Presiding Officer is unable to oversee legislative activities in the House on a particular day. The election of this position follows the same format as that used for the Presiding Officer.

The role of the Presiding Officer is to maintain order in the THA so that all Members have full opportunity to participate in the debates and votes of the Assembly. To this end, the Presiding Officer is well supported in advice on practice, precedent and procedure by the Clerk and other senior Secretariat staff. During various stakeholder discussions, Members and officials from across the THA spoke positively about the incumbent Presiding Officer and the way in which she conducts the important role of facilitating Assembly business. As such, Presiding Officer Taylor should be praised for her efforts and ability to ensure that these important elements of core parliamentary practice are well maintained.

When it comes to ensuring model parliamentary conduct on the Floor of the House, this responsibility does not rest entirely with the Presiding Officer. Accordingly, individual Members should also take it upon themselves to demonstrate correct etiquette when participating in legislative activities. While the CPA team's visit to Tobago didn't coincide with a full THA sitting day, they did observe a meeting of the Standing Orders Committee, during which all Members demonstrated model behavioural etiquette requested of them by the Presiding Officer during the session.



Convening Sessions and Setting the Agenda

As per the THA Act (Section 65⁴⁹), the Assembly is required to meet at least once every month. In line with THA Standing Orders (Number 16⁵⁰), however, the Assembly can meet more regularly. The scheduling of these meetings is formalised by the Presiding Officer in conjunction with the Leader of Assembly Business and adhered to without any major issues.

As per its Standing Orders, the THA is required to meet on every fourth Thursday throughout the year. These ordinary sittings begin at 1:30PM and end at 8:00PM. Separately to this, the Assembly also has means to be called into extraordinary session either via an instruction from the Chief Secretary or at the request of at least one-third of Members should it be felt that an additional sitting is required or in the wider public interest.

While the THA meets legal requirements regarding the regularity of its sittings, the CPA team did identify two important areas in which potential improvements could be made:

49 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

50 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

- At the time of writing, the THA does not have its own parliamentary calendar with agreed sitting dates (and information on related business) outlined for each Assembly session convened during a 12-month period. Current practice is for the Clerk to notify Members at least three days in advance of a regular sitting taking place and, at this point, provide details of the business that will be considered. CPA discussions flagged this as a shortcoming in terms of how the Assembly currently structures its affairs with some stakeholders noting that this could limit the efficacy of legislative activities and present practical challenges to Members when it comes to balancing legislative work at the THA alongside more local responsibilities in their constituencies. Establishing a formal parliamentary calendar and ensuring that this is made publicly available would not only help improve the Assembly's functionality but also ensure that citizens across Tobago can more easily follow parliamentary business. A detailed public agenda like this would also encourage heightened transparency in the Assembly's work and improve public confidence in THA activities.
- Linked to this, the CPA team concluded that there is also scope for the THA to sit more often than it currently does. Not only would this provide the Assembly with more time to facilitate its important work, greater means of conducting executive scrutiny, and improved opportunities for public engagement, but it would also help strengthen ongoing THA efforts to develop increased law-making powers within the national political framework of Trinidad and Tobago.

RECOMMENDATION 6

The Tobago House of Assembly should seek to increase the regularity of parliamentary sittings, establish an annual calendar of meetings, and ensure that this is published online for the benefit of Tobago's citizens and other interested stakeholders.

(Benchmark 2.3.1 – The Legislature shall meet regularly, at intervals sufficient to fulfil its responsibilities / Benchmark 2.4.4 – There shall be an annual parliamentary calendar to promote transparency).

Ahead of each sitting, the Assembly's sitting agenda is formalised by the Presiding Officer in conjunction with the Leader of Assembly Business and disseminated among Members by way of an Order Paper (prepared by the Clerk) which helps guide Members through each day's business. While rank-and-file Members do not have the opportunity to suggest changes or request amendments to the proposed agenda (something that the THA may wish to consider introducing), stakeholder discussions suggested that Members from across the House appeared generally satisfied with how the Assembly's sitting agenda is constructed, conveyed, and adhered to.

Debate and Voting

The THA does have clear procedures in place for the facilitation of parliamentary debates and votes, as well as determining their order of precedence. The Assembly's Standing Orders (Numbers 31-50⁵¹) ably outline provisions relating to the tabling of Papers, moving of Motions and Amendments, exchange of Questions and Answers, and consideration of public Petitions. For the most part, Standing Order arrangements relating to all of these generally appear reasonably well understood and adhered to by Members with no specific issues of note being raised during stakeholder discussions. This not only reflects positively on Presiding Officer Taylor, but also more broadly on the Clerk and wider parliamentary staff in the Assembly.

In another example of model parliamentary practice, all Plenary debates and votes are conducted publicly with live coverage provided in real time through the Assembly's dedicated YouTube⁵² channel. To this end, the THA should be praised for its commitment to openness, transparency, and accountability vis-à-vis its electorate.

While the overall parameters for facilitating debates and votes in the Assembly are broadly positive, the CPA team identified two specific areas in which the THA appears to perform particularly well:

- **Non-Government business:** much like many other Commonwealth Legislatures, the majority of business considered by the THA emanates from the executive branch of Tobago's Government. While this is not uncommon, the Standing Orders (Number 30⁵³) outline provisions for dedicated 'Opposition Days' which allow non-executive Members to propose debate topics and raise motions. Having specific days set aside to consider business proposed by non-executive Members not only demonstrates sound application of the 'minority right' democratic principle but, equally, provides a conducive environment for the Assembly to debate all pertinent issues raised by any Member throughout the House.

51 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

52 YouTube – Tobago House of Assembly. [online]. Available at: www.youtube.com/c/THALegislature.

53 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

- **Private Members' Bills:** similarly, the Assembly's Standing Orders outline clear provisions for the introduction of Private Members' Bills. Despite the majority of the THA's agenda being dedicated to considering executive business, the Assembly should be praised for ringfencing specific days in its sitting schedule to allow rank-and-file Members to table their own legislative proposals. Some stakeholders did, however, suggest that the THA would benefit from the introduction of more Private Members' Bills than is currently the case. As such, the Assembly should look to further capacitate/upskill Secretariat staff with the sufficient legal and financial expertise required to help 'backbench' Members with the crafting and drafting of own-initiative legislation moving forward.

Petitions

There is a public petitions system in Tobago which is outlined in the THA's Standing Orders (Number 21⁵⁴) and by law all citizens of Tobago enjoy the right to petition their elected representatives. While having provisions for the submitting of public petitions in the THA's Standing Orders is positive, CPA discussions suggested that, in reality, this function is not effectively used. It was suggested by some stakeholders that this is partially because of a strong link between Members and the individual constituencies they represent. However, other stakeholders indicated this could be attributed to the Assembly not currently having an optimal petitions system for members of the public to engage with.

Currently, any petition submitted to the THA must be endorsed by the Clerk and approved by the Presiding Officer before being laid in the House. Once the petition has been noted in Plenary, it is referred to the Secretary responsible for the administration of the matter raised who then has a period of 30 days to consider the petition and provide the Assembly with a formal response regarding how it is potentially taken forward. While these provisions are clear, stakeholder discussions held by the CPA team did not demonstrate many recent examples of these processes having resulted in concrete legislative change.

The THA's current website appears to contain little information online providing more detailed guidance to citizens on how they can initiate/submit a petition (should they wish to do so) and, historically, has not provided any electronic means for citizens to submit a petition remotely. As such, improving its provisions around the petitions process (by way, for example, of including a dedicated Petitions page on the Assembly's website with educational materials and an online submission tool) would represent another positive step for the THA in strengthening its democratic interlinkage with Tobago's electorate. Discussions held by the CPA team suggested that the introduction of an e-petition system was being planned for incorporation in the Assembly's new website⁵⁵ (currently being developed and discussed in more detail later in this Report).

RECOMMENDATION 7

The Tobago House of Assembly should seek to modernise its processes around public petitions by incorporating a designated webpage on the Assembly's new website and establishing electronic means for citizens of Tobago to submit petitions remotely.

(Benchmarks 2.7.1 – The Legislature shall have procedures to allow for the meaningful consideration of petitions).

Records

As per the THA's Standing Orders, the Clerk is responsible for preparing and circulating parliamentary papers to Members ahead of each sitting day. These include a daily Order Paper, a Business Paper covering all business currently before the House, any draft Bills being considered, and further supplementary briefing material produced by the staff Secretariat. During the session itself, Members' attendance, interventions, and voting activities are also recorded by parliamentary officials which, in turn, form the official report (Hansard) covering that day's business.

Generally speaking, staff of the Assembly make positive efforts to maintain parliamentary records however, during their time in Tobago, the CPA team learned that there are clear challenges in terms of how these are produced and significant gaps vis-à-vis how these are maintained. While Hansard records are held centrally by the Secretariat and made available to Members upon request, discussions with Assembly staff showed that these are not up to date, the Hansard Department is understaffed, and currently lacks modern day technology (such as voice recognition or transcribing software) that would better enable the small but dedicated team of Secretariat officials to better meet their responsibilities. Resource constraints within the THA has led to a backlog of final Hansard accounts being approved internally and, as of this Report, none of these official records are routinely uploaded to the Assembly's website for the electorate at large.

54 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

55 Tobago Assembly Legislature – Homepage. [online]. Available at: www.tobagolegislature.org.

During various discussions with internal and external stakeholders, the CPA team stressed the importance of transparency and accountability for public access, emphasised the need for the THA to expedite the improvement of its website, and underscored the multiple benefits (including Hansard maintenance/dissemination) that doing so would bring. These important advantages are continually discussed throughout this Report.

RECOMMENDATION 8

The Tobago House of Assembly should improve the functionality of its Hansard operations by increasing the number of Department staff, providing these officials with more up-to-date technology/software platforms, and ensuring that all approved records are publicly available online through the Assembly's website.

(Benchmark 2.8.1 – The Legislature shall maintain and publish readily accessible records of its proceedings in a standard and consistent format).



COMMITTEES

Organisation

As per the Assembly's Standing Orders (Numbers 73-83⁵⁶), the THA establishes at the commencement of each new session following Assembly Elections a number of Sessional Select Committees⁵⁷ to consider and report on matters referred to them by the Assembly, matters which fall under their designated area of competence, and matters which (in the opinion of the Committee) require further consideration by the whole House. There are a total of five Sessional Select Committees in the THA (the Standing Orders Committee, House Committee, Committee on Privileges, Public Accounts Committee, and Regulations Committee), all of which are constituted along thematic lines and last for the full life cycle of an Assembly term. Alongside these, the Legislature can also establish additional Special Select Committees which are set-up to consider particular ad-hoc issues, time-limited, and cease to operate once their designated work has been completed.

All THA Committees reflect the political composition of the Assembly, with the Chairmanship of each Committee selected by its composite Members at the Committee's constitutive meeting unless the Standing Orders specifically provide for a particular Chairperson being appointed. This, for example, includes the Presiding Officer, Leader of Assembly Business, and a minority Member chairing the Standing Orders Committee, House Committee, and Public Accounts Committee respectively. As well as having a quorum for their meetings, all THA Committees may also adopt additional Terms of Reference to help guide and manage their work.

⁵⁶ Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

⁵⁷ Tobago Assembly Legislature – Sessional Select Committees. [online]. Available at: www.tobagolegislature.org/standing-order/sessional-select-committee/.

While some Committees in the Assembly appear to meet with sufficient regularity alongside scheduled Plenary sittings of the House, others are not currently as active. Despite each Committee in the Assembly being supported by the Clerk and additional staff from the parliamentary administration to help with holding meetings and coordinating its workplan, at the time of writing, resource constraints within the Secretariat sees this small number of officials clerking more than one Committee alongside other professional responsibilities in the House. Given the heavy workload involved in clerking a Committee, this is sub-optimal and undoubtedly reduces the regularity with which Committees can meet and the efficacy of their work.

Another shortcoming of the THA's current Committee set-up identified by the CPA related to the openness and transparency of Committee business. At the time of writing, all Committee meetings in the Assembly are held in private with representatives of the Media and members of the public unable to attend in person or follow a live-stream of proceedings remotely. Furthermore, the CPA team was told that no official Hansard records of Committee meetings are produced for public consumption. Not only do these arrangements see the THA fail to meet relevant CPA Benchmarks but, more importantly, they significantly limit the ability of Tobago's citizens to follow and engage with this important element of their Assembly's work.

RECOMMENDATION 9

The Tobago House of Assembly should increase the regularity of Committee meetings, provide Committees with greater staffing resource, and ensure that, as far as possible, all Committee activities/outputs are publicly accessible.

(Benchmark 3.1.4 – Once established, Committees shall meet regularly in a timely and effective manner / Benchmark 3.1.5 – All Committee votes and substantive decisions, and the Committee's reasons for them, are made public in an accessible and timely manner).

Power and Resources

Committees in the THA play an important role in the passage of legislative Bills brought before the Assembly (a detailed overview of which is provided later in this Report⁵⁸). After their Second Reading on the Floor of the House, draft Bills are considered in granular detail (clause by clause) by either a Committee of the Whole House or by being referred to one of the Assembly's relevant Select Committees. Members of these Committees will consider the merits of draft pieces of legislation, potentially recommend the inclusion of amendments to them, and report back to the Assembly as a whole, which then votes on whether to accept the legislation as amended or in its original form. Positively, all legislation considered by the THA is, by default, referred to a relevant Committee and each of these Committees can summon persons, papers, and records to inform their activities. In this sense, the Assembly's Committee structure appears broadly fit for purpose.

That said, during stakeholder discussions, the CPA team identified further areas in which the Assembly's current Committee set-up could be improved:

- The Executive Council of the THA currently has nine Divisions⁵⁹ listed on its website however the Assembly itself doesn't currently have the same number of corresponding Committees with bespoke responsibility for scrutinising the work of that individual Division. Stakeholder discussions suggested that this can largely be attributed to resource/space constraints on the legislative precinct referenced earlier in this Report. While best practice demonstrated in other Commonwealth jurisdictions is for each executive Ministry to have a corresponding Committee in the Legislature with robust oversight mechanisms for scrutinising its work, this may be unrealistic for the THA until constraints referenced above are overcome. In the meantime, the Assembly could look to improve the effectiveness of its Committee framework (perhaps by merging related Committee portfolios or encouraging joint meetings of more than one Committee) to help with ensuring that all Executive Council Divisions remain accountable to the Assembly in all of their activities.
- Whilst Committees in the THA appear active in their scrutinising of draft legislation, they seem to conduct little own initiative work through running parliamentary inquiries into particular issues of interest and receiving supportive witness submissions from external stakeholders. Alongside internal staffing constraints referenced above, Committees in the Assembly do not currently have sufficient means to employ external experts whereby doing so would help support these activities. This is sub-optimal and sees the THA fall short against a number of relevant CPA Benchmarks. Accordingly, the Assembly should ensure that all of its Committees have the capacity and expertise required to run inquiries of their own and improve their engagement with the citizens of Tobago who may wish to contribute towards these undertakings.

58 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

59 Executive Council – Divisions. [online]. Available at: www.tha.gov.tt/divisions/.

- Regarding external activities, stakeholder discussions also noted a lack of financial resource being made available to Committees for them to conduct certain activities away from the Assembly precinct in support of their work. This makes it difficult for them to visit other parts of Tobago to undertake a public consultation or participate in citizen engagement activities. Best practice demonstrated by other Commonwealth Legislatures dictates that parliamentary Committees should have their own budget (independent of the executive) that can be apportioned to supporting important outreach activities and engagement programmes. This is another area in which the THA should seek to increase the level of resource available to its Committees moving forward.

RECOMMENDATION 10

The Tobago House of Assembly should strengthen the effectiveness of its Committees by: ensuring that all Executive Council Divisions are scrutinised by a corresponding Committee; increasing the staff capacity of Committees to support own-initiative work; and guaranteeing that all Committees have an independent budget (free from executive oversight) that enables them to conduct outreach activities/engagement programmes away from the Assembly precinct.

(Benchmark 3.2.4 – Committees shall have the right and sufficient resources to consult and/or employ experts / Benchmark 3.2.5 – Committees shall seek and receive submissions from the public about the business before them and provide reasonable time for written submissions to be prepared / Benchmark 3.2.6 – Committees hear evidence from people who wish to be heard, if practicable, or at least ensure that hearings cover the diverse perspectives of submitters).

POLITICAL PARTIES AND PARTY GROUPS

Political Parties

Formal political parties do exist in Tobago with the island's political landscape currently being dominated by the Tobago People's Party (TPP). The TPP was founded in 2023 by Hon. Farley Chavez Augustine (Chief Secretary of Tobago since 2021) and currently holds 13 of the THA's 15 elected seats. All political parties in Tobago planning to run candidates in an election or campaign in a referendum must notify their intention to do so with the national Elections and Boundaries Commission. The Commission issues all parties with an official symbol⁶⁰ (used for campaign purposes and on polling day ballot papers) and ensures their compliance with broader electoral regulations as per the Representation of the People Act⁶¹. Three political parties are currently represented in the THA (Tobago People's Party, Progressive Democratic Patriots, and People's National Movement). Alongside the Chief Secretary, the position of Minority Leader is also formally recognised in the Assembly, allocated dedicated office space/resource from the THA's budget, granted priority speaking time in plenary debates, and consulted by the Presiding Officer on wider decisions taken concerning the administration of the Assembly and its precinct. These are all positive demonstrations of model practice for which the THA should be praised.

Caucuses and Interest Groups

While in Tobago, the CPA team explored the rights of legislators to form broader caucuses and interest groups based on common issues or concerns. Historically, the THA has had caucuses established along party lines but lacked broader non-partisan interest groups that are common in other Commonwealth Legislatures. Given that the Assembly's Standing Orders make no provision for Members to form such groups, there has traditionally been a limited culture of these bodies existing as part of the THA's organisational framework to coordinate actions, discuss policy issues, and devise collective strategies on shared legislative priorities.

During stakeholder discussions with the CPA team, elected Members and THA staff positively acknowledged the idea of the Assembly modernising its approach to such bodies. Generally speaking, doing so was viewed as having two main benefits: firstly, preventing unnecessary duplication in the mandates of THA Committees (where a caucus or interest group would be a more efficient vehicle for considering cross-subject issues); and, secondly, providing the Assembly with more scope to effectively address often apolitical topics of common interest. Two examples of these that are increasingly common in many Commonwealth Legislatures are a Women's Caucus⁶² and Interest Group relating to Persons with Disabilities⁶³. Establishing mechanisms and encouraging a culture that supports the creation of these bodies is undoubtedly something that the THA could look to consider moving forward and it is recommended that the Assembly makes use of relevant CPA guidance on how to maximise their operational effectiveness.

60 Elections and Boundaries Commission – Political Party Symbols. [online]. Available at: www.ebctt.com/wp-content/uploads/List-of-Political-Parties-as-at-29-March-2025-1.pdf.

61 Elections and Boundaries Commission of Trinidad and Tobago – Representation of the People Act 1967. [online]. Available at: www.ebctt.com/wp-content/uploads/ROP-ACT1.pdf.

62 Commonwealth Parliamentary Association – How to Start a Women's Caucus. [online]. Available at: www.cpahq.org/knowledge-centre/blogs/how-to-start-a-women-s-parliamentary-caucus/.

63 Commonwealth Parliamentary Association – Disability Inclusive Communications Guidelines for Parliamentarians. [online]. Available at: www.cpahq.org/media/zm2hwjge/2024_disabilitycomms_final.pdf.

PARLIAMENTARY STAFF

Recruitment and Management

The Presiding Officer sits as the Head of the THA and is, in effect, responsible for all political activities undertaken in the Assembly. As per the THA Act (Part VII⁶⁴), the Assembly is assigned a Chief Administrator (equivalent to a national Ministry's Permanent Secretary) with administrative oversight responsibilities at the national level and the Clerk who serves as the Assembly's most senior official with wide-ranging internal operations in support of House business and the delegation of work among fellow parliamentary staff. At the time of this Report, the THA has a Secretariat comprising approximately 50 staff across nine Departments who are talented, dedicated, and non-partisan, providing support for many aspects of Assembly operations.



Whilst the current team of staff are a credit to both the THA and Tobago's citizens more widely, there were a number of important areas of concern raised throughout stakeholder discussions about how the Assembly currently recruits, retains, promotes, and manages its staff, as well as how they are able to fulfil key responsibilities relating to the functionality of the House. For all intents and purposes, the THA is considered part of Trinidad and Tobago's wider Public Service and, as such, effectively a Department of national government as opposed to its own distinct entity. Unfortunately, this significantly limits the Assembly's ability to take a range of important decisions, among others, relating to:

- **Recruitment:** the recruitment and appointment of individuals joining the Assembly's Administration are, to a large extent, coordinated by the national Public Service Commission⁶⁵ and not the Assembly in its own right. The PSC has responsibility for circulating permanently employed public officials among different Departments across Trinidad and Tobago (including the THA) and centrally assigns these individuals to the Assembly on a periodic basis. Alongside this process, the Assembly can also employ locally engaged workers on shorter fixed-term contracts to fulfil particular additional roles on the parliamentary precinct. Stakeholder discussions suggested that this can create a 'two tier' environment within the Assembly Secretariat between permanently employed officials (who may have had little choice in being assigned to the THA) and contract workers (who have proactively applied to join the Assembly but are only offered shorter-term employment).
- **Retention and Promotion:** linked to this, the THA is currently limited in its ability to set independent terms of employment for staff, including specific arrangements relating to retention, promotion, and any changes to levels of remuneration. The Assembly appears to have weak performance management/career path structures in place which, when combined with the regular circulation of permanently employed public officials, can lead to staffers (at all levels) spending a relatively short

64 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

65 Government of the Republic of Trinidad and Tobago – Public Service Commission. [online]. Available at: www.scd.org.tt/about-us/commissions/public-service-commission.html?showall=1.

period of time working for the Assembly before being re-assigned to another Department, seeing their fixed-term contract end, or leaving through personal choice to take up alternative employment elsewhere. This not only sees the THA regularly lose ‘institutional knowledge’ but also makes it difficult for the Assembly to put in place longer-term strategic plans without confidently knowing which officials will be in post to deliver them moving forward.

- **Management:** the THA is also limited when it comes to developing wider corporate regulations/HR policies tailored to the needs of its Secretariat staff. While permanent officials enjoy various statutory employment rights and are bound by a national Code of Conduct for Public Office Holders⁶⁶, similar benefits are not offered to fixed-term contract workers. Stakeholder discussions held by the CPA team identified that some of these individuals, for example, are not provided with formal annual leave allocations, do not receive any sick pay allowances, and cannot be credited with additional overtime or duty pay remuneration should they be working over and above their contracted hours. More broadly, the THA would also benefit from developing bespoke HR policies relating to safeguarding, bullying and harassment, and equality and diversity with the goal of ensuring that it keeps pace with emerging best practices from across the Commonwealth.

Lacking sufficient independence and autonomy within Trinidad and Tobago’s wider political ecosystem was one of the clearest shortcomings identified by the CPA team in terms of how the THA currently runs several of its affairs. To this end, the Assembly would benefit from the introduction of legislation providing for the THA to establish its own corporate body responsible for the independent management of human resources, providing funding entitlements towards key parliamentary services, delineating the Assembly from Tobago’s Executive, and further enhancing its separation of powers vis-à-vis other branches of national government⁶⁷. In this regard, best practice is to legislate for the establishment of a Parliamentary Service Commission that would enable the THA to have independent authority of its corporate operations, autonomously build capacity across the Assembly precinct without executive restriction, and better allow the House to put in place much-needed multi-annual strategic plans.

RECOMMENDATION 11

The Tobago House of Assembly should seek to establish a Parliamentary Service Commission (or equivalent corporate body) with responsibility for the Assembly’s internal governance and key related parliamentary services.

(Benchmark 5.1.2 – The Legislature, rather than the Executive branch, shall control the parliamentary service and determine the terms of employment. There shall be adequate safeguards to ensure non-interference from the Executive / Benchmark 5.2.1 – The Legislature shall have adequate resources to recruit staff sufficient to fulfil its responsibilities. The rates of pay shall be broadly comparable to those in the public service / Benchmark 5.4.3 – The Legislature should, either by legislation or resolution, establish a corporate body responsible for providing services and funding entitlements for parliamentary purposes and providing for governance of the parliamentary service).



66 Office of Procurement Regulation – Ethical Code of Conduct for Public Bodies and Public Officers. [online]. Available at: www.oprrt.org/wp-content/uploads/2023/08/Ethical-Code-of-Conduct-for-Public-Bodies-and-Public-Officers.pdf.

67 Commonwealth Parliamentary Association – Model Law for Independent Parliaments: Establishing Parliamentary Service Commissions for Commonwealth Legislatures. [online]. Available at: https://www.cpahq.org/media/usdnwcqp/model-law-for-independent-parliaments_final.pdf.

III. FUNCTIONS OF THE LEGISLATURE

LEGISLATIVE FUNCTION

Legislative Process

The Tobago House of Assembly in its current format was established by the THA Act, the preamble of which sets out the purpose of the act, inter alia, an Act “to provide for the membership, powers and functions of the Tobago House of Assembly and its Executive Council”.

The THA Act (Section 5) states that: “The Assembly shall be a body corporate”. This designation grants the Assembly legal personality, enabling it to own property, enter into contracts, and initiate legal proceedings. However, this corporate status serves to facilitate its administrative and operational functions and does not equate it to a commercial company. Whilst the principle of separation of powers is clearly demonstrated in the national legislative process, Tobago’s House of Assembly does not have the power to make laws. The Assembly appears to be an extension of the legislative arm of Trinidad and Tobago that is responsible for formulating policies, developing regulations and ensuring the protection of Tobago’s assets.

While the THA does not currently have full law-making powers, its internal structures for the introduction and passage of Bills do appear to function well and are clearly provided for in its Standing Orders (Number 56-69⁶⁸). First Reading marks the Bill’s official entry into Assembly proceedings, with the Clerk reading the Short Title and ensuring proper formatting and publication in the Gazette. The Second Reading allows for the first substantive debate on the Bill’s principles, though no amendments are permitted. If approved, the Bill moves to the Committee Stage, where each clause is examined, and Members may propose amendments, though the Bill itself cannot be rejected. The Report Stage follows, where further changes may be suggested before the Third Reading, during which Members vote on the final version. Once passed, the Bill is sent to the national Parliament for its own review process and potential approval before being published, once again in the Gazette, and coming into effect immediately or on a specified commencement date.

While THA legislative processes function reasonably well overall, the CPA team did identify some areas in which improvements could be made:

Institutional Reforms to Support the Legislative Process

In order to enhance the legislative process and improve the efficiency of parliamentary functions, it is important that the Assembly establishes its own specialised Legal Department. This Department would offer essential legal opinions and advice that directly assist Members, the Presiding Officer, and Clerk in fulfilling their responsibilities. It would also be instrumental in the preparation and drafting of Private Members’ Bills, thereby increasing legislative productivity and better allowing Members to effectively pursue their policy objectives.

In addition to drafting, the Legal Department would act as a reliable source for interpreting and implementing the Standing Orders, ensuring that parliamentary proceedings conform to established rules and principles. By performing legal research and providing counsel to the Presiding Officer, Clerk, and Committees, the Department would help facilitate informed decision-making and enhance adherence to procedural standards.

Furthermore, the Department would provide direction to Committees concerning their mandates and responsibilities, contributing to more robust oversight and legislative scrutiny. Its expertise in legislative law and procedures would ensure efficient law creation while providing comprehensive legal services to Members and the THA Secretariat. This support would help to safeguard the organisation from legal risks and enhance its overall operational effectiveness.

Pre/Post-Legislative Scrutiny

Another important means of legislative scrutiny that could be improved relates to the conducting of pre-legislative and post-legislative scrutiny. Both are core functions of many other Commonwealth Legislatures. While the Assembly’s Standing Orders provide for an active Committee system (which should contribute towards these activities), issues linked to staffing constraints and the regularity of some Committee meetings means that, in practice, they are not effectively undertaken.

Pre-legislative scrutiny can take various forms but would have a number of benefits including creating opportunities for the Assembly to influence legislation at an early stage, drawing upon particular policy expertise that individual Members might have, and providing a key tool for Civil Society Organisations and wider members of the public to engage with crafting the laws that shape their lives. All of these measures together act as a form of quality control to ensure that legislation is in its best possible form before entering into force.

68 Standing Orders of the Tobago House of Assembly 1980 (Amended 2015). [online]. Available at: www.tobagolegislature.org/standing-orders/.

Post-legislative scrutiny has the aim of ensuring that Acts of Parliament have done, or are doing, what they were originally intended to achieve. It heightens accountability that those tasked with implementing particular laws are doing so effectively and offers an opportunity to evaluate whether alternative means of reaching intended goals could be pursued. Post-legislative scrutiny can also take various forms but ultimately should lead to better government, better legislation, and better outcomes for the citizens of Tobago.

Enhancing Public Access to Legislative Processes

Effective democratic governance requires open communication between elected officials and the public. Within the context of the THA, concerns were raised by external stakeholders regarding limited accessibility to Members and the inadequate opportunities for public engagement. It has been reported, for example, that representatives of the Media encounter challenges in securing interviews with Members, which restricts the timely and accurate dissemination of information to the public.

Moreover, external stakeholders expressed dissatisfaction with the lack of communication and accountability from some Members, stating that they often receive minimal updates on decisions, legislative matters, or constituency issues. This has contributed to a growing perception of disconnection between elected representatives and the communities they represent. A core tenet of representative democracy is that Members are elected to serve their constituents and should not operate in isolation. When communication breaks down, it undermines public trust and diminishes the legitimacy of the legislative process.

Enhanced transparency, open dialogue, and proactive outreach are essential to rebuilding this trust and ensuring that citizens are meaningfully included in the legislative process. During stakeholder discussions, the CPA suggested that the THA implement structured and regular public consultation mechanisms, including community forums, town halls, and online engagement platforms. These efforts should be supported by clear communication strategies and accessible reporting on Assembly decisions and legislative developments. Additionally, Members should be regularly reminded of their duty to represent the interests of their constituents. Training or induction sessions on public accountability and democratic representation could reinforce the importance of transparency and community engagement in their legislative roles. Strengthening these communication channels with the public and Media will help build public confidence, improve legislative transparency, and promote a more inclusive and accountable Assembly.



CPA delegate Colleen Lowe

RECOMMENDATION 12

The Tobago House of Assembly should enhance the drafting, scrutiny, and implementation of legislation by establishing an independent Legal Department and seek to widen opportunities for improved public consultation throughout its legislative processes.

(Benchmark 6.1.4 – The Legislature shall provide adequate resources for legislators to draft legislation or amendments to any legislation / Benchmark 6.1.5 – The Legislature shall encourage the process of equality impact assessment with respect to the development of legislation, policies, and budgets. Benchmark 6.2.4 – The Legislature shall establish procedures for systematic monitoring of the effective implementation and consequences of legislation / Benchmark 6.3.1 – Opportunities shall be given for public input into the legislative and Committee process / Benchmark 6.3.2 – Information shall be provided to the public in a timely manner regarding matters under consideration by the Legislature).

OVERSIGHT FUNCTION

Oversight of the Executive

The THA does not have direct oversight authority over national ministries, state enterprises, or statutory authorities, except in cases where these entities provide services within Tobago. In such instances, the THA Act (Section 25⁶⁹) provides a legal framework to support coordination and policy alignment. The section states:

“Where a statutory authority or a state enterprise provides services in Tobago, that authority or enterprise shall, in exercising its duties in relation to those services, act in accordance with the policies or programmes of the Assembly and to this end may enter into a Memorandum of Understanding with the Assembly.”

This provision, while not granting the THA formal oversight power over such bodies, enables the Assembly to influence their operations through the use of MOUs. These agreements are essential for ensuring that services delivered by national agencies in Tobago reflect the priorities and policies of the THA.

Within its devolved responsibilities, the THA exercises oversight primarily through internal mechanisms, including:

Committee System

- The THA has both Standing and Special Committees empowered to investigate and monitor issues within their jurisdiction.
- These Committees can summon public officials from THA divisions to account for the management of public funds and service delivery.

Questions and Motions in the Assembly

- Elected Members can pose questions and debate motions related to Executive Council decisions, enabling scrutiny of the THA’s Cabinet-equivalent body.

Budget Scrutiny

- The Assembly debates and reviews its own budget, including fund allocation and expenditure by various Divisions, before submitting it to the national Minister of Finance.

Internal Audit and Accountability

- The THA maintains an internal audit unit and is subject to independent review by the Auditor-General of Trinidad and Tobago, thereby enhancing financial accountability.

While the THA demonstrates a commitment to transparency by streaming its plenary sessions, there is room for improvement in making all facets of its oversight functions more publicly accessible. In particular, Committee meetings, which play a critical role in legislative oversight, are not routinely open to the public (discussed earlier in this Report). Increasing the transparency of these sessions would strengthen public confidence and democratic accountability.

During observations of a Standing Orders Committee meeting, the CPA team noted that Secretaries frequently fail to comply with submitting Answers to Questions, undermining effective oversight. The Committee considered amending the Assembly’s Standing Orders to impose timeframes for responses, although it stopped short of recommending penalties for non-compliance, noting that this is not a standard practice in many other Legislatures. During discussions with senior THA personnel, the CPA team emphasised the importance of the Assembly amending its Standing Orders to put in place more robust enforcement mechanisms for ensuring that executive representatives fully comply with their accountability responsibilities to the Assembly.

RECOMMENDATION 13

The Tobago House of Assembly should amend its Standing Orders to ensure that executive representatives fully comply with their accountability responsibilities to the Assembly by answering all questions put to them by Members of the Assembly in a timely and effective manner.

(Benchmark 7.1.2 – The Legislature shall have mechanisms to obtain information from the Executive branch sufficient to exercise its oversight function in a meaningful and timely manner. There shall be clear and effective procedures requiring the Executive to provide timely responses to oral and written question and Parliamentary Committee reports and recommendations).

69 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

Financial and Budgetary Oversight

The THA exercises financial and budgetary oversight primarily within the scope of its devolved responsibilities as outlined in the THA Act (Section 25⁷⁰) and in accordance with national financial regulations detailed in the Constitution of Trinidad and Tobago.

Relevant legal provisions include:

- **Section 25:** Outlines the THA's responsibility for formulating and implementing policy in relation to Tobago, including financial matters.
- **Section 41:** Mandates the preparation of an annual Budget Statement by the Secretary of Finance, detailing revenue and expenditure estimates.
- **Fifth Schedule:** Lists specific areas of responsibility under the THA's purview, such as finance, infrastructure, and public utilities.

Primary Financial and Budgetary Oversight Responsibilities

When taken together, the provisions detailed above outline the process for the formulation, approval, and oversight of Tobago's budget. The THA is responsible for preparing annual Draft Estimates of Revenue and Expenditure, which are debated and approved by the Assembly before submission to the Minister of Finance for incorporation into the national budget. Once approved, the Assembly monitors budget implementation across its various Divisions. Positively, accountability mechanisms are in place which allow Members of the Assembly, particularly those in Opposition and on relevant Committees, to examine expenditures and hold the Executive Council accountable. Additionally, financial oversight is supported by the Public Accounts Committee, and the work of the Assembly's internal audit unit, which ensures compliance with financial regulations, conducts risk management, and promotes value for money.

That said, stakeholder discussions conducted by the CPA team did highlight a number of current shortcomings with how the THA currently conducts some of its financial and budgetary oversight activities:

- There appears to be a key structural shortcoming in the THA's governance structure regarding the role of the Presiding Officer. Despite being head of the administrative arm of the Assembly, and the direct supervisor of the Clerk, the Presiding Officer does not routinely attend meetings of the Executive Council when discussions surrounding the Assembly's budget allocation are held. This institutional gap limits the ability of the Assembly to advocate effectively for its administrative needs, including adequate resourcing to support several of its core legislative and operational functions. Addressing this gap is essential for strengthening the institutional autonomy and operational efficiency of the Assembly vis-à-vis Tobago's Executive Council.
- While the Auditor-General of Trinidad and Tobago reviews the THA's financial statements, those reports are submitted to the national Parliament and not directly to the Assembly itself. This further dilutes the THA's internal financial accountability and limits opportunities for local follow-up and lessons learned from audit outcomes.
- The THA's Procurement Control Office (PCO⁷¹) is responsible for implementing procurement policies and ensuring compliance with relevant procurement laws. While the PCO works to establish the THA as the premier governmental entity responsible for sustainable, transparent, ethical, and indiscriminate distribution of public expenditures in Tobago, it is currently under-resourced and seemingly lacks full independence from the executive when conducting some of its affairs. As of this Report, the structure and remit of the PCO are currently being revised which should hopefully address these present shortcomings.

More broadly, while the THA Act and Assembly Standing Orders do provide an adequate framework for financial and budgetary oversight, several stakeholders who met with the CPA team noted that the effectiveness of these provisions is hampered by an absence of financial expertise being provided to Members of the Assembly. This lack of support can affect the capability of Members to research, examine, and analyse financial documents presented to and discussed in the House.

To this end, the CPA team felt that the Assembly would benefit from establishing a Parliamentary Budget Office (PBO) to support its various financial activities⁷². The PBO should be staffed by well-trained and qualified financial experts to assist Members of the Assembly with objective and non-partisan advice and guidance. The PBO would also be tasked with providing Assembly Committees with independent forecasts for expenditures and revenues relating to Tobago's economic projections.

70 Elections and Boundaries Commission of Trinidad and Tobago – Tobago House of Assembly Act 1996. [online]. Available at: www.ebctt.com/wp-content/uploads/Tobago-House-of-Assembly-Act-THA.pdf.

71 Tobago House of Assembly – Procurement Control Office (PCO). [online]. Available at: www.pco.tha.gov.tt/about-us/.

72 Commonwealth Parliamentary Association – Handbook on Parliamentary Financial Oversight: Adapting PAC Best Practices to Legislatures in Small Jurisdictions. [online]. Available at: <https://www.cpahq.org/media/wchb4uv5/handbook-on-parliamentary-financial-oversight.pdf>.

RECOMMENDATION 14

The Tobago House of Assembly should seek to improve the efficacy of its financial oversight responsibilities by enhancing the capacity and independence of its Procurement Control Office and creating an independent Parliamentary Budget Office so that Members of the Assembly have access to expert financial support.

(Benchmark 7.2.6 – The Legislature shall have access to sufficient financial scrutiny resources and/or independent budget and financial expertise to ensure that financial oversight is conducted effectively / Benchmark 7.2.7 – There shall be an independent, non-partisan Supreme or National Audit Office whose reports are tables in the Legislature in a timely manner).

Oversight of Independent Constitutional Bodies

The THA does not possess oversight authority over independent constitutional bodies such as the Integrity Commission, Police Service Commission, Ombudsman, or Office of the Auditor-General. These entities are established under the Constitution, monitored by the national Parliament, and operate independently of the THA'S direct oversight.

Moving forward, the THA may wish to establish a Tobago Oversight Commission (or equivalent body) with responsibility for monitoring these organisations and any relevant activities they undertake in relation to Tobago. Alongside this, the THA (where legally permissible) could consider implementing Memoranda of Understanding with these bodies to better align their services with Tobago's priorities. Doing so would not only enhance good governance and heighten public accountability, but also better ensure that the activities of these organisations are more responsive to the local needs of citizens residing on Tobago.

No Confidence and Impeachment

Mechanisms to impeach or censure the executive branch, or to express no confidence in the government, are an important CPA Benchmark in a democratic Legislature. In Tobago's case, however, the THA Act does not contain explicit provisions for a motion of no confidence in the Chief Secretary or other members of the Executive Council that would automatically trigger their removal/resignation, or a dissolution of the Assembly.

While the THA's Standing Orders allow for motions to be moved within the Assembly, the legal effect of such motions on the tenure of the Chief Secretary (and the Executive Council more broadly) is not clearly defined. Such motions can serve as a political expression of dissatisfaction with the Chief Secretary (and might exert political pressure), but they lack any direct legal consequence for removal under the current THA Act. Similarly, the THA Act does not outline a formal "impeachment" process for individual Secretaries or other members of the Assembly at large. The Chief Secretary, as head of the Executive Council, has the power to appoint and dismiss other Secretaries and, while he or she may do so in response to a motion moved in the Assembly, they are under no compulsion to do so.

A notable instance highlighting the absence of formal procedures for motions of no confidence within the THA occurred in September 2022 when the current Chief Secretary publicly challenged the then Deputy Chief Secretary to bring a motion of no confidence against him⁷³ on the grounds of political differences. While it is unlikely that these efforts would have been successful (the Chief Secretary had House support at the time), the episode emphasised the lack of formal rules governing such motions within the Assembly.

Moving forward, the THA should establish clear procedures for handling motions of no confidence in the Chief Secretary and wider Members of the Executive Council. Doing so could include detailed procedural rules for moving and debating such motions (to ensure fairness and transparency) and explicitly define mechanisms for investigating/holding to account individual Secretaries that are found to be guilty of serious misconduct. As discussed earlier in this Report, any attempts to do so would require a revision of the current THA Act and, accordingly, support from the national Parliament in Trinidad.

RECOMMENDATION 15

The Tobago House of Assembly should seek to introduce provisions that clearly define a formal mechanism for motions and votes of no confidence in the Chief Secretary and wider Members of the Executive Council.

(Benchmark 7.3.2 – The Legislature shall have mechanisms to impeach or censure the Executive branch or express no confidence in the Government).

⁷³ Trinidad and Tobago – Newsday. [online]. Available at: www.newsday.co.tt/2022/09/13/chief-sec-dares-duke-to-bring-no-confidence-motion/?utm_source=chatgpt.com.

REPRESENTATIONAL FUNCTION

Representation of Constituents

Representing the interests of constituents is a fundamental responsibility of every Member of Parliament. Elected representatives are responsible for advocating for the needs, interests, and concerns of those they represent, as well as addressing the challenges that arise within their communities. In this role, Members serve as a vital link between government and the public, ensuring that they convey the voices and views of all citizens.

Accordingly, the THA serves as the primary representative institution for the people of Tobago, with its structures designed to facilitate direct and effective constituent engagement. Its electoral framework, based on single-member constituencies, ensures that each Member is directly accountable to their district (thereby reinforcing the fundamental principle of representation) and, on the whole, there appears to be a healthy link between elected Members and the local communities they represent.

Several parliamentarians in Tobago work closely with their communities to address local issues and implement relevant policies. This collaboration takes various forms, some of which occur take place at the THA (by debating, questioning the Executive Council, and voting on policies and budget allocations that directly impact the daily lives of citizens) with others (such as outreach activities discussed later in this Report) targeted at and delivered in local constituencies across Tobago. This is a positive demonstration of sound parliamentary practice which should be praised.

That said, there were mixed views among some stakeholders as to what constitutes adequate resource for Members to fulfil their representative role and how these should best be administered. These discussions raised two important issues:

- **Member support:** there was little consensus among Members regarding the appropriate level and means of support required by them and, for the most part, Assembly officials are happy to assist Members with a range of tasks that in other Commonwealth Legislatures are delegated to staff working in individual Member's offices. While some of these positively support a Member's legislative work in the THA, others often relate to personal constituency responsibilities, which can sometimes lead to officials in the Secretariat being taken away from their core professional function in the Assembly. Such occurrences not only reduce the effectiveness of how some core THA functions are conducted but could also create difficulties for the Assembly's non-partisan staff when they are tasked with supporting individual political objectives.
- **Electoral District Offices:** since 2014, the THA has been responsible for providing each Member with an Electoral District Office in their constituency and helping to establish policies and procedures relating to the provision of office accommodation, goods, services, and associated financial support. While this has been a positive development, stakeholder discussions suggested that some Members do not currently make full use of the opportunities that these EDOs afford. For example, the CPA team learned that not all Members routinely use their EDO to hold regular 'constituency surgeries' whereby they meet directly with constituents to report on their Assembly activities, demonstrate how they have addressed specific constituency issues in the THA, and answer any further questions that citizens may have. In these discussions, it was suggested that establishing this practice alongside the holding of other public fora (such as town hall-style meetings) would be a productive means of encouraging heightened citizen participation beyond formal Assembly sittings.

Representation of Women

The principle of inclusive and equitable representation between men and women is central to any functioning democracy. While the THA has seen positive participation of women in various capacities since its establishment in 1980 (including as Presiding Officer, Members, and Secretaries), the overall representation of women remains inconsistent, which can limit the full range of perspectives in decision-making and may affect the Assembly's responsiveness to gender-specific concerns as well as broader equity goals.

As of the most recent election cycle, women constitute four of the Assembly's 15 elected Members⁷⁴. Although this demonstrates a degree of progress, the THA falls short of the global average standard for balanced representation (27.5%⁷⁵) and related international commitments, such as the UN's Sustainable Development Goal 5⁷⁶, which advocates for women's full and effective participation and equal opportunities for leadership at all levels of decision-making. In the broader context of Tobago's political landscape, the CPA team learned of various institutional barriers that have historically limited the equal participation of women in THA activities:

74 Elections and Boundaries Commission of Trinidad and Tobago – Reports on THA Elections. [online]. Available at: www.ebctt.com/category/tha-elections/.

75 IPU Parline: Global Data on National Parliaments – Global and Regional Averages of Women in National Parliaments. [online]. Available at: www.data.ipu.org/women-averages/?date_year=2025&date_month=01.

76 United Nations Sustainable Development Goal 5.5 (Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life).

- **Political Party Dynamics:** Internal party processes for candidate selection often fails to promote female participation with limited evidence of formal gender quotas or affirmative actions in the candidate nomination processes for Assembly Elections.
- **Structural and Cultural Factors:** Broader societal norms and the political environment often discourages women from seeking elected office. Challenges such as campaign financing, gendered expectations, and limited access to mentorship schemes persist.
- **Limited Institutional Mechanisms:** As referenced earlier in this Report, the Assembly does not currently operate a Women's Caucus or a specific Committee focused on advancing women's representation or monitoring gender-sensitive policy development.

To this end, there are various ways in which the Assembly could potentially look to further increase its number of female Members moving forward. These could include potential electoral reform (whereby a certain percentage of seats in the THA must be held by women), reserved seats (whereby only female candidates can contest particular constituencies), funding incentives (whereby political parties are provided with funding entitlements to boost the number of female candidates they put forward), and civic education (whereby the Assembly dedicates particular outreach activities to better capacitate women across its electorate in advance of them running for office).

Furthermore, it is strongly recommended that the THA establishes a Women's Parliamentary Caucus, increases its engagement with the CPA's Commonwealth Women Parliamentarians Network⁷⁷, and disseminates among Members the CPA's associated Gender Sensitising Parliaments Guidelines⁷⁸.

Representatives of Secondary Schools meeting the CPA team



RECOMMENDATION 16

The Tobago House of Assembly should increase its efforts to encourage the political participation of women and take concrete steps to help support these objectives.

(Benchmark 8.1.1 – The Legislature shall be organised in such a way as to enable the substantive representation of women in its work).

77 Commonwealth Parliamentary Association – Commonwealth Women Parliamentarians (CWP). [online]. Available at: <https://www.cpahq.org/our-networks/commonwealth-women-parliamentarians/>.

78 Commonwealth Parliamentary Association – Gender Sensitising Parliaments Guidelines: Standards and a Checklist for Parliamentary Change. [online]. Available at: <https://www.cpahq.org/media/s20j1lws/cwp-gender-sensitizing-guidelines.pdf>.

PARLIAMENTARY ASSISTANCE AND NETWORKING

Commonwealth Connections

Trinidad and Tobago joined the Commonwealth on 31 August 1962 albeit the national Parliament had already been a member of the CPA prior to independence, establishing its Branch on 1 January 1944⁷⁹. The Parliament is one of 19 Legislatures in the CPA's Caribbean, Americans, and Atlantic (CAA) region.

While the CPA's global membership comprises many sub-national and provincial Legislatures, the THA does not currently enjoy the requisite law-making power that is a central component of meeting the eligibility criteria for independent CPA membership⁸⁰. That said, the THA does currently benefit indirectly from Trinidad and Tobago's membership of the CPA. The undertaking of this Benchmarks exercise is one example, but the THA's Presiding Officer has also attended recent editions of the annual Commonwealth Parliamentary Conference (as an Observer) and several members of the Assembly's Secretariat are already making full use of online courses accessed through the CPA Parliamentary Academy to help enhance their professional skills and assist in the execution of their functions within the THA. These self-directed learning efforts are commendable and demonstrate a strong commitment on the part of these officials to engaging with and benefitting from global parliamentary best practices.

While both Members and staff in the THA seek to positively engage in a range of interparliamentary activities, their means of doing so are often limited due to legal/resource constraints discussed throughout this Report. Given that the THA cannot currently enjoy the full benefits of independent parliamentary assistance, networking, and diplomacy, it would be hugely beneficial for the Assembly to explore being granted its own bespoke status within such bodies. Doing so would not only allow the THA to directly benefit from global parliamentary best practices, capacity-building programmes, and the robust networking opportunities that are essential for modern democratic governance but also enable it to represent Tobago's unique interests on a global parliamentary platform.



CPA delegate Fraser McIntosh

RECOMMENDATION 17

The Tobago House of Assembly should explore avenues to increase valuable opportunities for its Members and staff to receive technical/advisory assistance from international partners, as well as to network/exchange best legislative practices with representatives of other Commonwealth Legislatures.

(Benchmark 9.1.3 – Members and the staff of Parliament shall have the right to receive technical and advisory assistance, as well as to network and exchange experience with individuals from other Legislatures).

⁷⁹ Commonwealth Parliamentary Association – Parliament of Trinidad and Tobago. [online]. Available at: www.cpahq.org/directory/trinidad-and-tobago/.

⁸⁰ Commonwealth Parliamentary Association – CPA Constitution. [online]. Available at: www.cpahq.org/media/tsppcl4m/cpa_constitution_non_charity_2024.pdf.

IV. VALUES OF THE LEGISLATURE

ACCESSIBILITY, OPENNESS AND ENGAGEMENT

Citizens and Public Engagement

In a modern democracy, legislative systems must be based on and characterised by three principal tenets: accessibility, openness, and engagement. Across all Commonwealth Parliaments, these values are embraced in many different ways. Regardless of the means, strong public and citizen participation is essential for effective democratic governance because it guarantees accountability, transparency, and the Legislature's response to the concerns of its constituents⁸¹.

Throughout the THA, there is an appreciation of the importance of citizens having meaningful opportunities to participate in the political process and, in some areas, the Assembly performs relatively well against various relevant CPA Benchmarks. Positively, the Presiding Officer, Clerk, and wider THA staff are all committed to further improvement moving forward.

At the time of this Report, the THA uses several methods to engage with the public, albeit some challenges are undoubtedly present and pressing. The Assembly's structure, which includes directly elected Members, provides a crucial way for constituents to connect with their representatives. THA plenary sittings are also routinely open to the public, allowing citizens to observe legislative proceedings first-hand. Additionally, Order Papers outlining the business of each sitting are prepared and circulated not only among Assembly Members but are also made publicly accessible via the Assembly's various social media platforms. Linked to this, the THA's Communications Department makes effective use of Facebook⁸² and Instagram⁸³, actively running regularly updated and user-friendly accounts on both platforms which do a commendable job of engaging with the citizens of Tobago.

That said, the CPA team identified a number of ways in which the THA could do even more when it comes to being fully accessible, open, and engaged. Several of these current shortcomings centre on the Assembly currently re-developing its website. While having an independent online platform set-up at all is positive (some other Commonwealth Legislatures do not), the CPA team noted a number of clear gaps in information that currently features online along with suggested means of improvement:

- Publishing an official calendar of meetings (ahead of time) for the Assembly and related Hansard transcripts from House sittings (post-event) to better allow Tobago's citizens to follow the work of the THA.
- Producing more detailed information pages that inform external stakeholders of wider THA activities, including how legislation is passed and what work the Assembly's parliamentary Committees undertake.
- Ensuring that current webpages dedicated to statements, responses to motions, votes and proceedings, and Assembly reports are all populated as soon as possible to highlight the important work that Members and staff are conducting.
- Improving individual webpages for all THA Members including contact details, their CV, declaration of pecuniary interests, and disclosure of relevant financial activities undertaken in line with allowances provided by the Assembly to support their parliamentary work.
- Institutionalising regular public outreach programmes and accessible online platforms to strengthen public engagement and increase opportunities for citizens of Tobago to move from passive observation to active contribution in relating to the Assembly's political processes.

Another linked area in which the Parliament does not fully meet the relevant CPA Benchmark relates to accessibility requirements for persons with disabilities. As discussed earlier in this Report, while the current Assembly precinct has some positive features, its facilities and provisions catering for persons with disabilities could certainly be improved. For example, access to the Chamber's public viewing galleries is challenging for citizens with mobility issues and wider Assembly premises would benefit from additional disabled access ramps, lifts, and public restrooms. In conjunction with the development of its website mentioned above, the THA should ensure that wider facilities and provisions relating to persons with disabilities are more prominently included in the development of any future Strategic Plan.

81 Commonwealth Parliamentary Association – Engagement, Education & Outreach Handbook for Commonwealth Parliaments. [online]. Available at: www.cpahq.org/media/sbif14kt/engagement_education_outreach-handbook_final.pdf.

82 Facebook – Tobago House of Assembly. [online]. Available at: www.facebook.com/THALegislature/?locale=en_GB.

83 Instagram – Tobago House of Assembly. [online]. Available at: www.instagram.com/explore/locations/1030775522/assembly-legislature-tobago-house-of-assembly/.

RECOMMENDATION 18

The Tobago House of Assembly should prioritise re-development of its new website to bring about multiple benefits relating to various openness, and engagement criteria and ensure that future upgrades on the Assembly precinct fully take into consideration accessibility requirements for persons with disabilities.

(Benchmark 10.1.2 – The Legislature shall be accessible and open to persons with disabilities / Benchmark 10.1.7 – The Legislature shall have a regularly updated and accessible website to enhance and promote information sharing and interaction with citizens and the outside world).

The Media

In a parliamentary democracy, the Media plays an essential and multifaceted role that significantly contributes to the overall strength and health of the democratic system. One of its primary functions is to act as a watchdog, monitoring the actions of public officials and government entities to ensure they are held accountable for their decisions and conduct. This oversight is vital in maintaining the integrity of the democratic process and preventing abuses of power. Alongside this, the Media serves as an important channel of communication, informing the public on legislative decisions, policies, and actions, in order to promote civic dialogue and enhance public engagement in the political process. For the THA, maintaining public awareness and supporting democratic norms on Tobago depends on maintaining an open and cooperative relationship with Media professionals.

Tobago itself has an active and vibrant Media ecosystem comprising a number of national and island-specific outlets, many of whom regularly report on the activities of the THA. These include traditional print and broadcast houses, as well as more modern digital and social Media organisations. While the THA, through the Office of the Chief Secretary and its own Corporate Communications Officer, does have mechanisms in place for maintaining external public relations, stakeholder discussions held by the CPA suggested that, at present, there are a number of challenges facing Tobago's journalists in terms of how they access, engage with, and report on Assembly business.

CPA discussions revealed that Media operations surrounding coverage of the THA are often constrained by several institutional limitations. For example, journalists frequently receive late notice of Assembly sittings (which hampers their ability to plan and deliver timely coverage) and, in some instances, agendas appear to be withheld or released at the last minute (similarly preventing adequate preparation and informed reporting). Additionally, reporters are often required to obtain prior permission to cover proceedings, an administrative barrier that not only prevents practical challenges to their work but also undermines the fundamental principle of press freedom. These limitations, when taken together, significantly affect public transparency and hinder the Media's role as a vital conduit between the Assembly and the people of Tobago. The delayed or incomplete dissemination of Assembly activities ultimately reduces citizens' ability to engage meaningfully with the legislative processes that help shape their lives.

Linked to this, the THA also lacks a designated media workspace on its premises (where journalists can base themselves, collaborate, and enjoy unrestricted access to Assembly proceedings). At present, the majority of reporters appear to access THA proceedings remotely but did voice a desire to improve this set-up moving forward.

Another area for potential improvement that was raised during stakeholder discussions concerned how the THA could provide training opportunities for journalists to improve their understanding of the Assembly and strengthen the link between elected Members and representatives of the Media. During stakeholder discussions, it was highlighted that providing journalists with opportunities to explain their work (perhaps by being included as part of rolling learning and development schemes) would bring considerable value to improving the relationship between parliamentarians and the Press in a mutually beneficial way that helps Members promote the important legislative work they are carrying out and improves the quality of reporting being conducted by journalists following the Assembly's proceedings. To this end, the CPA team recommended that the THA's senior management take steps towards producing a companion guide/handbook for representatives of the Press. This initiative (which could include information on parliamentary practice and procedure, guidance for press access and Member interaction, and resources linked to parliamentary publications and related media outputs) has been undertaken in other Commonwealth jurisdictions (such as Tonga⁸⁴ and Samoa⁸⁵) to great effect.

84 Parliament of Tonga – Parliamentary Reporter Handbook. [online]. Available at: https://falealea.to/images/parliament_handbook/TonganParliamentaryHandbookEnglish.pdf.

85 Parliament of Samoa – Journalist Handbook. [online]. Available at: <https://www.palemene.ws/pdfs/Samoa%20Parliamentary%20reporting%20guide.pdf>.

RECOMMENDATION 19

The Tobago House of Assembly should:

- **Improve Media access and transparency by removing prior approval requirements, setting clear dissemination protocols for parliamentary documents, and enhancing physical facilities for Media personnel on the Assembly precinct.**
- **Strengthen engagement and professional relationships with journalists by including Press representatives in Member induction programmes and producing a practical companion guide for reporting on Assembly proceedings.**

(Benchmark 10.1.3 – The Legislature should ensure that the media are given appropriate access to the proceedings of the Legislature without compromising the proper functioning of the Legislature and its rules of procedure / Benchmark 10.1.4 – The Legislature shall have a non-partisan media relations facility / Benchmark 10.1.5 – The Legislature shall promote the public's understanding of the work of the Legislature).

ETHICAL GOVERNANCE

Transparency and Integrity

Ethical governance within a Parliament emphasises the importance of its Members' conduct and behaviour. It encompasses the principles of transparency, accountability, and integrity, guiding how parliamentarians manage their personal and professional affairs. This governance framework requires Members to openly share information regarding their decisions and actions, ensuring that their dealings are accessible and understandable to the public they serve.

Public trust and the efficient operation of any democratic institution depend heavily on ethical governance, which is supported by robust transparency and integrity mechanisms. It is crucial for the THA to maintain good standards of behaviour among its Members and staff employees. Although there are broad standards for appropriate behaviour in place across Trinidad and Tobago (by way of the Integrity in Public Life Act⁸⁶), CPA discussions pointed to shortcomings in the formalisation of thorough codes of conduct, the requirement of explicit declarations of pecuniary interests, the guarantee of open administration of constituency office funds, and constant observance towards principles relating to the freedom of information.

The THA functions within the broader legal framework of Trinidad and Tobago, which (positively) includes national anti-corruption and integrity legislation. However, several internal institutional mechanisms specific to the Assembly that are critical for fostering transparency and integrity remain underdeveloped and require concerted attention.

For example, one pressing area of concern is the absence of a comprehensive and publicly accessible Code of Conduct⁸⁷ for all Assembly Members and Secretariat staff. While general public service regulations and parliamentary conventions apply, there is no formal document outlining ethical standards, prohibited behaviours, and disciplinary procedures tailored specifically to the THA. This lack of clarity creates ambiguity around expected conduct, complicates the process of addressing misconduct, and can erode public confidence in the institution. Separate concerns raised by journalists about the behaviour of some Members further reinforces the need for clearer, enforceable ethical guidelines.

Another gap lies in the absence of a formal system for the regular declaration of pecuniary and other interests by Assembly members and key staff. Without a publicly mandated requirement to disclose financial interests, assets, liabilities, or potential conflicts, the Assembly becomes vulnerable to real or perceived conflicts of interest. This undermines transparency and limits the public's ability to assess whether personal gain may be influencing public decision-making.

The management of constituency office funds also lacks the transparency and accountability expected of publicly funded activities. Although these offices are crucial for effective constituent representation, there are no clearly established and publicly available guidelines governing how funds are allocated, spent, or audited. This creates the risk of misuse, inefficient spending, and a general lack of public trust in how taxpayer money is managed. While the national Freedom of Information Act⁸⁸ applies to the THA as a public body, the Assembly's actual practices do not fully align with the spirit of this legislation. For instance, official

86 Laws of Trinidad and Tobago – Integrity in Public Life Act 2000. [online]. Available at: www.ttparliament.org/wp-content/uploads/2022/01/a2000-83.pdf.

87 Commonwealth Parliamentary Association – Standards for Codes of Conduct. [online]. Available at: www.cpahq.org/media/k4bhbzvd/codes-of-conduct-2024_final.pdf.

88 Laws of Trinidad and Tobago – Freedom of Information Act 1999. [online]. Available at: www.finance.gov.tt/wp-content/uploads/2019/07/The-Freedom-of-Information-Act.pdf.

Hansard records of Assembly proceedings have not been updated on the THA's website for several years and, as discussed earlier in this Report, Media access to important Assembly materials is often delayed or restricted. These issues significantly limit public access to essential information, weakening the principles of open government and hindering citizens' ability to hold their elected/appointed representatives accountable.

Collectively, these shortcomings highlight the need for the THA to strengthen its internal integrity and transparency frameworks to ensure that it not only meets relevant CPA Benchmarks but, more importantly, fulfils both legal obligations and public expectations of good governance that the Assembly should embody.



RECOMMENDATION 20

The Tobago House of Assembly should strengthen its ethical governance framework by introducing a formal Code of Conduct for Members and staff, adopting a related Declaration of Pecuniary Interests scheme, establishing clear guidelines for the allocation of and reporting on Constituency Office funds; and strengthening its compliance with national Freedom of Information legislation.

(Benchmark 11.1.1 – Legislators should maintain high standards of accountability, transparency, responsibility, and propriety in the conduct of all public and parliamentary matters including strict adherence to codes of conduct, and interest disclosure rules / Benchmark 11.1.2 – The Legislature shall approve and enforce codes of conduct, including rules on conflicts of interest and the acceptance of gifts / Benchmark 11.1.3 – Legislatures shall require legislators to periodically, fully, and publicly disclose their financial and other relevant interests / Benchmark 11.2.1 – There shall be an effective FOI regime to give the public access to information held by public authorities).

RECOMMENDATIONS

Recommendation 1: The Tobago House of Assembly should explore: introducing 'power of recall' provisions for its Members; establishing means of regulating campaign finance laws relating to candidates running for office; and inviting international observation missions to monitor future Assembly elections.

Recommendation 2: The Tobago House of Assembly should explore updating its parliamentary privilege/immunity provisions to enshrine in law due protections for former Members, while also introducing a citizens' 'right of reply' scheme in relation to adverse references made to individuals during Assembly proceedings.

Recommendation 3: The Tobago House of Assembly should establish a multiannual Strategic Plan that enables it to uplift and improve the physical and digital infrastructure of its legislative precinct with a particular focus on: providing individual Members with their own office; improving health and safety standards on site; modernising its Library and Information Centre; enhancing accessibility services and provisions for persons with disabilities; and ensuring that digital capabilities are up-to-date, resilient, and fit for purpose.

Recommendation 4: The Tobago House of Assembly should expand its Professional Development Programmes to include the participation of key external stakeholders, hold these periodically between Assembly Elections, and ensure that such opportunities are open to all Members and Secretariat staff.

Recommendation 5: The Tobago House of Assembly should produce a companion guide to its Standing Orders and ensure that the Standing Orders are formally reviewed at the end of each session of the Assembly.

Recommendation 6: The Tobago House of Assembly should seek to increase the regularity of parliamentary sittings, establish an annual calendar of meetings, and ensure that this is published online for the benefit of Tobago's citizens and other interested stakeholders.

Recommendation 7: The Tobago House of Assembly should seek to modernise its processes around public petitions by incorporating a designated webpage on the Assembly's new website and establishing electronic means for citizens of Tobago to submit petitions remotely.

Recommendation 8: The Tobago House of Assembly should improve the functionality of its Hansard operations by increasing the number of Department staff, providing these officials with more up-to-date technology/software platforms, and ensuring that all approved records are publicly available online through the Assembly's website.

Recommendation 9: The Tobago House of Assembly should increase the regularity of Committee meetings, provide Committees with greater staffing resource, and ensure that, as far as possible, all Committee activities/outputs are publicly accessible.

Recommendation 10: The Tobago House of Assembly should strengthen the effectiveness of its Committees by: ensuring that all Executive Council Divisions are scrutinised by a corresponding Committee; increasing the staff capacity of Committees to support own-initiative work; and guaranteeing that all Committees have an independent budget (free from executive oversight) that enables them to conduct outreach activities/engagement programmes away from the Assembly precinct.

Recommendation 11: The Tobago House of Assembly should seek to establish a Parliamentary Service Commission (or equivalent corporate body) with responsibility for the Assembly's internal governance and key related parliamentary services.

Recommendation 12: The Tobago House of Assembly should enhance the drafting, scrutiny, and implementation of legislation by establishing an independent Legal Department and seek to widen opportunities for improved public consultation throughout its legislative processes.

Recommendation 13: The Tobago House of Assembly should amend its Standing Orders to ensure that executive representatives fully comply with their accountability responsibilities to the Assembly by answering all questions put to them by Members of the Assembly in a timely and effective manner.

Recommendation 14: The Tobago House of Assembly should seek to improve the efficacy of its financial oversight responsibilities by enhancing the capacity and independence of its Procurement Control Office and creating an independent Parliamentary Budget Office so that Members of the Assembly have access to expert financial support.

Recommendation 15: The Tobago House of Assembly should seek to introduce provisions that clearly define a formal mechanism for motions and votes of no confidence in the Chief Secretary and wider Members of the Executive Council.

Recommendation 16: The Tobago House of Assembly should increase its efforts to encourage the political participation of women and take concrete steps to help support these objectives.

Recommendation 17: The Tobago House of Assembly should explore avenues to increase valuable opportunities for its Members and staff to receive technical/advisory assistance from international partners, as well as to network/exchange best legislative practices with representatives of other Commonwealth Legislatures.

Recommendation 18: The Tobago House of Assembly should prioritise re-development of its new website to bring about multiple benefits relating to various openness, and engagement criteria and ensure that future upgrades on the Assembly precinct fully take into consideration accessibility requirements for persons with disabilities.

Recommendation 19: The Tobago House of Assembly should:

- Improve Media access and transparency by removing prior approval requirements, setting clear dissemination protocols for parliamentary documents, and enhancing physical facilities for Media personnel on the Assembly precinct.
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Recommendation 20: The Tobago House of Assembly should strengthen its ethical governance framework by introducing a formal Code of Conduct for Members and staff, adopting a related Declaration of Pecuniary Interests scheme, establishing clear guidelines for the allocation of and reporting on Constituency Office funds; and strengthening its compliance with national Freedom of Information legislation.

STAKEHOLDERS

The CPA would like to thank everyone consulted as part of this Self-Assessment:

Name	Title
Ms. Abby Taylor	Presiding Officer (Tobago House of Assembly)
Mr. Lincoln Nelson	Clerk of the Assembly (Tobago House of Assembly)
Hon. Farley Chavez Augustine	Chief Secretary of Tobago (Tobago House of Assembly)
Mr. Niall George	Deputy Presiding Officer (Tobago House of Assembly)
Ms. Zorisha Hackett	Leader of Assembly Business (Tobago House of Assembly)
Mr. Kelvon Morris	Minority Leader (Tobago House of Assembly)
Dr Faith Brebnor	Assemblyman (Tobago House of Assembly)
Ms. Megan Morrison	Assemblyman (Tobago House of Assembly)
Mr. Watson Duke	Assemblyman (Tobago House of Assembly)
Mr. Wane Clarke	Assemblyman (Tobago House of Assembly)
Mr. Sonny Craig	Assemblyman (Tobago House of Assembly)
Mr. Ashworth Jack	Former Minority Leader (Tobago House of Assembly)
Parliamentary Staff	Office of the Presiding Officer (Tobago House of Assembly)
Parliamentary Staff	Office of the Clerk (Tobago House of Assembly)
Parliamentary Staff	Hansard/Library/Research Sections (Tobago House of Assembly)
Parliamentary Staff	Communications/IT/Production Sections (Tobago House of Assembly)
Parliamentary Staff	Facility/Security/Human Resource Sections (Tobago House of Assembly)
Parliamentary Staff	Accounts Section (Tobago House of Assembly)
Civil Society Representatives	Women of Substance
Civil Society Representatives	Harmons School of SDA/Scarborough Secondary School
Media Representatives	Channel Five
Media Representatives	Radio Tambrin



ASSEMBLY LEGISLATURE BUILDING

THE FOUNDATION STONE OF THIS BUILDING WAS LAID ON 23RD. APRIL, 1821 BY HIS EXCELLENCY SIR F.P. ROBINSON, GOVERNOR OF TOBAGO. THE BUILDING WAS COMPLETED IN 1825 AND CONSIDERED TO BE ONE OF THE BEST EXAMPLES OF GEORGIAN ARCHITECTURE IN THE WEST INDIES. IT PROVIDED CHAMBERS FOR THE THEN TOBAGO HOUSE OF ASSEMBLY AND THE TOBAGO LEGISLATIVE COUNCIL. FOLLOWING THE ABOLISHMENT OF REPRESENTATIVE GOVERNMENT WITH THE IMPOSITION OF CROWN COLONY GOVERNMENT IN 1887, THE BUILDING HAS ACCOMMODATED A VARIETY OF PUBLIC OFFICES, INCLUDING THE COURT HOUSE, THE INLAND REVENUE DEPARTMENT, THE ELECTION AND BOUNDARIES OFFICE AND THE PUBLIC LIBRARY. IN 1985, FOLLOWING THE ENACTMENT OF THE TOBAGO HOUSE OF ASSEMBLY ACT OF 1980, THE CHAMBER WAS REFURBISHED AND OFFICIALLY OPENED BY HER MAJESTY QUEEN ELIZABETH II ON 2ND NOVEMBER TO BECOME, ONCE MORE, THE SEAT OF THE ISLAND'S HOUSE OF ASSEMBLY.

OVER THE PERIOD 2009 - 2011, ATTEMPTS HAVE BEEN MADE TO RESTORE AND RENOVATE THE BUILDING IN A MANNER REFLECTIVE OF ITS ORIGINAL 19TH CENTURY ARCHITECTURE.



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