



REPUBLIC OF TRINIDAD AND TOBAGO

# Debates of the House of Representatives

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4th Session – 10th Parliament (Rep.) – Volume 26 – Number 28

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**OFFICIAL REPORT  
(HANSARD)**

THE HONOURABLE WADE MARK  
SPEAKER

THE HONOURABLE NELA KHAN  
DEPUTY SPEAKER

**Friday 16th May, 2014**

**CLERK OF THE HOUSE: JACQUI SAMPSON–MEIGUEL**

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*Leave of Absence**Friday, May 16, 2014***HOUSE OF REPRESENTATIVES***Friday, May 16, 2014*

The House met at 1.30 p.m.

**PRAYERS**[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received the following communication from the following Members: Hon. Carolyn Seepersad-Bachan, Member of Parliament for San Fernando West has asked to be excused from sittings of the House during the period May 12 to 20, 2014. Hon. Nizam Baksh, Member of Parliament for Naparima is currently out of the country and has asked to be excused from sittings of the House during the period May 15 to 23, 2014. The hon. Winston Peters, Member of Parliament for Mayaro, is also out of the country and has asked to excused from sittings of the House during the period May 16 to 26, 2014. The hon. Anil Roberts, MP for D'Adabie/O'Meara, and Mr. Patrick Manning, Member of Parliament for San Fernando East, have asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2007. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2008. [*Hon. R. Indarsingh*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2009. [*Hon. R. Indarsingh*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2010. [*Hon. R. Indarsingh*]

*Papers 1 to 4 to be referred to the Public Accounts Committee.*

5. Annual Administrative Report of the Trinidad and Tobago International Financial Centre Management Company Limited for the year ended September 30, 2013. [*Hon. R. Indarsingh*]
6. Annual Administrative Report of the Government Human Resource Services Company Limited (GHRM) for fiscal year 2010—2011. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
7. Annual Report of the Police Complaints Authority for the year 2013. [*The Minister of Legal Affairs (Hon. Prakash Ramadhar)*]

**JOINT SELECT COMMITTEE REPORT  
(Presentation)**

**Statutory Authorities and State Enterprises (Group 1)  
Primary School Education**

**Mrs. Patricia Mc Intosh** (*Port of Spain North/St. Ann's West*): Mr. Speaker, I wish to present the following report:

Eighth Report of the Joint Select Committee on Ministries (Group 1), and on the Statutory Authorities and State Enterprises falling under their purview on Primary School Education.

**WRITTEN ANSWER TO QUESTION**

**Unemployment Relief Programme (URP)  
(Details of Contracts)**

- 57. Mr. Jack Warner** (*Chaguanas West*) asked the hon. Minister of Works and Infrastructure:

For the period from September 11, 2013 to date, could the Minister please state the details of each contract issued by the Unemployment Relief Programme (URP) for infrastructure with such details including but not limited to:

- (a) The location of the project and scope of works;
- (b) The name of the company to whom the contract is/was awarded;
- (c) The initial estimated cost of the project;
- (d) The final or revised estimated cost of the project;

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- (e) The date on which the contract award was decided by the Board of Directors;
- (f) The date on which the contract was signed;
- (g) The date of commencement of works;
- (h) The projected and/or actual completion date;
- (i) The method by which the successful contractor was selected for award of the contract;
- (j) The status of the project; and
- (k) The amount of money paid to the contractor to date.

*Answer lodged in Parliament Library.*

#### ORAL ANSWERS TO QUESTIONS

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, may I indicate that the Minister of Tourism is out of the jurisdiction and ask that answer be deferred by one week. We will be in a position to answer questions 126 and 127.

#### **Tourism Facilities (Details of Construction)**

*The following question stood on the Order Paper in the name of Mr. Fitzgerald Jeffrey:*

- 101.** With respect to the construction of the Los Iros, Erin, Vance River and Carat Shed tourism facilities, could the Minister of Tourism state:
- a) The expected commencement date of construction?
  - b) The names and addresses of the contractors who were awarded the work contracts?
  - c) The estimated cost of the works?
  - d) The anticipated dates of completion?

*Question, by leave, deferred.*

**San Juan Hill Early Childhood Education Centre  
(Scheduled Rebuilding)**

**126. Mr. Terrence Deyalsingh** (*St. Joseph*) asked the hon. Minister of Education:

Could the Minister state whether the Early Childhood Education Centre at San Juan Hill is scheduled for rebuilding during 2014?

**The Minister of Education (Hon. Dr. Tim Gopeesingh):** Thank you, Mr. Speaker. The construction of early childhood education centres throughout Trinidad and Tobago is determined based on demography and the population of children ages three and four, and San Juan obviously fits within that demographic pattern. And in the determination of the construction over the last four years, the People's Partnership Government, as we promised in the People's Partnership Manifesto, that we would bring about universal early childhood education, that the 36,000 students or children aged three and four must be formally housed in an early childhood education centre, we set about to construct a number of early childhood education centres throughout Trinidad and Tobago based on the population of the children ages three and four.

In pursuance of that, we constructed 53 early childhood education centres already, Mr. Speaker. We first had 29, and then we completed another 24. And may I be privileged to indicate to Members on the other side particularly, that the selection of the sites were across Trinidad and Tobago. So the 53 that we have completed so far, we have built in a number of the areas where our distinguished Members on the other side have the responsibility of fulfilling the requirements of their population. And so we have built early childhood education centres in Maloney for Arouca/Maloney—the Member of Parliament may take note; Diego Martin North/East, the Maraval ECE Centre, which I spoke about with the Member for Diego Martin North/East; Arouca/Maloney again, Malabar ECE Centre, Pomegranate Avenue, Malabar Government Primary School, that is close to the Government primary school; San Fernando, the Willington ECE Centre; and Member for St. Joseph, we constructed the Maraj Hill ECE Centre on Baker Trace, Maraj Hill, Sangre Grande. And then Laventille East/Morvant we constructed the Lisa Gardens ECE Centre.

So within the first 29 [*Crosstalk*] I am answering the question. I am disturbed by the Member for Laventille East/Morvant. [*Crosstalk*] All right. The next 24 we did under the IDB Phase One Programme. And those 24 were constructed—I am



proud to say that we have constructed also in St. Ann's for the Member for Port of Spain North/ St. Ann's West, that is No. 8 St. Ann's Garden Road, St. Ann's. St. Joseph; at Mount Hope, Pioneer Drive and Sunshine Avenue—Member for St. Joseph.

San Fernando East, Corinth Hill, that is the HDC site, on Eastern Lane, Corinth Hill, Corinth, San Fernando; and for Point Fortin we constructed at Salazar Trace and Southern Gardens two ECE Centres in Point Fortin.

So that formed the part—so in case if Members opposite felt that we were not constructing ECE centres in their constituencies, Mr. Speaker, I mentioned that we constructed 53 already, and I gave some indication of where we have constructed these. A number of these have been constructed in constituencies held by the Opposition, which I just mentioned a while ago.

We have another 26 that we will start construction pretty shortly under the IDB Phase Two Programme. We have in that, five for Tobago, one for Point Fortin—that is near the Egypt Government Primary School, which is being constructed now. Another one for Movant/Laventille, Mt. Pleasant, Horquetta Baptist Primary near the Mt. Pleasant, Horquetta Baptist Primary. St. Ann's East, Santa Cruz, La Sargesse Road. Then Point Fortin again, Icacos and Cedros, near Light Pole 108. St. Ann's east again, Port of Spain East/St. Ann's—that is No. Cascade Road. And St. Ann's east again, Acono Road, Maracas Valley. So the 26 under the Phase Two include five from Tobago as well, in Belle Garden; Milford Court, Bon Accord; Adventure, Plymouth; Courland, Black Rock; Roxborough, Mr. Speaker.

So, Mr. Speaker, we have constructed 53 already, 29 by the Ministry of Education and 24 under IDB Phase One. Under the IDB Phase Two, we have another 26 that we are going to start construction pretty shortly. And then from the Ministry of Education we have another 15, Mr. Speaker, that we are going to be constructing. And in that 15 we have the demography shows that we are constructing these early childhood education centres across Trinidad and Tobago: Point Fortin again, Laventille West, St. Ann's, Diego Martin North/East and so on, Mr. Speaker.

So throughout Trinidad and Tobago we hope that we will complete the construction—we have built 53 already, we have 26 more under the IDB, and then this other 50. So 53 and 50, 103 plus 29—we hope that by the end of the year, by December, we would have constructed 132 early childhood education centres in Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, it behoves me to indicate that when the Member for St. Joseph is asking for construction of an early childhood education centre in St. Ann's, he must realize that under their administration they had about 36 years to construct the early childhood education centres, and they did nothing. They constructed, in fact, 22 early childhood education centres—constructed 22 early childhood education centres in nine years. We have constructed 53 ECE Centres [*Desk thumping*] in four years, and by the end of this year we would have constructed 103 early childhood education centres.

And, Mr. Speaker, I have been faced with a number of situations where people have come to me indicating that they have lost their houses, they have lost their vehicles, they have lost everything, having taken part in the Haji Construction Programme, where Haji moved out of the country with \$60 million, and a number of these contractors were left with their hands open, waiting to be paid and they were not paid.

Mr. Speaker, it is very sad; \$60 million just disappeared in the construction of the early childhood education centres. They promised that they would have built 600 by 2012, Mr. Speaker; not one was done, Mr. Speaker.

**Hon. Member:** Oh, Lord!

**Hon. Dr. T. Gopeesingh:** In nine years they built 22. [*Crosstalk*] So, Mr. Speaker, we are moving very well and we will include St. Joseph in the new construction programme, it is inside here. We have 60 early childhood education centres to repair as well, Mr. Speaker, and this will be done during the vacation period over the two months, over the vacation.

So, Mr. Speaker—

**Miss Cox:** Thank you.

**Hon. Dr. T. Gopeesingh:**—the issue is, we are going to bring about universal early childhood education. We promised that in our people's manifesto, and by May 2015, we will house adequately, in a formal manner, all 36,000 children ages three and four in this country in early childhood education centres.

**Mr. Deyalsingh:** Supplemental, Mr. Speaker. Thank you, hon. Minister, but at no time did you answer the question. The question was not about construction. The question is, can you tell me whether the ECEC in San Juan Hill will be rebuilt in 2014?

**Hon. Dr. T. Gopeesingh:** It seems as though, Mr. Speaker, [*Crosstalk*] I forgive the hon. Member, but it seems as though he was not listening. And I said

that it is going to be reconstructed. It is part of the reconstruction plan. It is going to be rebuilt. [*Crosstalk*] Rebuilt means reconstructed.

**Mr. Deyalsingh:** In 2014?

**1.45 p.m.**

**Mr. Deyalsingh:** Further supplemental. Could the hon. Minister say whether it would be rebuilt or reconstructed in 2014?

**Hon. Dr. T. Gopeesingh:** It will be rebuilt or reconstructed, whichever word you want to use. Reconstructed is equivalent to being rebuilt, and therefore, as Minister of Education it is my privilege to educate you on that. [*Laughter*] So, reconstruction means rebuilt. It will be rebuilt in 2014. [*Desk thumping*]

**Caribbean Airlines London Route  
(Details of)**

**127. Mr. Terrence Deyalsingh** (*St. Joseph*) asked the hon. Minister of Finance and the Economy:

Could the Minister state whether Caribbean Airlines is committed to flying the London route until August 2015?

**The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh):** Thank you, Mr. Speaker, on behalf of the Minister of Finance and the Economy, I wish to place on record that Caribbean Airlines Limited (CAL) is committed to servicing all of its routes which are currently under its jurisdiction, and the strategic direction of Caribbean Airlines Limited and the routes which are currently being flown are driven by a business plan.

A critical input into the business planning process is the network optimization schedule initiative which is being currently completed by the management of the company, and this is projected to be completed by the end of June 2014, and upon its completion it shall be considered by the board of directors of CAL. On completion, Mr. Speaker, of this initiative and the business plan, the airline will be in a clear position to say which routes would be flown using which aircraft type in order to achieve financial viability.

**Mr. Deyalsingh:** Supplemental, Mr. Speaker. Could the hon. Minister confirm whether Mr. Philip Marshall, chairman of the board, has indeed said that he is quitting the London route before 2015?

**Mr. Speaker:** Member for St. Joseph, that is not part of what is before us and it did not constitute part of the response as well, so even if you are seeking an

elucidation via supplemental, it did not even form part. So, I would ask you—if you want to ask another supplemental you are welcome to.

**Mr. Deyalsingh:** Thank you, Mr. Speaker. Is the Minister considering co-sharing with British Airways on the London route?

**Hon. R. Indarsingh:** Mr. Speaker, I thought that you would have just guided the Member for St. Joseph. But in relation to his question that he posed, as I said, he is venturing into new territory and, if he so desires, file the appropriate question and the response shall be forthcoming.

**Mr. Deyalsingh:** Further supplemental, Mr. Speaker. In light of your answer, could the Minister confirm whether pilots have been laid off on the Trinidad/London route?

**Hon. R. Indarsingh:** Mr. Speaker, I have already stated my position on this particular issue in relation to the employment processes and so on at Caribbean Airlines Limited. I have said and I wish to reiterate that the management is currently working towards its business plan and its strategic direction, and the appropriate question should be filed by the Member.

**Mr. Deyalsingh:** Further supplemental, Mr. Speaker. Could the hon. Minister say when that business plan would be ready?

**Hon. R. Indarsingh:** Mr. Speaker, I just, a couple moments ago, indicated that the management of the company is currently working on a particular initiative which should be completed by the end of June, and upon its completion, it shall be considered by the board of directors of Caribbean Airlines.

**Mr. Speaker:** The hon. Minister of Housing and Urban Development, are you dealing with Motion No. 1?

**Hon. Dr. Moonilal:** Yes.

**POLICE SERVICE COMMISSION NOMINATION  
(PROF. RAMESH DEOSARAN)**

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Thank you very much, Mr. Speaker. [*Desk thumping*] Mr. Speaker, I beg to move the following Motion:

*Whereas* section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 provides that the President shall, after consultation with the Prime Minister and the Leader of the Opposition nominate persons, who

are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

*And whereas* section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

*And whereas* the President has nominated Prof. Ramesh Deosaran to be appointed as a member of the Police Service Commission;

*And whereas* the President has on the 22nd day of April, 2014 made a Notification in respect of the nomination;

*And whereas* it is expedient to approve the Notification;

*Be it resolved* that the Notification of the nomination of Prof. Ramesh Deosaran be approved.

Mr. Speaker, today the House is called upon to undertake an important act of affirming, or not, a notification by His Excellency The President, to nominate Prof. Ramesh Deosaran as a member of the Police Service Commission. Mr. Speaker, Prof. Ramesh Deosaran is a very distinguished son of the soil and has served in the capacity of chairman of the Police Service Commission, and let me state at the outset, the business of the House today is to affirm the nomination of Prof. Deosaran as a member of the Police Service Commission.

Prof. Deosaran is no stranger to public life and is no stranger to Members of Parliament in both Houses. The professor is a distinguished academic, Prof. Emeritus from the University of the West Indies. Mr. Speaker, Prof. Deosaran has a CV which resembles a manuscript and really, it would not be worthwhile for me to read the volume of illustrious achievements, presentations from Prof. Deosaran in a career spanning over a generation.

Mr. Speaker, Prof. Doesaran, for the record, has a BSc degree from the University of Toronto, Canada, 1972, First Class Honors in Social Psychology, Sociology and Criminology. In fact, Prof. Deosaran also taught me at the University of the West Indies in the area of psychology, so it helps me to understand my friends opposite in a better way. [*Interruption*] He explained to me the mindset of Members opposite using psychological theories and practices.

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The professor also has an MA degree from the University of Toronto, Canada in Applied Social Psychology, Criminology and Politics and a PhD from the University of Toronto in Applied Sociology and Social Psychology.

Prof. Deosaran has published immensely in academic journals, papers, has been the author of several books on politics, psychology, crime, the criminal justice system; has been a columnist in the newspapers for several years; has also been a Member of Parliament for several years, including that of an Independent Senator and Leader of the Independent Benches. Mr. Speaker, Prof. Ramesh Deosaran is eminently qualified to serve as a member of the Police Service Commission.

Mr. Speaker, the Police Service Commission is a critical institution in the Republic of Trinidad and Tobago, an institution that benefitted from reforms in this Century. While its origins can be traced to events in London in 1962 and thereabout, the Police Service Commission was the subject of parliamentary review and reform, not many years ago. And this is an important institution that is critical to the functioning of the police service, is critical to our social stability, is critical to law and order and, as such, we are very careful with the nomination of persons when we are called upon pursuant to the Constitution and the law to approve a nomination after the President, His Excellency, has given his notification.

Mr. Speaker, Prof. Doesaran, I would just say a few more things about the goodly professor: is a policy analyst and an active researcher; he has authored 15 books and over 300 journals and related reports to date. He is the founding editor of the 15-year-old Caribbean Journal of Criminology and Public Safety; his publications include a book entitled *Trial by Jury, Social and Psychological Dynamics* and other articles on trial by jury published in the British Journal of Criminology. He continues to contribute to the civic life of Trinidad and Tobago, having given numerous lectures to community groups and writing newspaper columns since 1977, and in the CV that was so graciously sent to Members they would have itemized [*Interruption*] several of these presentations.

Mr. Speaker, Prof. Doesaran was also executive director and founding member of the Caribbean Institute of Human Rights 1989—1994; served as an election observer in Guyana, Panama and Nicaragua; has presented papers on campaign finance reform to several organizations, such as the OAS and the Jamaican Election Commission.

Prof. Doesaran also served as advisor or consultant to several regional and international organizations, including the National Crime Commission of St. Lucia, the Association of Caribbean Commissioners of Police, the Caricom Taskforce on Crime and Security and the United Nations Office for Drug Control and Crime Prevention. He has advised on matters of crime prevention and management.

So, Mr. Speaker, Prof. Doesaran fits clearly within the law as far as the requirements are concerned for membership to the service commission. The service commission, I said before, is a critical institution and have, to remind Members, very key responsibilities which include: to appoint persons to hold or act in the office of commissioner and deputy Commissioner of Police, to make appointments and promotions and to confirm appointments, to remove from office and exercise control over persons holding or acting in the office of the Commissioner of Police and Deputy Commissioner of Police, to monitor the efficiency and effectiveness of the discharge of the function of the Commissioner of Police and Deputy Commissioner of Police, to prepare an annual performance appraisal report in such form as may be prescribed by the Police Service Commission, for the information of the Commissioner or Deputy Commissioner of Police; to hear and determine appeals from decisions of the Commissioner of Police and for persons to whom powers have been delegated as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

Mr. Speaker, from what I have outlined, it is clear that the commission is expected to operate as an overarching control and monitoring mechanism which will be accountable to Parliament.

**2.00 p.m.**

Mr. Speaker, the Police Service Commission is also, as I said, accountable to Parliament, and over the past few years we have witnessed members of that commission attending to Parliament and being subjected to the relevant examinations. The Police Service Commission over the years has kept the public abreast of developments, including, but not confined to, its functions, to activities and matters relating to the appointment of the Commissioner of Police, acting appointments and extensions.

The commission played a vital role in formulating and/or revising the selection process order, the qualification and criteria order, as well as acting

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appointments, all of which serve to guide the selection and appointment of the Commissioner of Police.

Mr. Speaker, the commission created the Police Service Commission Appeals Regulations. They have engaged in outreach programmes with stakeholders in a stakeholders' forum. The commission formulated a template for periodical reports that must be submitted by the Commissioner of Police. The commission has also ensured that in the absence of a substantive Commissioner of Police, the nation's law enforcement needs are adequately met through the provision of continuing acting appointments.

Over the past years, you will recall, Mr. Speaker, that it was sometime in 2011, in or about April 2011, that we came to the House to appoint Prof. Deosaran as a member of the Police Service Commission. Without getting into the details, that appointment was done in a particular context, and in the context of the removal of the former chairman of the Police Service Commission.

Since 2011 to 2014, Prof. Deosaran has brought stability to the Police Service Commission and has provided enlightened leadership. The commission has shown a new vigour with such an appointment, as chairman, effective on April 13, 2011, when Professor Deosaran was appointed chairman.

Mr. Speaker, this was after a short period of stagnation arising out of the removal of the previous chairman in March 2011. Upon taking up the mantle of leadership of the commission, the chairman and the commission moved with speed to impliment the constitutional mandate of the body in accordance with Act No. 6 of 2002, section 123 of the Constitution of the Republic of Trinidad and Tobago. The Police Service Commission is the body entrusted to oversee the performance of the commissioner and the deputy commissioners.

At this time, our country needs a vigilant, dynamic and progressive Police Service Commission. Prof. Deosaran has exhibited a great deal of dynamism during his previous stint as chairman. He has pursued numerous activities and approved measures to enhance the oversight function. The commission has faced no shortage of challenge to consistently perform at the highest level.

Mr. Speaker, the commission under the chairmanship of Prof. Deosaran, developed a new interview schedule to improve the commission's appraisal process. The commission has been very busy informing and educating the wider public on its existence and its functions. It has significantly improved the dialogue between the commission and the national community by frequent media briefings and public education strategies.



The commission held a round table conference on October 6, 2011 with all stakeholders, including, relevant Ministers and Opposition Members of Parliament, out of which came The Hilton Consensus on an agreement by the Prime Minister, the hon. Kamla Persad-Bissessar SC, to establish the Multi-Sector Review Team. Prof. Deosaran, Mr. Speaker, was asked to chair the review team, which was charged with the responsibility to review the administrative and legislative functions of the Police Service Commission. After one year of intensive work, the review team produced a high quality report containing substantial recommendations which will improve the legislative and administrative framework of the commission, as well as the operations and deliveries of the commission. The final report was completed in December 2012.

Mr. Speaker, the commission established a committee to hear appeals from police officers. The committee has been hearing appeals since 2011, and this continues. The commission has also conducted site visits to police stations and branches of the Trinidad and Tobago Police Service, including, police stations in Port of Spain, St Joseph, La Brea, Barrackpore, Mayaro, Besson Street, et cetera.

Over the years, 2011—2014, Prof. Deosaran as chairman, has led the commission to provide direction to its secretariat to perform at a higher level than expected, and given the numerous challenges being faced, including, issues of staff, resources and office capacity. I am happy to note that under the chairmanship of Prof. Deosaran we were able to provide better accommodation to the Police Service Commission and, Mr. Speaker, these days it is very common to hear of public officers in conditions that may not be the best, and certain actions that are taken by trade unions and workers, to which they are entitled to take such actions given their grievances. Mr. Speaker, we are happy to report that under Prof. Deosaran we were able to relocate the offices and facilities of the commission to provide better accommodation and resources to the Police Service Commission. [*Desk thumping*]

Under Prof. Deosaran's chairmanship, the secretariat of the commission has developed new and revised appraisal mechanisms for assessing the efficiency and effectiveness of the performance of commissioner and deputy commissioners. They have conducted several opinion surveys of internal and external stakeholders, held meetings with members of the police service and key stakeholders on the performance of the leadership of the police service and the service as a whole. Mr. Speaker, they have established and they maintain the Police Service Commission's website. They have relocated the offices, as I said before, to Tunapuna in 2012, thereby improving staff accommodation, reducing

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stress and improving staff productivity. They have also improved the monitoring functions, visited and audited over 100 police stations, branches and units across Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, again I want to make the point that in a time when we speak about public service reform, facilities and resources for public officers, the commission has been very proactive in an outreach programme. There was a time in this country when commissions operated and citizens never knew who were on the commission. In fact you could be, Mr. Speaker, in a grocery pushing a trolley, and the man or woman next to you pushing a trolley could have been chairman of a Teaching Service Commission, Police Service Commission and you would never know. The average citizen would never know who was in charge, who was responsible, unless you were in the bowels of the service.

Today, Mr. Speaker, the members of this commission would, on a regular basis as they are needed, attend to the Parliament to be examined. They would have public consultations, public relations activities, they would visit police stations, have discussions with stakeholder groups. So, Mr. Speaker, I think we have come a long way, not only with visibility, but with accountability, and the first aspect of accountability is visibility, in that you should know the office holders you are dealing with and treating with so that you can hold them to account.

The commission, over the years 2011—2014, conducted two appraisals of the executive of the police service for 2011 and 2012 and is in the process of completing its third appraisal report for 2013. They have also commenced work on reviewing the commission's regulations and completed the commission's first Strategic Plan 2011—2014. They have also, 2011—2014, engaged in institutional strengthening of the commission and the police service. This process has seen two commissioners and two members of staff attending conferences abroad in the United States. They have also presented themselves at Parliament in 2013 on two occasions providing public accessibility and accountability, clarifying their strategies, principles and policies on matters involving the appraisal process and, of course, explaining the challenges that they face.

Prof. Deosaran has produced a training manual for community policing, has held training sessions for over 1,000 officers, and completed a comprehensive human resource survey of the Trinidad and Tobago Police Service.

In terms of ongoing development under Prof. Deosaran's chairmanship, there are a number of initiatives that are being pursued. Some of these include: continuous improvements to the appraisal mechanism, continuous improvement

to monitoring mechanisms and techniques, research into best practices for oversight of police and executive police services, providing recommendations to the Commissioner of Police for improving the operations of the service, following up on the recommendations of the Multi-Sector Review Team to review existing legislation and delinking the commission secretariat from the Service Commissions Department—I will speak later on the Multi-Sector Review Report.

The Government of Trinidad and Tobago is seeking support today for the membership of Prof. Deosaran to the Police Service Commission. The commission has a lot of work to complete and a lot of good work to continue. There can be no overstating of the importance of the Police Service Commission, Mr. Speaker, today and the Government is seeking the support of Members opposite to approve this nomination. I want to make it clear that this, for us, is not a debate on crime per se, but a debate on the CV of Prof. Deosaran, his suitability to be a member of the Police Service Commission. Needless to say, Mr. Speaker, that the commission undertook very important work over the past years that has resulted in a very strategic report which has been sent to the Prime Minister, and therefore, to the Cabinet of Trinidad and Tobago.

Mr. Speaker, I would just like to give a short elaboration on the report of the Multi-Sector Review Team on the Police Service Commission. The Multi-Sector Review Team on the Police Service Commission was created to consider providing greater autonomy, relevance and clarity to the constitutional mandate and functions of the commission. The review team comprised Members of Parliament representing both sides of the House, experts in the field of law, organization, development and human resource management and was chaired by the chairman, Prof. Deosaran, of the commission.

The mission of the review team was to execute the bipartisan pledge made in Parliament to have the legislative and administrative framework of the Police Service Commission reviewed two years after the constitutional amendments of 2007. The review team, based on its terms of reference, held six meetings between October 2011 and March 2013. The review team at its first meeting on October 11, 2011 established a strategic subcommittee, chaired by the chairman of the Law Reform Commission, to examine the issues and prepare a draft report in accordance with its terms of reference. The subcommittee submitted its report in June 2012.

After considering this draft report on legislation, the review team raised a number of issues and suggestions which, on October 3, 2012, the review team requested the subcommittee to reconvene and consider the suggestions made, in

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particular, by the Ministry of Public Administration. The subcommittee met 15 times, 14 times to deliberate and prepare the first draft report and then a final time to take into account and consider issues and suggestions of the review team and to prepare an amended draft report for final submission. This, of course, was pursuant to a development in September 2011, when the hon. Prime Minister, the Attorney General, Sen. the Hon. Ret. Brig. John Sandy, former Minister of National Security met with the members of the Police Service Commission to consider legal administrative and operational reforms to the commission.

**2.15 p.m.**

The members of the commission present at the meeting were: Prof. Deosaran, Commissioners Addison Khan, Jacqueline Cheesman, Martin George and Kenneth Parker. At the meeting they also considered the reciprocal relationship between the commission and other related agencies, such as the Ministries of National Security, the Attorney General, the Police Service and the Ministry of Public Administration.

Mr. Speaker, the review team had very important terms of reference:

- To conduct a review of relevant constitutional sections regarding the commission's mandate, oversight functions and its relationship with the police service and other relevant agencies;
- to consider the status and number of police service commissioners and make recommendations for their full-time or part-time status, as well as matters of remuneration;
- to widen the jurisdiction of the commission to include assistant commissioners of police and civilian heads in order to increase the efficiency of the service;
- to review and enhance the status of the commission's secretariat and make recommendations for inserting the secretariat into the revised constitutional framework;
- to review the status and function of the commission and its secretariat and make recommendations so as to provide an independent administrative structure in terms of budget, staffing and other related financial, human and physical resources;
- to review the structure and composition of the secretariat and make recommendations to improve the efficiency and effectiveness of its support functions;

- to review the structure of the commission's appeals tribunal and make recommendations for its structure and functions to be inserted in the revised constitutional framework.

The review team was mandated to produce a final report with recommendations to be submitted to the hon. Prime Minister. In order to assist the review team in achieving the objectives, a subcommittee was appointed in October 2011 to produce a draft report based on the aforementioned terms of reference. The review team met and undertook an enormous amount of work. I understand, as well, that a Member of the Opposition, the Member for Laventille East/Morvant, was also a member at that time. *[Interruption]* What? I would not go to that.

Mr. Speaker, I just wanted to go to the recommendations. They examined as well, the selection process for the police executive and matters pertaining to the appointment of the Commissioner of Police and recommendations have been made. Those recommendations have been submitted to the Cabinet of the Republic of Trinidad and Tobago by way of submitting the report to the Prime Minister. There are several important issues to raise pursuant to this matter, but the multi-sector review team on the Police Service Commission has also submitted their consideration as far as it relates to the appointment procedures. As you know, one of the troubling issues over the years has been the criteria, selection and appointment of the Commissioner of Police and Deputy Commissioners of Police.

They have submitted their report. The report was submitted in 2013. It is currently before the Finance and General Purposes Committee where Cabinet, through that subcommittee, is considering the several recommendations. The body also submitted another addendum to their report which dealt specifically with the matter of the selection procedure. The status of that, it is now with the Ministry of the Attorney General, looking at a new framework for the selection procedure for the appointment of a commissioner and deputy commissioner based upon some of the recommendations that are coming out.

Mr. Speaker, within the last few months we have received recommendations concerning the Police Service Commission, which is currently, as I said before, a subcommittee of Cabinet. The members of the review team examined the current process and concluded, as we said before, that the current process is very long and, indeed, expensive. It was looked at for consideration of the Cabinet—that the Police Service Commission should have greater control of the selection process and should have the resources in its secretariat to diligently and competently

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complete the exercise in a much shorter time and with less cost. The commission, with its secretariat, can work out and map the entire process and ensure its timely appointment. The addendum was signed, in fact, by members of the multi-sector review team. The matter is currently before a subcommittee of the Cabinet, engaging the attention of the Cabinet.

The commission continues to be handicapped in some way in terms of executing its constitutional functions. The commission, as some people would know, has no control over its administrative, infrastructural and financial affairs, leaving the commission to face, at some times, chaotic and embarrassing circumstances. The recruitment process for the Commissioner of Police and Deputy Commissioners is now unduly convoluted, expensive and protracted. The appeals unit of the commission is unable to carry out its constitutional functions, given some administrative problems.

So, Mr. Speaker, included recommendations dealt with administrative issues. There were administrative recommendations concerning the functioning of the commission, for example, the issue of a deputy chairman of the commission, the membership of the commission, the recruitment process for filling offices of Commissioner of Police, Deputy Commissioner and Assistant Commissioner.

The legislative recommendations were also submitted, as to recommendations related to incorporate the Police Service Commission to amend section 122 of the Constitution and bring greater administrative changes to the composition, qualification and structure of the commission. So a lot of work is ongoing; a lot of consideration is now being focused on this matter and they involved, as well, strengthening the appellate capacity of the Police Service Commission. They involve, as well, constitutional amendments regarding appeals and the jurisdiction of the Police Service Commission in terms of recruitment, appointment, promotion, transfer and discipline.

The matters are currently before the Cabinet through the subcommittee, the Finance and General Purposes Committee. So with that in mind, I prefer not to go into detail on some of these issues because they are currently being considered by the Cabinet.

Mr. Speaker, it is abundantly clear that a major challenge would be the appointment procedure, the time, the process and the resources required for appointment of the Police Commissioner and Deputy Commissioner of Police. This is a matter that is engaging our attention and it is a matter we expect, in a reasonable time, to be resolved. It is a matter that we agreed from day one, a

matter that would involve a bipartisan approach to law-making and, therefore, we wanted to also express our thanks to Members of the Opposition who participated in the review team. They had six meetings between October 2011 and March 2013 and the MP representing—the MP for Laventille East/Morvant representing the Leader of the Opposition—attended meetings of the review team and participated in that. [*Desk thumping*]

Mr. Speaker, the last word we had from Members of the Opposition in terms of the report of the review team was that the Opposition would submit reservations on some of the issues raised in the report. I am not sure if we have received the comprehensive submission from the Opposition in terms of those reservations, but the Member of Parliament for Laventille East/Morvant did not sign the report because of the submission of those reservations. So I am sure we will get those reservations in due course.

So the issues really related to widening the remit of the commission, transferring the appellate function of the commission to an independent appellate tribunal. They related, as well, to the terms and conditions of members of that new appellate tribunal, the qualifications of members of the commission, the protective services commission and the secretariat of the commission.

So the matter—I wanted to put the context to indicate the seriousness of ensuring that this commission is properly constituted with the requisite skills and personnel to conduct its business. I have spoken of the work they are undertaking now; I have spoken about the challenges that they face; I have given an outline of the curriculum vitae, the résumé of the distinguished Professor. I know for a fact that the Leader of the Opposition has been spending some time perusing the résumé of Prof. Deosaran that is in his possession. It may have taken him away from the campaign trail, to be spending so much time with this 62-page résumé. So I am sure that the Leader of the Opposition will not detain us much today, given he is 48 hours away from his big day of seeking the position of leader of the People's National Movement.

**Mrs. Mc Intosh:** “Why yuh want tuh get in our business. Talk bout the CV.”

**Hon. Dr. R. Moonilal:** Of what?

**Mrs. Mc Intosh:** Victory!

**Hon. Dr. R. Moonilal:** Mr. Speaker, the Member for Port of Spain North/St. Ann's West is claiming victory, but the Member for Laventille West just slinked in his chair when he heard of that victory.

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So that the Leader of the Opposition will not want to detain us too long, given, you know, what is going to be happening in their camp in the next 48 hours or so. So we expect that Members opposite would give their support.

May I also say, for the record, that on the last occasion when we met to approve the recommendation of the President by way of notification, the Leader of the Opposition then—well, the same Leader of the Opposition now—the Member for Diego Martin West, did express his approval on behalf of his team to the nominee. On that occasion, as well, the then Minister of Works and Transport, the Member for Chaguanas West, also spoke and confirmed his support of the nomination.

So having confirmed their support in 2011 and given the work that has been done, as I outlined, I am not anticipating, but I believe that the Members opposite would be minded to confirm and approve, and affirm the nomination of Prof. Deosaran as a member of the Police Service Commission. As I said before, this is not a debate on crime; it is not a debate to discuss other matters peripheral or external to this specific matter of the appointment of what is really an illustrious candidate for this job.

Mr. Speaker, with those few words, I beg to move. [*Desk thumping*]

*Question proposed.*

**2.30 p.m.**

**Dr. Keith Rowley** (*Diego Martin West*): Thank you very much Mr. Speaker. I was trying to follow the mindset and thought process of my colleague, the Member for Oropouche East, and he did make a couple of interesting observations which have me in a bit of a quandary, because I noticed even as he is in a hurry to go home today, he could not resist exposing his interest in the PNM's internal affairs, except that—[*Interruption*]

**Mr. Cadiz:** “You ain't interesting in that?”

**Dr. K. Rowley:** Mr. Speaker, my colleague, the Member for Chaguanas East of Keith Noel 136 fame, [*Laughter*] who has no interest in “Danahal 160”, I do not want to be disturbed by him. Good! So I go back to my colleague, the Member for Oropouche East, who seems to maintain an abiding interest in the PNM's internal affairs. He has now shifted his investment from the other candidate to my victory. Welcome aboard, but I am going to advise you, I am eating no curry duck and I am beating no table. [*Laughter and desk thumping*] He maintains a very healthy interest in the PNM's internal affairs. I am keeping an eye on him too.



He also said something else that held my interest, Mr. Speaker. He said that I along with my colleague, the Member for Chaguanas West, in 2012, or whenever it was—[*Interruption*]

**Hon. Member:** 2011.

**Dr. K. Rowley:** 2011—we supported the nomination of Prof. Deosaran, and I am trying to figure out what was the relevance of that comment. Is he implying that because something was done in 2011 that it ought to be done in 2014?

As a matter of fact, I quite strongly supported Prof. Deosaran in 2011, and I think I know Prof. Deosaran more than most in this House. He was my colleague at the university. We were university staffers for a while. We were parliamentarians when he served in the Senate and I very strongly supported him to chair this commission when he was first appointed as a member, but since then, Mr. Speaker, a lot of water has flowed under the bridge.

I want to make it very clear that I am in no way questioning Prof. Deosaran's qualification. We have quite a volume, a very thorough volume here which describes his qualification. In fact, it probably must be the most thorough CV I have ever seen and I have seen a lot of CVs in my time. I have never seen one as thorough as this because it captures everything, because if you look at No. 221 on the CV, 221st, it starts, "Delivered greetings at a formal opening of the PTA", and No. 230 says he held a press conference somewhere. Now, this is a thorough CV, and any CV that contains greetings and a press conference is a thorough CV. So we know Prof. Deosaran very well and his qualification is not the issue today at all.

As a matter of fact, he has done yeoman service and, if my memory serves me right, I think he holds the highest award that the country offers to any of its citizens. You might have forgotten that, Mr. Speaker, or it might have passed unnoticed, but the Professor holds the highest award in Trinidad and Tobago. So nothing that I can say here will change that and it is not my intention to change it, but that in no way will prevent me from paying attention to an admonition that came from that chair one day after 2011. So when my colleague said that we supported in 2011 and maybe he expects that we will simply do the same thing today, if that logic was clear and correct, then the President would not have to consult me on this occasion. He would simply have come to the conclusion that in 2011 you supported Prof. Deosaran and, therefore, it is taken as a given that you are on board this time. But that did not happen and the law requires that I be consulted in my capacity as the Opposition leader, and I want to make it clear I was consulted. So the matter comes here.

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But in 2012, I think it was July or thereabouts of 2012, mid-year of 2012, we did vote for the presidency and we got a brand new President. He told us, “Powers you think I have I don’t have, and powers you think I don’t have I have”, and it raised tremendous expectations in the country. I am not here questioning the President’s actions, but just to say that in this House where the President can be viewed as Head of the House and, certainly, as advisor to Parliament, he did give us an admonition coming from his quarter, that it was not his intention to recycle plastic bottles. You remember that story?

**Miss Mc Donald:** I remember that.

**Dr. K. Rowley:** So I was a little surprised that it was so easily re-presented to us after 2011, especially, Mr. Speaker, given the assignment that the Police Service Commission has.

Now, I can take no issue—let me rephrase that. I am not in a position to take issue with much of what was said by my colleague, the Member for Oropouche East, about the innards of the commission because I have not been in there and I am not on the committee examining the commissioner. We have not had a report of that before us to debate and so on. But what I do know, the Police Service Commission sits at the pinnacle of the structure of management of the police service, and the police service has the responsibility to secure the population of Trinidad and Tobago. And much of what was said there, praising the work of the commission and the qualification of Prof. Deosaran, most of it might be true, but if one looks at fit for purpose at the effect, and you live in Trinidad and Tobago, you cannot but come to the conclusion that in this area of governmental activity, with respect to securing the State and the work of the police, whosever fault it is, the job is not being done. Must come to that conclusion. [*Desk thumping*]

I have lived in this country for a fairly long time. God has given me a fairly long life and I am thankful to him for it, and I am asking Him for some more. I, along with the rest of the population of Trinidad and Tobago, have never been more insecure within our borders. The household in Trinidad and Tobago, the streets have never been more insecure and, therefore, if that is the situation, then clearly, we cannot be heaping self-praise on ourselves about a wonderful job in the police service or the Police Service Commission if that is the state because the assignment of the commission, the assignment of the police service is to secure the people of Trinidad and Tobago, and that is not being done. So let us put that to bed.

The other thing is, the Police Service Commission—and what we are doing here today is relatively new in our management of the security systems in Trinidad and Tobago. It came about with some amendments a few years ago, where we teared down the Police Service—the commission’s responsibility and confined it to acting as a tribunal for complaints from the service. We gave the commissioner more authority over his men, and we restricted the commission to the activity of the hiring of the commissioner and deputy commissioner. Those were the amendments that created the structure.

In that same arrangement—and I must say that this was some kind of a bargaining and negotiation that took place between the Government and the Opposition. I was not in the Parliament at the time. I had been away from the country when this happened, and contrary to what I have seen printed over and over I did not take part in the debate because I was not here and, therefore, I could not have voted against Mr. Williams. I was not here and I want the media to know, do not accuse me of voting against Mr. Williams. I was not here. I have seen it published like that. However, this negotiation generated this carbuncle on public administration which created this convoluted ridiculousness of appointing a Commissioner of Police, and it also resulted in this creation of this eunuch of a Police Service Commission. We have put them to practise and our experience has shown that it is not working.

In fact, it is a huge impediment with respect to having a police service under immediate and effective management and, therefore, the very purpose for which the service exist and the commission exists, the process for putting people in place has now become a problem. And we knew this, and I guess we all understand it because in October 2010 when we were about to hire a Commissioner of Police and the Government brought the recommendations to the House to hire—I think there were two foreigners and a local, something like that—I distinctly recall making a similar kind of contribution about the unsuitability of the process. Because by that time we had already seen how drawn out, convoluted and wasteful and useless the process was, and the Prime Minister agreed that the Government will come back to Parliament soon and we will repeal the arrangement that exists, that I have just described in those unflattering terms. Of course, I took that to mean, “soon” means a matter of months or within the year or so as the case might be, and, of course, that the repeal would have resulted in the reinstatement of something better, and when we came around the next time to appoint a Commissioner of Police, that we would have been in the position to do so with some sanity.

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Therefore, if you were in Parliament as we are now, talking about the Police Service Commission or the police service in the whole context of our response to the requirement for security, I would have thought, especially since over and over we have drawn this to the Government's attention, there is a problem which we agreed is a problem—we have an acting Commissioner of Police who is clearly not having the comfort of an appointment of commissioner. The population does not believe that the Commissioner of Police is really in charge of his men because he seems to be a journeyman waiting for crumbs off the table every six months. That is not what we want under the current environment. So what we want is an amendment or a repeal and a proper arrangement.

I have said it over and over in my capacity as Opposition Leader, any Friday evening the Government brings that amendment or to repeal that, the support is here to do that, as you come I am hearing about F&GP and whatever, and I am wondering whether the Government of Trinidad and Tobago lives in Trinidad and Tobago, because if we all agree that this is a problem of the nature that we have described it as, and the blood is flowing in the streets and the police is so ineffective and so far from conclusions, why is F&GP a consideration to this matter? Why? The Police Service Commission which we debated the appointment of individuals in 2011, we have had the opportunity to see them at work. I do not know if it was out of frustration or out of brilliance, but I have had the opportunity to cursorily review what the commission was doing in some of the things they offer.

One of the things that struck me when the report came to me, was that the commission was embarked upon trying to make itself useful because the commission did not seem to think that it had any real effective role in the policing that was being done. So it was trying to create an environment for itself, and I do not know if my colleague, who read quite eloquently a while ago, if he produced that from his own analysis or whether he read something given to him by the commission, which sounded very important, but there is importance and self-importance.

What I do know, from what I had read, is that the commission was embarking upon, trying to convince us that it must be given more powers, and one of the powers that I remember noticing with great disapproval was something about raising their own funds to fund themselves independently. I found that to be a strange route to even be considering, because for a start I do not know that in the bloodbath that is taking place in Trinidad and Tobago, that the commission that is

responsible for overlooking the police, should have any difficulty with funding because if that exists, then clearly something is radically wrong with allocation of resources in Trinidad and Tobago.

Because, right now, priority number one, with resources, should be to ensure that we have what is required to secure us, because if you are not secure in the person, you cannot enjoy education, health, sport—nothing.

**2.45 p.m.**

So, I could not understand why the commission was embarking, or wanting to convince anybody, that they should have the right to access funds to be able to do what they want to do, and there are all these highfalutin programmes that they had. So, I thought that was something that should attract the Parliament's attention and the Government, in particular, because, the commission clearly, to me, did not seem to think that it had what it required, resource wise, to do what it wanted to do. Because if the commission felt it was fully resourced, it would never have gone down that road of documenting some arrangement and seeking approval to be able to raise its own resources. The Police Service Commission, as long as it exists, should be comfortably resourced.

Then, we had these reviews of the Acting Commissioner and they became laughing stocks. The media would write: "He is going up for review, let us wait and see if he comes out with his pants down. How many strokes he got? Is he gonna be kept? Is he gonna be thrown out?" It made the office of commissioner quite a laughing stock because after he went in for his reviews, the media was outside to ask him, "How did it go? 'Yuh think yuh pass?' Might they keep you?"

The Office of Commissioner of Police is a very serious office in the structure of Trinidad and Tobago. He has thousands of men and women under him, and that office ought to command a certain amount of respect and authority. The British, you know, the pomp and ceremony that goes in this office is largely to demonstrate the importance of the office. I am not saying he should wear feather and cocked hat but he ought not to be going up every six weeks to be examined by a commission and comes out diminished.

And then the commission would make comments about what they put to him and how he—there was one instance where the commissioner went up for one of these "common entrances", and after, there were comments about: what was put to him, and he did not respond properly and the commission laid some threats about—you know, and the whole thing was just so unseemly. I could not understand how you expect the commissioner to feel confident in managing men

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under arms if his public persona is one of a little boy in front of a commission who goes to these exams ever so often and be ridiculed by the commission. I take umbrage at that and that ought not to happen, and the first thing we have to do is to review the current arrangements and the arrangements are horribly not best practice.

At the end of all of that, we have a nomination in front of us today which is the President's nomination because it did pass through President's House, so we have to see it for what it is. It is the President's nomination. The question is: did the President have the power to stop it or is he a post office to send it down? So in the context of "powers I have, powers I do not have", I thought that given all that had happened, it was my view—notwithstanding my support in 2011—in 2014, I thought we had made little or no progress in the management of the police service.

I think that reflects itself in the out-turn, the output, the success rate and the effectiveness in the police service. I do not know that any boardroom, where resources are applied, would have seen re-appointments on glorious recommendations if the out-turn is as bad as it is with the police service. I do not want to believe it. I have not checked it, but I keep hearing people in the know saying that the detection rate for violent crime, particularly murders, in this country, has fallen from 30-odd per cent, in recent times, down to single figures.

Mr. Speaker, if that is true—and I believe it is true but I cannot confirm it—or any similar statistic is true, then the people responsible for the police service ought not to be getting automatic re-appointments [*Desk thumping*] What is the basis? What is the basis for the re-appointment? Reports? Number of stations visited?

I mean, I do not want to be overly harsh because it is a very difficult job, but the statistic is frightening, and what is worse is that, at the same time that is presented as the status quo, the population is being force-fed a diet of advertisements from the Government telling you that crime—violent crime or whatever it is has gone down. Who are the mad people in the Government who would be aware that detection rates in murders have gone from 30-something per cent to 8 per cent, or whatever it is, and you have the gall to be presenting an ad to me telling me crime going down?

The Police Service Commission is sending me a report to Parliament that sounds so wonderful, I have to ask: "what country he talkin about?" Which country are they talking about? It could not be the country where there was a

murder in the east a month ago, and there were two witnesses, including a family member, who saw what happened and, up to now, those persons have not been spoken to by the police. They were on the scene of the crime; they were there when the shooter shot; they saw their family member murdered by their gate and, up to today, one month later, no police officer has spoken to them. That tells me the system has imploded.

Because, if they have not been spoken to, that tells me that there is no investigation because “who you talking to?”. If you are not talking to the persons who were there and saw it—at least, we know that witnesses are afraid to speak but, at least, ask them to speak and let them demonstrate that they are afraid. Do not assume that they would not speak and nobody ask them anything. So who is doing the investigation? So, the shooter knows that nobody is investigating and therefore there can be no successful conclusion to an investigation, and the word “impunity” becomes part of our lexicon, popular use. And that is why when we have an assassination that attracts the whole nation’s attention, like Dana Seetahal’s, the word “impunity” comes centre stage, that these crimes are committed with “impunity”. And while that is the situation, we are being asked and we are being told, “Well, yuh support it in 2011 so we expect yuh supporting it now”, when I had already conditioned my mind to not recycle plastic bottles, but to see some brilliant new people who will have some kind of ideas.

The first idea I wanted to see with all this outreach was outreaching to the Government and saying to the Government, “Get on with the job of repealing the current arrangement and put something in place that we could work with”. I have not heard the commission tell the Government that; that would have impressed me. That would have impressed me if the commission had said to the Government, “This arrangement that we are in here, which is not working, is preventing us from appointing a proper Commissioner of Police”. If their voice was raised in that area, I would have been impressed and I would have supported it, but I am not supporting the status quo in this situation. It is too serious, it is too dangerous, it is too ineffective. I am not supporting it.

Mr. Speaker, I want to appeal to the Government: take out the arrangements for appointing the Commissioner of Police from F&GP, or wherever you have it, bring it here and let us repeal it. We went to the Government last year July, I think it was, under the spritz of a bloodbath, as Opposition Leader, I led a team. I sought an audience with the Prime Minister. The Prime Minister was gracious enough to see me and my team. We sat in the Prime Minister’s office and we said, “We want to work with the Government”. We went with 10 points to the

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Government. The meeting was very cordial and we met continuously after that, for a little while, until we discovered that the Government was not interested at all.

We said—and the Government does not have to do what the Opposition says, you know. We are saying to the Government, “You, do something and you have our support. If you do these things, you have our support”. You cannot expect policemen and women to be at their best if they believe that the management is at its worst. The morale in the police Service today is too low and you raise morale by giving them good management. General Montgomery would never have beaten Rommel in the desert if his men did not believe that he believed that he could win the fight. Men and women, under arms, have to have something called morale and you do not get it by talking nonsense at the top and dodging responsibility and putting them out there and they are telling you—

I went out the other night in my constituency. There was a bit of demonstration and some fire burning in the street. People were expressing their frustration about a killing in Glencoe.

**Mr. Imbert:** In my constituency.

**Hon. Member:** Bagatelle.

**Dr. K. Rowley:** In my constituency I went to when I had my turn; it is by you now.

**Mr. Imbert:** Yeah.

**Dr. K. Rowley:** It was in Glencoe before.

**Mr. Imbert:** Right, right, I now remember.

**Dr. K. Rowley:** I have tremendous respect for the police service and the men and the women in the police service because I know, on many occasions, they put their lives on the line to protect us; that is what they do.

But, I go out there and I meet all these young people and the one thing that struck me is that they are heavily armed because the approach to policing in this country is more and more arms. Yes, we need arms but more and more arms as a panacea tells me: you misunderstanding it. Then, the people are carrying on, agitating, and I look around at these young people and I am looking for leadership and it was not there. Who is in charge here? Who is in charge? It is not visible and I thought this was symptomatic of a lot of what is happening in the police service.



Then, I enquired after all: what is the leadership arrangement when these kinds of things happen and in the police service? And I am told that a lot of the policing that is taking place, interfacing with the public and running stations, are SRPs. I am told by police officers that the SRPs are now carrying a huge burden of the policing. These SRPs, some of them very poorly trained—most of them very poorly trained—believe that the policing in Trinidad and Tobago is policing by gun, and that being so, there is a mentality that if the population talks back to you, or look at you rough, you shoot them. That might sound good as a response in a criminal environment but it is not good as a national approach to a crime wave that is chronic. You want some brainpower, you want some management; you want a sustained programme.

On top of that too, while the SRPs are being used in a variety of ways like this, I am also told that a lot of the regular police men are involved in their own business—spending most of their time doing their own business and the police service is a backup; a lot of that is happening. All of this falls under the question of management: what kind of management do we have?

One of the things we did when we went to the Prime Minister and her team, in talking about the police service and its suitability in fighting the crime problem, we asked that we undertake a manpower audit of the police service. We asked for that as one of our 10 points. Let us look and see what human resource we have; how it is deployed—to determine whether, in fact, it is deployed in the most effective way.

### **3.00 p.m.**

Because if it is not, then we could tweak it, we could adjust it, we could bolster it, we could do something about it but we must know what it is. A manpower audit of the police service is an urgent requirement in the current situation as we seek to make the improvements that are required, because what is going on now just cannot continue, because it has no chance of giving us any success.

Somebody in the Government whispered that it has been done but it was a person that we do not believe. Because we ask, if it has been done, show us what it is. We have never heard about it after and today I heard, in the script of my colleague from Oropouche East, there was a five-year glance of some kind of audit that the commission thinks it is doing or should do or something like that. But I am saying, from where I stand now, that there is a requirement for a proper and thorough manpower audit of the police service as a management tool for any improvement. [*Desk thumping*]

And if the Opposition goes to the Government with that and the Government agrees, then what is the hold-up? Why have you not embarked on it? Or is it that the Government says to us yes, to get rid of us and we leave the office and you know full well you would not do it? Well that would not surprise us because Justice Aboud, in a ruling recently, made an observation that the Prime Minister of Trinidad and Tobago gave an undertaking to the Re-route Movement to have the James Armstrong committee review that construction in south and the Government would abide by the findings of the review. But the judge found that the Prime Minister had no intention, even though she committed to that, of doing it. She said it knowing she would not do it but used it as a tool to end the hunger strike. So, when I saw that coming from the judge—*[Interruption]*

**Dr. Moonilal:** “Yeah, he say we shoulde leave him tuh dead.”

**Dr. K. Rowley:** Yes, because he said it was his option.

**Dr. Moonilal:** “Yeah, he woulda leave him tuh dead.”

**Dr. K. Rowley:** The judge said—that is true—that if the man wants to stay there and die, it is up to him. But the Prime Minister intervened and used her position and gave a commitment on the Armstrong report knowing that she would not keep it, and when I saw that it brought me back to the commitment that she gave to us when we met. I think my colleague from Port of Spain South was there, my colleague from St. Joseph was there and others and we left there thinking that our parliamentary colleagues, albeit we are the Opposition, they are the Government but we are responsible to secure the nation and the nation is not being secured and the police service is being emasculated, the morale is falling lower and lower, the police service is falling into disrepute because the criminals now are laughing at the police service because they know that the detection rate is in single digits. So for every 100 murders you commit, 90 of them know that they will get away with it, or one person doing it, does it 100 times and 90 times you get away. I would take those odds any day in the casino.

So, we asked for things that we thought were straightforward; a manpower audit. All you have to do is find the relevant person, the requisite skills, a one-man, two-man, three-man team, you inform the police service that it is being done and you put them there to review the police service.

Do you know why it is important to do that? We must know if we are close to best practice. The results are showing us that we are not, but there might be good reason for that, so you want to know what the reasons are.

I sent one of my colleagues recently—former Senator Fitzgerald Hinds, soon after he was taken out of the Senate—

**Dr. Moonilal:** Fired!

**Dr. K. Rowley:** We do not fire people. We re—*[Interruption]*

**Dr. Moonilal:** Recycle.

**Dr. K. Rowley:** No, no, no.

**Dr. Moonilal:** Yeah, that is it. That is the youth officer.

**Dr. K. Rowley:** Plastic bottles are recycled. He was reassigned. But one of the things he did, we picked a community that is well policed. We picked a community that is about the size of our population, and I sent him to Fairfax County in Virginia, which has a population of about 1.2 million people. We have 1.3 million. So it is basically the same size population-wise. And it was interesting—after he spent a tour with the police there, both at the administrative level and the street level watching their operations—we discovered that county has 1,300 or 1,400 police officers. Fourteen hundred police officers police Fairfax County in Virginia. We have—I am told by former Commissioner Gibbs—7,000 policemen. *[Interruption]* How many? Well, okay.

**Hon. Members:** Seven thousand.

**Dr. K. Rowley:** We have an establishment of 7,000 and maybe at any given time about 5,900. But, Mr. Speaker, do you see the gap? And Fairfax County is fairly well policed, it is not fairly well, 1.2 million. It is about the same population. That is why we picked that area; an area that is well policed, using all that is available. They are well-policed by 1,400 police officers, who are well-paid, well-trained, well-motivated, well-managed. These are our requirements. *[Interruption]*

**Mr. Cadiz:** That is what PNM intends on doing.

**Dr. K. Rowley:** Yeah. “They doh have any Cadiz up there and wey de other one called? Robo Cop.” They would not last very long there at all. But those are the requirements and if you, Mr. Speaker, are accepting that we have 5,900; 6,000; 7,000 wherever that thousand fits for us, we clearly have a large manpower body and clearly our results are not near what that should represent. We need to know the reason, and to do that, we need to examine how they are deployed, how effective they are and so on and so on and that is why we kept asking the Government, as part of our response, not the Government’s response, our response as a country, we need to have a manpower audit. We may need to do certain things that we are not aware that we need to do.

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There are some things that are happening that should not be happening. For example, how many of us are clear as to how policemen work day versus night? Since the police officers went on the 40-hour work week, how much of it is during daylight hours and how much of it is night time? Because if in fact the bulk of the deployment is between eight to four, and the criminals are working between four to eight, we have a problem, and if the stations are manned by the junior people while the senior people are in their beds—I am not saying that happening—we need to know how it is done and that is why we need to have a manpower audit.

We need to know if the kind of crimes being committed today are the same as 20 years ago, because the style and content of crime has changed. There was a time when there was no drug crime in this country. The first time I heard about cocaine as a crime in this country was 1983. Before that, I did not know about any cocaine problem in this country, but recently I am hearing about heroin passing through Trinidad and Tobago. We do not grow poppies here. So crimes can change over time. We need to know if we are properly resourced to respond.

How many accountants are there in the police service? There is a big department dealing with fraud, because in some people's books crime is only murder. White-collar crime, as far as they are concerned, is not crime. I was talking to a banker recently, who told me a most troubling thing, that banks have been reporting to the police matters of a criminal nature, fraud, and being told that they are too busy with other things, they cannot deal with that. They do not have the manpower. Is it the manpower or the skills? What is it? But the very fact that you could have a bank reporting a crime, expecting a response from the police and being told that we do not really have what it takes to pursue your complaint, that should bother all of us and we will not know the truth of these things until we do a manpower audit.

We need, in the police service, engineers, outstanding skills in IT, outstanding skills in human resource and industrial relations, employee assistance. I know a lot of policemen—I have been around police for a long, long time—have bad habits and need help and I do not mean en passant, I mean as a significant part of assisting them in doing their jobs—need employee assistance. Our police service needs a serious lift into the 21st Century and that is all part of the requirement of management. And, of course, if it is that you want certain skills, those skills come with a price and there is no price greater than our inability to have an effective police service.

And, with respect to suggestions about policemen getting reward offered for murder, I want to make it very clear that we will support no such thing, because I do not know if anybody understands the import of that suggestion. Of course, if police officers go beyond the call of duty and they are successful or they put their life on the line or whatever they do, you acknowledge that by special arrangements, but to tell me that you want to have a reward by the Government and that now becomes for the police officers, I wonder if you know what the consequence of that could be.

The Government puts up \$3 million for a reward and police officers can access that, so our good friend, Mr. Constable X, “bounce up” key information, do you think he will give it to the Government for free? Do you think he will go to his senior officer and hand it for free, as he should? He will find a way to corrupt the system to make sure that his partner gets the award, his family or friend, and before you know it, it reach the full extent where they begin to commit crime to get the award. [*Laughter*] You laugh at that?

Let me tell you how it works. There is a snake in Martinique called the fer-de-lance and farmers were bothered by it and the Government decided to pay five francs a head for each fer-de-lance and the system was working well. And then, there was a hurricane and the hurricane broke down all the cages that the farmers had because they were breeding fer-de-lance. So the very programme to put an end to fer-de-lance end up creating more fer-de-lance, because when a snake is in the wild about 3 or 5 per cent of them would survive, but when they are bred by farmers the whole amount would survive. So when the hurricane “break up” the cages they all went back out in the bush.

Mr. Speaker, there is one Member of this Parliament, when I am speaking about crime, who should speak quiet or in fact he should not be here at all.

**Dr. Moonilal:** Who is that? Who is that?

**Dr. K. Rowley:** The coffin dragger from Chaguanas East.

**Dr. Moonilal:** Mr. Speaker, 36(5).

**Mr. Speaker:** Yeah, I do not think you could describe a Member as that. You could withdraw that. I would ask the Member for Chaguanas East to keep your firepower until later on. Okay.

**Dr. K. Rowley:** Okay, Mr. Speaker, I am saying to you. Forget him, forget, him. “I forget him long time.”

**Mr. Speaker:** I am not saying forget him. You cannot put that on the record.

**Dr. K. Rowley:** Do you want me to withdraw? Coffin dragger, I withdraw that. *[Laughter]* Mr. Speaker, I was saying—

**Mr. Speaker:** Members, we all know that when we are withdrawing a remark, it should not be withdrawn on the basis of qualifications or reservations. I think it should just be withdrawn and strike it off the record, but to repeat it and then withdraw it. You know better than anybody else.

**Dr. Moonilal:** But he is incapable of withdrawing.

**Mr. Speaker:** No, no, no. I need no help. I need no help. Please! Hon. Leader of the Opposition, you know better than anyone else that you just withdraw and we move on, please.

**Dr. K. Rowley:** Mr. Speaker, I withdraw. I was just making sure that I withdrew—

**Mr. Speaker:** Yeah, yeah, just withdraw.

**Dr. K. Rowley:** I just want to make sure—*[Interruption]*

**Mr. Speaker:** Please, I just want you to just withdraw and move on, please.

**Dr. K. Rowley:** Mr. Speaker, I withdraw and I want to come to the point I was making. I was addressing the suggestion that Government reward be made accessible by police officers. It has the potential to become a corrupting influence. It has serious, serious consequences and ought not to be considered. There are other arrangements.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. *[Miss M. Mc Donald]*

*Question put and agreed to.*

**3.15 p.m.**

**Dr. K. Rowley:** *[Desk thumping]* Thank you, Mr. Speaker. I notice that my friend from Oropouche East voted no.

**Dr. Moonilal:** Because I voted yes, last week. *[Laughter]*

**Dr. K. Rowley:** I know he has a serious investment, he wants to go and campaign. He wants to go and campaign. The campaign is coming to a close. So I promise him that I would not be too long, because we have some—

**Hon. Member:** He has a last-minute sweep.

**Dr. K. Rowley:**—he has some votes he wants to get in on Sunday, but I would not detain him much longer.

Mr. Speaker, let me not belabour this point, but let me appeal to the Government, to do two things as we approach. One, I would like the Government as the country's administrator in charge of the public purse and the resources, and with the responsibility for securing us, and ensuring that the police service gets the attention it needs. And to get that attention, you cannot just be putting a plaster on a sore, not knowing what is causing the sore or how the sore is deteriorating under the plaster. We need a manpower audit of the police service. We are asking for that. [*Desk thumping*] It was put to the Government as part of our ten-point plan.

This Government has the support of an Opposition like no other Government has had before. And on this matter of fighting crime, the Government needs support. We support each other as a community, and if the Government resists as it is doing, it tells me it either does not understand the role of manpower audit, it does not understand the challenges of managing the police service, and it is just there marking time and playing politics, like the ad they are trying to force down our throat, about crime gone down. And while I am on that, I am also asking to stop this foolish ad.

It is annoying people, right. You need confidence. We need to establish confidence, and if they believe as they believe, that it is the police doing that—if persons believe that the Government or the police has any hand in trying to fool people, it has the effect of destroying confidence in the police service, what little confidence is left, and bring them to ridicule. So I am asking the Government to discontinue that ad, because it is wasting public money and annoying the public. So that is number two.

Number three, I am asking the Government to come to the Parliament, let us repeal the arrangement that exists now for appointing a commissioner of police and put something better in place. The Opposition is standing by to support the Government in putting a sane arrangement in place, for the appointment of a commissioner and deputy commissioner of police. I say no more for the afternoon.

If only those two things are done, there will be two steps in the right direction which would have the effect of giving the police service what it requires, in terms

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of stable management that the ranks can respect, and the structure of the police service can begin to be seen as our response. And the Police Service Commission itself may become something useful in that reviewed and revised arrangement, but what exists now has not worked, is not working, will not work. So any appointment of the illustrious Prof. Deosaran this evening, or anybody else for that matter, will in no way impact on the problem we are trying to solve. It might serve the professor to get reappointed. It might serve the President to send it here. We might be impressed with this huge volume of the CV, but it is not fit for purpose. We are not tackling the problem. We are simply spinning around, square pegs in round holes.

Mr. Speaker, I thank you for the opportunity. [*Desk thumping*]

**The Minister of National Diversity and Social Integration (Hon. Rodger Samuel):** [*Desk thumping*] Mr. Speaker, I am excited to participate in this debate on the appointment of Prof. Ramesh Deosaran on the Police Service Commission. And though, Mr. Speaker, the debate has shifted into a crime-fighting debate—and we can go into lengths about systems of crime fighting, and what works and what fails, and what this country seems to experience at this point in time, or for many, many years. The issue for our nation is for every one of us to have a look at ourselves, and begin to become integrally part of the solution, so that we can together deal with the issues that so plague and not just the issues of murder, but the issues of every aspect of criminal intent, from house break-ins to fraudulent activities, to you name what. That we must now begin to band ourselves together, so that we can surely deal with it, and not just believe that solutions are overnight affairs; not just believe that we can just solve the issues with the waving of a magic wand. For the situation that we face today was not an overnight affair and, obviously, it will take much more to solve and bring this nation to where it ought to be.

Not only that, Mr. Speaker, but we have suffered many years with what we call our inability for continuity. As a matter of fact, for many, many years, we have found that we keep starting over and over, and as result, we have not made the kind of progress that this nation should have made. The reappointment of Prof. Deosaran suits the idea of continuity, knowing that what had been inherited in the Police Service Commission was inherited from a period that things were as bad as they were, and they continue in some instances because time needs to be had, to examine and re-examine our systems and our approaches, and that demands the process of continuity as we go along.



But, Mr. Speaker, crime is no overnight affair. As a matter of fact, it is not one aspect of the nation that needs to be fixed, but it is all aspects of the nation that need to be fixed. Not only the fact that the police have found themselves—and I want to personally commend members of the protective services who put their lives on a limb for our own safety. I want to commend the officers who on a daily basis face the issues of life threatening things against them, for the work that they do though it is a hard task, but they do put their lives on the limb for all of us. I want to also commend the fact that these days we see more patrols and more mobile police day and night around our country. And I commend the security forces and the Minister of National Security, and his team that work together for allowing us the kind of protection that we have as we go along.

Mr. Speaker, crime is no easy thing. As a matter of fact, in one of the researches that was done, it is said that the police service's remit directly is law and order. And one person said that when a nation becomes lawless—and lawlessness does not just happen overnight; we do not wake up one morning and then we are lawless. It is something that creeps in and steadily creeps until it begins to impact more and more and affect more and more. And that the police service whose remit primarily was law and order, had to now—one person said, change the dynamics of it, because of the lawlessness of our society, and begin to fight crime. So the remit now is crime fighting and the law and order situation is where it becomes ticklish, because of the magnitude of lawlessness in our society.

Just recently, Mr. Speaker, I was driving over the Lady Young, and police were there checking vehicles, and people were actually angry with the police officers who were doing their job and checking vehicles—“why allyuh doh go and run down criminals. Why allyuh doh”—that kind of situation, and I was kind of taken aback that people would be angry that police officers are on the beat, and they are checking vehicles and asking for your licence and insurance. They were on some particular thing—of patrol, and people were actually angry when the police do their job.

I remember one morning a gentleman was stopped—and I was just there in the traffic—for driving on the shoulder of the road. When the officer stopped him, he said to the officer: “So why allyuh eh fighting crime, you know. Why allyuh harassing me, rather than fight crime”, you know. As if what he was doing was not also part of the lawlessness of a society. The Leader of the Opposition is correct when he said, people sort of categorize crime and leave it as if, you know, there are certain things that are considered crime, and certain things that are not considered crime.

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It means that when, you know, lawlessness becomes rampant, when every citizen has no regard for law and order, has no regard for the laws of the land, has no regard for what is supposed to keep the land safe—and the average citizen needs to begin to look at themselves—ourselves, and see if we are not part of the lawlessness of our society, and that we are sitting in our own ways, and looking at crime and lawlessness only from one standpoint, when really, in many instances, when we break a traffic light, when we go through the red light, when we do certain things, we are part of the process and the problem of a nation. And we are sitting there now saying, well, crime is such and such, because there are murders, but there are fraudulent things, and there are larceny of vehicles as a matter of fact.

When the issue came up to really try to solve the shortcomings of the police service, I remember there was much talk about it, and then it was accepted. And now we are criticizing the idea of more SRPs on the job, and more people working on the job, but, Mr. Speaker, this issue of crime has to be solved holistically. As a matter of fact, the court systems, the judicial systems, the whole process has to be revamped, and the process has to be revamped as we begin to study and see what works in this country. We must not be afraid, Mr. Speaker, to do what is necessary to get the job done, and to ensure that we take possession of our land today.

Not only that, but the idea of a godlessness and a people who no longer fear God, plays an integral part in the role of crime in our society. As a matter of fact, Mr. Speaker, just recently I was listening to a radio station, and the poll was about whether God and the church is relevant in the society. And the result of the poll was alarming, because some 56 per cent of the people who called into the station, said that God and the church is irrelevant in our society today. That says a lot to what happens as a result of that, that says a lot when people no longer fear God, when people no longer realize that we have to give an account to a creator, when people no longer realize that we have to be answerable for the things that we have done in this life, when people can say that God and the church is no longer relevant to a society, that also plays an integral role as to where we go as a nation.

This issue of the Police Service Commission, Mr. Speaker, and the remit of the Police Service Commission to appoint Commissioners and Deputy Commissioners of Police, through a selective process determined by Parliament, is a serious one. The present commission's remit and the successes that they have had in the short time that they have had in the last three years or four years—it was during the commission's short time it is said that they were able to institute to

its credit a policy of filing appeals. They brought a new dimension to filing of appeals, and it was through the Police Service Commission, that recommendations were made with regard to things that were happening to the PCA, and they were setting about to build relationships between the key stakeholders that deal with criminal intent and deal with the police service in this land.

**3.30 p.m.**

Mr. Speaker, there is one statement that stands out, and it is a statement that so many people are fearful of; and it demands drastic action while we look at humanitarian needs and human rights and all of these policies. There is a biblical statement that stands out that says, in Ecclesiastes Chap. 8:11, that:

“Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men”—are—“fully set in them to do evil.”

That is a strong statement.

“Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men”—are—“fully set in them to do evil.”

I had an experience visiting some young men we call “in the ghetto”—and I do not call them ghetto; they are human beings—and they began to share their feelings and my take on it was that they had become so full of the things that they do, that they no longer had regard for human life. They talked about criminal intent as if it was walking by the savannah. They talked about things from the standpoint that would make you and me puke or vomit; of activities that people get involved in at their level. I marvelled because I recognized, that from that level, the human being had become very callous and really did not care for or about human life anymore.

It says that we have got to ensure that institutions and commissions like the Police Service Commission are worked within its remit, but impact and become very effective in what it does and that is why continuity is so important.

Many a time we feel that everything can be solved overnight. We live in a kind of microwave society and we feel it will happen, but it did not reach where it is overnight and it will mean it will take some good work and it will take some serious effort. It is not the waving of a wand; it is not just getting up in the morning and it will be solved, but it is the continuity and the progress of assessing and revisiting what is happening and how it is changing. Because while we are

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planning and working out the dynamics for change in the activities of criminals; yet they are changing likewise and they are evolving and they are increasing in their own measures and they are studying and they are looking to see how they can beat the thing that even we come up with.

It is an evolving process and while it is evolving, there are things that are happening that you have to begin to change while it is happening. So it is not set in concrete to have one system and a policy and say this will work or that will work because what they do on the other side, what people who are not law abiding do is not something that they are static or stagnant about, but they too are looking for ways and means of getting past the system and getting beyond the system and tricking the system and ensuring that what they do is important.

So, Mr. Speaker, the continuity with the Police Service Commission is so important for us and it is not just because of the credentials of the individual, but because we need to take a good look and a long-term look at things so that we can find the necessary solutions for it.

I remember there was a big confusion and they chastised the former Minister of National Security because the former Minister of National Security felt that the front page news on crime and the marketing of crime was not something that should be had. He was chastised for it, but he understood why he was saying that.

I remember it was sensationalizing news and stuff like that. I understand why he said what he said because he felt if you keep marketing the thing, it hits the front page all the time, then more and more people would get excited because there are some young people who just want to make the news.

There are people who do things to make the news and, in many instances—if you do something good in this country, it does not make front page. If you do something that is really, really fantastic, it does not make front page. If you say something good, it does not make front page. The former Minister then was reiterating the point that he found it wrong to release all the statistics and reports, which only encourage people to commit more crime. That was one of the statements that I found was quite alarming at the time because it was necessary for us to find ways, and if that was a way that was going to assist the situation, put a curb on the situation, then we could have explored the situation of not marketing it.

The Police Service Commission, their remit was developed to manage the monitoring appointments, disciplinary and appeal functions of the police service

and that takes some doing. It is important for us to know that as we look at the responsibility of the commission, that we must give them all the necessary tools; we must give them all the necessary support; we must give them all the necessary things that would make their job and their purpose effective.

The reappointment of Prof. Deosaran—as a matter of fact, that would give credence to succession; would give credence to moving forward with the plans that had been there and then taking them to another level is relevant and necessary for the Police Service Commission. The reappointment is important and I want to give support to it as a matter of fact.

**Dr. Moonilal:** Thank you very much for giving way, Member for Arima. I just wanted to indicate to the Leader of the Opposition, who spent a considerable amount of time and energy speaking of the need for the manpower audit, that in March this year, Cabinet did approve an arrangement between the Ministry of National Security and the company of Giuliani & Associates of New York to undertake a comprehensive assessment of the administrative and human resource capacity, including a comprehensive manpower audit, of the Trinidad and Tobago Police Service. That has been undertaken by the Government and I wanted to indicate that to the Member opposite during the contribution—*[Protests]*

The Member for Arima gave way for me to indicate to the Member opposite. So thank you very much, Member for Arima.

**Hon. R. Samuel:** Mr. Speaker, I thank you.

**Mr. Colm Imbert** (*Diego Martin North/East*): Mr. Speaker, I do not understand what went on just now. Perhaps you will tell me some other time. He had finished, you know. Anyway, he spoke twice, but anyway, Mr. Speaker, let us deal with the issue at hand because the Member who just spoke did not.

We are here to deal with the recommendation, the nomination of Prof. Ramesh Deosaran as a member of the Police Service Commission—*[Interruption]* He never started—and I think it is necessary to understand the context of this nomination and to do so we need to look at the Constitution.

Let us go to the Constitution and see what gives us the power, in this Parliament, to have anything to say about this. Section 122 of the Constitution was revised to allow the President to issue a notification and section 122(4) reads as follows:

“The President shall issue a Notification in respect of each person nominated...”—and we are talking about nominations for the Police Service

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Commission—“and the Notification shall be subject to affirmative resolution of the House of Representatives.

The President shall make an appointment under this section only after the House of Representatives has approved the”—nomination—“in respect of the relevant person.”

Now, in the past, the Police Service Commission would just make the appointment, but all of that was changed after a bipartisan team met to look at the reform of the police service and also the reform of the methodology for appointing the police commissioner and so on. So now we have a say. We can speak about it. We can object if we wish; we can support it if we wish.

It has become obvious that the procedure that was imposed upon this Parliament by the then Opposition UNC because remember we did not have the necessary constitutional majority to make the necessary constitutional changes and, as a consequence, during the period 2002—2007, the then Prime Minister, Mr. Manning, approached the then Leader of the Opposition, Mr. Panday, and asked for the support of the UNC in order to reform the systems and the processes for appointing a Commissioner of Police, the Police Service Commission, Police Complaints Authority, et cetera.

The Opposition agreed to support reform, but it gave certain conditions; and in that period, 2002—2007, the PNM did not have the necessary three-fifths majority required to make the necessary changes, so we needed the support of the Opposition. So we had to go along. If we were to make any changes at all, we had to go along with what they wanted. One of the things they wanted was this process for the appointment of the police commissioner and this process for the appointment of the Police Service Commission.

The Government, since 2010, has had a constitutional majority. They could have come to this Parliament in 2010 and made the necessary changes to the Constitution and the necessary changes to the regulations dealing with the appointment of the Police Service Commission and the police commissioner.

Four years have elapsed and, notwithstanding the fact that their numbers have shrunk—the Member for Chaguanas West left; the Member for St. Joseph left and we recaptured that seat—the Government still has 27 seats and our support. With 27 seats and the support of the Opposition, which would guarantee passage in the other place, the Government could have easily dealt with this vexing problem of the appointment of a police commissioner.

Mr. Speaker, what the person who introduced this matter did not say, even though he spoke twice—I still have to figure out how he did that—is that the role of the Police Service Commission has been reduced from its previous role where it had a very broad role to look at the police service generally to simply the appointment of the Commissioner of Police, the Deputy Commissioner of Police and they act as an appeals tribunal. So that the role of the Police Service Commission was shrunk to that very small thing. All they have to do, one of the most important things they have to do and their primary function is to appoint a Commissioner of Police. What has happened?

Let us look at what the facts are because the Member for Oropouche East has not dealt with the facts. I would read an article from the *Express*, April 16, 2014. It speaks about the selection process for a Commissioner of Police and it quotes the then chairman of the Police Service Commission, Prof. Deosaran. I quote:

“One of Prof. Ramesh Deosaran’s main goals when he assumed the role of chairman of the Police Service Commission...was finding a way to untangle the convoluted process used to select a Police Commissioner in this country.

Deosaran on Monday”—this would be April, last month—“expressed disappointment that as he spent his last official day in office as PSC...the process was no closer to becoming resolved.”

**3.45 p.m.**

So, four years after the election of a Government with a full Constitutional majority, and three years after Prof. Deosaran was appointed as Chairman of the Police Service Commission, from his own mouth come these words; that the process is no closer to becoming resolved, three years after he served in the position, Mr. Speaker.

We heard the Member for Oropouche East tell us—what did he tell us? Let us look and see what he said. He said there has been tremendous dynamism from the nominee with respect to his performance. He said that he made site visits to police stations; dealt with staff; accommodation; review regulations; did a strategic plan; institutional strengthening; sent commissioners on conferences. Mr. Speaker, these are rudimentary mundane details.

**Mr. Warner:** Nice word.

**Mr. C. Imbert:** Yes, rudimentary, mundane, pedestrian. You visit police station! [*Crosstalk*] We did not support the appointment of a Police Service

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Commission so that they could visit police stations and send commissioners on conferences. No! We supported the appointment of a commission and, in particular, the Chairman of a Police Service Commission, so that he could appoint a proper Commissioner of Police, Mr. Speaker, and he has failed. Three years have elapsed; three years! Mr. Speaker, the last time we had a Commissioner of Police appointed was in 2010.

**Dr. Gopeesingh:** You did not want him then.

**Mr. C. Imbert:** No, in 2010.

**Dr. Gopeesingh:** You said you did not want him then.

**Mr. C. Imbert:** No, no. Mr. Speaker, you know, the Members opposite, they live in cloud cocoland.

**Hon. Member:** La-la land.

**Mr. C. Imbert:** La-la land. Because only somebody living in la-la land would come and tell us all these things about the Police Service Commission and then ask us to reappoint the same person who has failed to do his job in the last three years, and no explanation, no justification, no information on what is going on whatsoever. In fact, what I heard from the Member for Oropouche East was a confession of the failure of the Government, Mr. Speaker.

If I go into this same article, Mr. Speaker, Prof. Deosaran submitted a 68-page report on March 19, 2013 calling for the Police Service Commission to handle from beginning to end, the process of appointing a police commissioner; March 2013, Mr. Speaker. It is May 2014. What is going on with this Government? Prof. Deosaran submitted his recommendations to you one year ago. What have you done? Nothing! What do I hear from the Member for Oropouche East? What do I hear? That the matter has been before the Finance and General Purposes Committee since 2013.

So, you have had this report from Prof. Deosaran since March 2013 and you stuck it in your Finance and General Purposes Committee of Cabinet since then. What are you doing? You could do things overnight, you know. You could award a one-billion dollar contract to SIS for wastewater in three days! We have seen that. You could send out a letter and they send back a letter and you give them a letter of appointment and engagement for a one-billion dollar contract which smells to high heaven. You could do that in three days, but people are being killed in broad daylight in Trinidad and Tobago. The police service is not functioning.



I heard some platitudes from the Member for Arima, nothing to respond to. He did not say anything. He is not here. He is not living in Trinidad and Tobago. I do not know where he is, but he is not in Trinidad and Tobago. But people are being killed in broad daylight in Trinidad and Tobago, Mr. Speaker. The police service is not functioning.

The commissioner is working like a 10 days' worker. Every six months he has to go and beg for an extension of time for his appointment. This has been going on since 2012, because the former commissioner, Mr. Gibbs, was sent on his way since July 2012, Mr. Speaker. Almost two years ago the Canadian Commissioner that they picked—the fella who had questionable qualifications from some alleged diploma mills in the United States—they sent him on his way since July 2012, Mr. Speaker.

Mr. Speaker what has happened in the last 22 months since July 2012? What has happened? You have had an acting appointment and a renewal of an acting appointment and another renewal of an acting appointment, and the entire three-year term of the Police Service Commission has come to an end and nothing has been achieved with respect to recruitment of a new police commissioner or, at least, the confirmation of the current police commissioner in his post. *[Interruption]*

**Mr. Speaker:** Please, please, Members.

**Mr. C. Imbert:** No, they cannot help themselves, Mr. Speaker. They cannot help themselves. You know, when this was happening in the past, Mr. Speaker—*[Crosstalk]* Mr. Speaker, could you control Members opposite, they are disturbing me? I seek your protection, Mr. Speaker.

**Mr. Speaker:** You have my full protection.

**Mr. C. Imbert:** I hope they will listen to you. You know, in the past, Mr. Speaker, while the recruitment process was taking place the last time, the Police Service Commission extended the tenure of the then Police commissioner, Mr. Philbert, and they screamed blue murder on that side. They knew then that something was wrong with keeping somebody in a perpetual state of anxiety, and in a perpetual acting position.

Now, they are trying to justify their incompetence by telling us from no less a person than the Attorney General, that it is a good thing to keep the Commissioner of Police acting, because if a man is acting, he would be motivated

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to perform because otherwise he would feel he would not continue to act, Mr. Speaker. That is what we have to hear. So, you motivate somebody by punishing them by not confirming them in their position.

I do not have to tell you, Mr. Speaker, you have some knowledge of industrial relations. How oppressive, how repressive; how retrograde that position is that you do not confirm somebody in a position, because you want to keep them in a state of perpetual anxiety and fear and you want to control them, and that is a good thing in this century. That is a good thing that you keep somebody in a state of perpetual anxiety, and no less a person than the Commissioner of Police who has 6,000—let us use 6,000 as the number—men under arms under his control, Mr. Speaker. He does not know if he is coming or if he is going. He does not know if he would be appointed, reappointed, what will happen, Mr. Speaker. That is how they are running this country.

Now, let me give you some illustrations of the lunacy upon which we are engaged. I read from an article January 10, 2014, published in one of the daily newspapers. I suspect this is the *Guardian*:

“Acting Police Commissioner Stephen Williams has been criticised for being tardy in submitting critical reports to the Police Service Commission. The commission said it was so dissatisfied that this could ultimately affect Williams’ performance appraisal.”

And here is the lunacy:

“Despite this, Williams will likely receive yet another extension because of the convoluted process now used to select a commissioner.”

So the commission is telling the national community that the Commissioner of Police has been tardy in submitting reports; they do not have any information from him; they cannot get any information from him; they cannot assess his performance probably because they are not getting information, but notwithstanding all that, they are likely to extend his appointment for another six months because the process to select a commissioner is so convoluted. I have made the point and the hon. Member for Oropouche East avoided this; that Deosaran submitted a report to them in March 2013.

The Leader of the Opposition is on record as saying convene an emergency session of the Parliament—and he is on record since last year—saying convene an emergency session of the Parliament and let us change the way in which we select a Commissioner of Police. What did they do? They stick it in some committee for a year. They have no interest in this, Mr. Speaker. It is obvious they have no

interest in making sure that the police service is properly run. They have no interest in giving the Police Service Commission the tools that they require, Mr. Speaker.

The commission said quite a few other things that I think is necessary to put onto the record, because we are being asked to appoint Mr. Deosaran. So, let me quote from what Mr. Deosaran had to say.

“Deosaran said during the discussion with Williams, the issue of contracts being awarded to gang leaders was raised. The acting CoP, Deosaran said, expressed the view that this only served to increase criminality in the areas in which such contracts were awarded. ‘one hundred and five out of 420 murders (last year’s toll), he has’—told—“us—this is Deosaran reporting what the Commissioner has told him:—“are committed in that compact zone of the Laventille/Morvant areas, which involve Government giving contracts to these alleged gang leaders and other alleged criminals,’ Deosaran said.”

What is the Government doing about this?

**Dr. Gopeesingh:** What is the source of the article?

**Mr. C. Imbert:** The *Guardian* January 10. Do you want to see? [*Newspaper in hand*] Look! Look! Do you see a picture of Deosaran and Martin George? “Yuh believe now or yuh want to put yuh finger in the wound?” What is it? You do not believe he said? Let me repeat:

““One hundred and five out of 420 murders’—Williams told us—“are committed in that compact zone of the Laventille/Morvant areas, which involve Government giving contracts to these alleged gang leaders and other alleged criminals.””

So, you are going to tell me, you are coming to Parliament to debate the appointment of the chairman of the Police Service Commission, and the Police Service Commission’s only job is to appoint a police commissioner.

**Hon. Member:** Why are you screaming like that?

**Mr. C. Imbert:** Why I must not scream? [*Crosstalk*] This is a serious matter. You see, you all are trivializing matters. [*Crosstalk*] Mr. Speaker, they are trivializing matters in this Parliament. Do you really think the population is looking at you—[*Interruption*] Mr. Speaker, could you speak to the Member for La Horquetta—the one over there in the pink whatever it is. [*Laughter*] I am seeking your protection, Mr. Speaker, from the Pink Panther. [*Laughter*]

**Mr. Speaker:** Well, first of all, I want you to withdraw that remark. There is nothing like that here, and I would ask Members to observe Standing Order 40(b) and (c), okay.

**Mr. C. Imbert:** I apologize and withdraw. He could wear pink if he wants to wear pink. [*Crosstalk*] Mr. Speaker, could you tell him to stop talking? Tell him to stop talking. [*Crosstalk*] But you are still talking.

**Mr. Speaker:** Continue, please.

**Mr. C. Imbert:** Mr. Speaker, another issue raised—[*Interruption*]

**Dr. Douglas:** Your brain is as small as your size.

**Mr. C. Imbert:** Mr. Speaker, he is being insulting and rude.

**Mr. Speaker:** Yeah, yeah, yeah. Member, withdrawn that remark, and could I ask you to observe Standing Order 40(b) and (c), respectively. Withdraw those remarks.

**Dr. Douglas:** I withdraw the remark that his brain is as small as his size.

**Mr. Speaker:** No, no, withdraw it without reservation.

**Dr. Douglas:** I withdraw the remark.

**Mr. Speaker:** Just withdraw it.

**Dr. Douglas:** I withdraw it.

**Mr. Speaker:** Thank you.

**Mr. C. Imbert:** I apologize too.

**Mr. Speaker:** No, no, it is all right, you continue.

**Mr. C. Imbert:** I am not supposed to apologize.

**Mr. Speaker:** No, once you withdraw you have apologized for me. Continue.  
[*Laughter*]

**4.00 p.m.**

**Mr. C. Imbert:** Mr. Speaker, I hope “His Royal Pinkness” will be quiet now.

**Mr. Speaker:** No. Forget that and continue, please.

**Mr. C. Imbert:** Okay.

“Another issue raised which he described as ‘disturbing’ was the absence of police in court matters. ‘That disturbance is related to the fact that there are victims involved and if these cases are dismissed, to the extent that they seem to be, by the non-appearance of policemen, that is a grave injustice to the national community and to the victims,’ Deosaran said.” Martin—“George said”—that is another member of the commission.—“Williams was mandated to hand in specific reports in relation to that issue, so the commission could have an idea of the level of absenteeism of police complainants. ‘We need to see the figures, the percentages, the level of absenteeism of police complainants in terms of their missing court and the effects of’”—what that has on—‘how many matters have been dismissed due to negligent attendance,’ George explained. ‘We think this impacts on the faith and credibility which the public has on the entire judicial system, which is tied into the police work.’”

So the point is, Mr. Speaker, there are serious problems within the police service. According to the Police Service Commission, police are not attending court and, as a consequence of policemen not attending court, cases are being dismissed. So the same criminals or alleged criminals are going back out onto the streets because of lack of prosecution, lack of attendance of witnesses and so on. That is a very serious problem. And the Police Service Commission called upon the commissioner to submit a report, give them statistics on how many policemen are missing court appearances, what kind of absenteeism you are having, and what effect their absenteeism was having on the dismissal of cases; no information submitted. What could the Police Service Commission do? Nothing. Because they have to reappoint the same gentleman for another six months in an acting scenario.

We should be here—instead of discussing this—doing what the Leader of the Opposition has called upon the Government to do. We should be here discussing the amendments to the regulations so that we could appoint a Commissioner of Police in quick time. We are wasting time here today. We are wasting time and it demonstrates that the Government is not serious, Mr. Speaker. You want to know what ad the Leader of the Opposition was talking about? There is an ad outside there which uses a reference here, 2008, when you were not in Government, and has an arrow pointing down and say that—you know, you will take the number of murders there were in 2008, when you were not in Government, and you are

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adding 2009, when you were not in Government, and you are adding half of 2010, when you were not in Government, and you show the thing coming down and then says, “Oh, it is less now than it was then”. Mr. Speaker, that ad is dishonest; foolish and dishonest.

Let me tell you what the facts are, and this is why we need to appoint a proper Police Service Commission that would deal seriously with this whole question of appointment of a police commissioner. They are just sitting idly by. Why they do not go and march and protest? And why do they not submit their resignations? One year they give you a report and recommendations on how to change the system for appointing a police commissioner. You have done nothing. Why are they seeking reappointment? For you to give them another—how long they have again? Twelve months. For you to waste another 12 months. Stick it in FGP; it gone by the AG; it gone by the CPC; it in the non-existent LRC.

Mr. Speaker, let me deal with the facts. In January 2013 there were 38 murders, in February 2013 there were 47 murders, in March 2013 there were 18 murders, in April 2013 there were 19 murders, so for the period January to April 2013 there were 122 murders. Let us come to this year. In January 2014 there were 48 murders, in February 2014, 35 murders, in March 2014, 29 murders, and in April 2014, 40 murders. The total for January 2014 to April 2014, 152 murders. When you do a year on year comparison with last year, it is an increase in murders of 25 per cent, but the arrow pointing down. The arrow pointing down, Mr. Speaker. One hundred and twenty-two murders in the first four months of last year, 152 murders in the first four months of this year. *[Interruption]* Mr. Speaker, they are disturbing me. Mr. Speaker, could you speak to them, please.

**Mr. Speaker:** Yes, continue, hon. Member.

**Mr. C. Imbert:** They are not taking you on, you know.

**Mr. Speaker:** No, you forget they not taking me on, you continue. Speak. Okay?

**Mr. C. Imbert:** So, Mr. Speaker, year on year, for the first four months of this year, 25 per cent increase in murders. You want to talk about annual figures? In 2011, 354 murders; in 2012, 383 murders—“you bawling ah ha”—in 2013, 407 murders; 354 in 2011; 383 in 2012; 407 in 2013. *[Interruption]*

**Mr. Speaker:** Hon. Member for Caroni East, could you hold your fire? Hold your fire.

**Mr. C. Imbert:** Not just the Member for Caroni East.

**Mr. Speaker:** Hon. Member, continue, please.

**Mr. C. Imbert:** The Member for Oropouche East, Member for Lopinot/Bon Air West, all of them; they do not like to deal with facts.

Mr. Speaker, I heard them refer to these statistics as nonsense. Well, I better read them again. In 2011, there were 354 murders, in 2012 there were 383 murders, in 2013, 407 murders. Mr. Speaker, there has been a steady increase in murders in this country for the last three years. A steady increase and when we look at the first three—four months of this year, a 25 per cent increase when compared to last year. But they are running an ad with an arrow pointing down from a time in which they had nothing to do with anything and they say crime going down.

Murders went up last year. Murders went up the year before. Murders have gone up in the first four months of this year. They are killing people black is white in Trinidad and Tobago.

**Dr. Gopeesingh:** Mr. Speaker, 36(5).

**Mr. C. Imbert:** What are you talking about? Who am I imputing improper—?

**Dr. Gopeesingh:** He said, they killing people.

**Mr. C. Imbert:** No, not you. [*Crosstalk*]

**Mr. Speaker:** All right. Okay. Okay. Okay. Okay. Members! Members, I am on my legs, please. [*Interruption*] Member for Diego Martin West— [*Interruption*] Please, Member for Oropouche East.

**Dr. Gopeesingh:** He cast aspersions, Mr. Speaker.

**Mr. Speaker:** Yeah. No. I will get a copy of the *Hansard* and I will determine. Continue speaking. Continue.

**Mr. C. Imbert:** I will assist you, Mr. Speaker. Criminals are killing people black is white in this country. [*Interruption*] Who you thought the “they” was? [*Interruption*]

**Mr. Speaker:** Members, let us have some order, otherwise I am going to ask Members who are disturbing the proceedings to withdraw from the Chamber. I want to hear what the Member for Diego Martin North/East is saying, but I cannot hear him and the *Hansard* cannot record what he is saying, the hon. Member that is, if we keep interrupting. Let us have order in the Chamber. Hon. Member, continue, please.

**Mr. C. Imbert:** Thank you, Mr. Speaker. You know, Mr. Speaker, the Leader of the Opposition spoke about the detection rate. The detection rate for murders in Trinidad and Tobago is 9 per cent, and I had to listen to those platitudes from the Member for Arima. I mean, it was so silly, so silly, that I had to write down some of them.

“We must come together to solve the problem.” What is this “come together” business? Since last year we told you, you have our unqualified 100 per cent support to convene an emergency session of the Parliament to change the arrangements for the appointment of a police commissioner. One year ago, so what is this “come together” business all about? And you have had the recommendations from the Deosaran commission since March 2013. What are you doing?

Now, let us see what else he said:

“We must not believe that solutions to crime are an overnight affair.”

This is Government that went to the country in 2010 and campaigned on a solution to crime that would take place in 120 days. One hundred and twenty days, Mr. Speaker, they said they would solve crime in this country. *[Interruption]* Four months. How many days have passed? Over 1,000, I dare say, over 1,200, 10 times as many days have elapsed since they made that promise to solve crime in 120 days, and their solution now is to tell us that—what is it? There is no microwave solution; it is not an overnight thing; you do not wave a magic wand, but the hon. Members opposite went to the country in 2010 and said they had the magic wand, they had the magic solution and they would solve the problem overnight, Mr. Speaker, but they have failed miserably.

But you know what is hurting me, and you want to know why I am talking loud? You want to know why I am talking loud? Because I cannot believe that you have had recommendations from the Police Service Commission in your possession since March 2013 and you have sat on them.

**Dr. Moonilal:** We were waiting for your recommendations.

**Mr. C. Imbert:** Ah, come on, and used them to warm your seat for the last 12 months. Mr. Speaker, I repeat and I will say it again: do not try to blame the Opposition for your incompetence. Do not try to blame the Opposition for your incompetence and your lack of interest, and your lack of commitment. *[Interruption]* Wow. Oh, yeah?

Mr. Speaker, we told them wait with the waste water contract too, but they did that in 24 hours. The number one problem facing this country is crime. You heard



the Leader of the Opposition talk about his own experience, and this was with respect to the police killing of a young man in the Glencoe area and the residents were not happy. There was a lot of agitation but he spoke about his experience that when he went there, when he looked at the police officers on the scene they were all very young and they seemed to lack a leader, and there seemed to be a lack of management and direction, and control with respect to that scene, Mr. Speaker.

It is the same thing in my own constituency. Just this week, Tuesday night, at about 11 p.m. a young man was shot on Mahogany Trace in Bagatelle, my constituency. Today, as I was coming to Parliament listening to the news, I heard that once again the residents are blocking the road in protest because they believe the young person was innocent, the person that was killed in my constituency. I am not hearing anything positive. I am not hearing anything of substance coming out from the police. The police have a difficult job to do, Mr. Speaker. You know, in this country whenever somebody gets killed he was always a good boy. You know that is the story: he was always a good boy. That is what they say. So, I mean, the police have to face that; that they could be facing the most fearsome criminal, but he is a good boy.

On the flip side, Mr. Speaker, we must never assume, and, I, as a Member of Parliament, I will never assume that every time the police shoots somebody it is justifiable. I cannot. I went to Bagatelle myself, I spoke to the residents, I spoke to the sister of the person who got killed, I spoke to the young men in the area and they want answers from the police, and they are not getting any. This is an example of what is the dysfunctionality in the police service, Mr. Speaker. Dysfunctionality because you have a community in distress, they are blocking the road, they are burning tyres, and what you have now is a confrontation between the police and the community.

What they need is an authoritative voice to come out and give some level of comfort to the community that this matter will be properly investigated. You are not getting that, Mr. Speaker, and that is because the police service is dysfunctional. This needs somebody at the level of a deputy commissioner, an assistant commissioner, some senior police officers to intervene and give the community the assurance that the matter would be properly investigated and determined, Mr. Speaker, but you are not getting that. What you are getting instead is a confrontation between the police officers, probably the young SRPs that the Member was talking about and the community. We cannot continue like this, Mr. Speaker. We cannot.

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I am asking the Government now—the Member for Oropouche East, in your presentation you really were weak; weak. We all know about Prof. Deosaran. We know about his million and one degrees and his 10,000 conferences that he has—*[Interruption]* you are laughing—that he has attended, and the trillion papers that he has written. We know. We know he was head of the ANSA McAL Institute at UWI. We know he is the Programme Director of Criminology at the University of Trinidad and Tobago.

**4.15 p.m.**

But we do not need an academic now. This is not the time for a distinguished academic to be dealing with this job, Mr. Speaker. With all due respect to the man's brilliance as an academic, with all due respect to Prof. Deosaran's brilliance as an academic, what we need is somebody who can compel the Government, because I am not getting that from the professor. He is not putting any pressure on the Government to do what they are supposed to do. I understand in a way his hands are tied; it is a fact.

It is the Minister of Public Administration and the Director of Personnel Administration who have to initiate the process. *[Interruption]* But that is a fact; it is the Minister of Public Administration and the Director of Personnel Administration who have to initiate and manage the process for the recruitment of a consulting firm, who would then advertise for applicants for the post of Commissioner of Police, do a preliminary assessment and send that on to the Police Service Commission for them to do interviews and so on. *[Interruption]*

**Mr. Warner:** What about Ernie Ross? They cannot do that?

**Mr. C. Imbert:** "I doh know." You have a point there. The Member for Chaguanas West is saying "Leh we hire Ernie Ross. *[Laughter]* Ah mean, he good at doing ads for the Government." He is probably the one who did the one with the arrow going down.

**Dr. Moonilal:** "Who do dem ads for de PNM, dem stupid ads?"

**Mr. C. Imbert:** The Government is culpable here because they have sat on this. *[Crosstalk]* Mr. Speaker, I do not know what is going on here. Could you stop them? *[Laughter]* "Ah mean, wha wrong wid dem?" *[Dr. Moonilal exits Chamber]* Yes, leave. *[Laughter]*

I remember we were in the other place when we had the debate on the appointment of the commissioner, and the Prime Minister was giving reasons the Parliament should go along with the appointment of Dwayne Gibbs. There was

some other person who had come first, and they said, “No, we are not picking him because he has a conflict of interest”, or something like that. In that debate, the whole question of the process, the delay caused by the convoluted process that the Parliament had approved way back in 2006. That came up in the debate December 2010 or November 2010, or some time like that, and the Prime Minister gave this Parliament a commitment that her Government would move expeditiously to deal with this convoluted process for the appointment of a commissioner. I was there, I remember.

And you are going to tell me four years later all we are hearing is that “it gone to F&GP since 2013”. Is that how things work in F&GP? Is that the efficiency of your Government, that eight months ago it went to F&GP and it “stick up” in a subcommittee of Cabinet for eight months? Is that the efficiency of your Government, Mr. Speaker?

Look at what the issue is: this is not a URP contract we are talking about. We are not talking about patching a pothole in Cuchawan Trace. We are not talking about something routine or mundane; we are talking about getting the best person to manage and discipline police officers. I mean, the police service is really not in the best condition it could be. There are hardworking police officers; I know several of them. I know many genuine, honest, committed, hardworking police officers. They come out; they go beyond the call of duty; they work double shift; they come out at night; they work hard under poor conditions. They do not behave like Mr. Watson Duke and shut down every building, just because some unit is not working properly or something like that. They work in conditions that are not of the best, and they come out and do it even though they are not the best working conditions. I know many hardworking police officers.

But in that melee, there are many police officers who do not work. As the Leader of the Opposition said, many police officers are engaged in a second business. They are doing something else. They are earning an income elsewhere, and their police duties become their second occupation, not their first.

Then you have the whole question of training. You know, all of these young SRPs that have been brought into the system, given a six-week crash course, if so much, and then they are heavily armed. You know the problem with youth, Mr. Speaker. You give a 22-year-old a huge self-loading rifle or a machine gun, and you have him in a bullet-proof vest, and the ego starts to come into play and aggression comes up, and the testosterone, as the good doctor will tell you, the testosterone is still there. They are not suffering from testosterone depletion, as men in their 60s and so on, may be suffering from.

**Dr. Gopeesingh:** Speak for yourself. [*Laughter*]

**Mr. Deyalsingh:** Not Caroni East!

**Mr. C. Imbert:** I am talking about usually. [*Laughter*] The whole point is, Mr. Speaker, we are talking about young men in their 20s, full of aggression, hormones pumping, they have a big gun on their waist and they have not been properly trained. That is why you end up in these situations, where you have these confrontations.

But worse than the confrontations is the whole question of detection and investigation. One of the greatest weaknesses of our police system is the appalling detection rate. People talk about detection, let me try and explain what this means. We all watch television: CSI Miami and that sort of thing, Crime Scene Investigation, SVU, Special Victims Unit—I mean, it is fictional, they are television shows, but you see the manner in which these police organizations go about detecting crime, all of the techniques they use, all of the scientific apparatus that they use, all of the training that they have, all of the scientific methodologies that they adopt in terms of solving crime. We do not have that system in this country.

You see, Mr. Speaker, this is what upset me so much about this article, because the commissioners are talking about the fact that they are trying to get information from the police commissioner and they are not getting it. And then they say, almost as an afterthought, “We are not getting the information we need on detection, on what is happening in the police service, why policemen are not coming to court.” Even when they actually do arrest a suspect and they bring him to trial, the case falls off because the police do not follow through.

What is the whole system with the police prosecution unit? We are not hearing any of these things. What has happened in Trinidad and Tobago, we have descended into a situation where there is a lack of organization and leadership and management. [*Interruption*]

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Diego Martin North/East has expired.

*Motion made:* That the hon. Member’s speaking time be extended by 30 minutes. [*Miss M. Mc Donald*]

*Question put and agreed to.*

**Mr. C. Imbert:** Thank you, Mr. Speaker. I thank all Members on my side who voted for me.

I want to read an article into the record from the *Guardian* of February 22, 2013:

“PSC chairman admits: Crime Plans have Failed

Chairman of the Police Service Commission Prof. Ramesh Deosaran yesterday said crime-fighting efforts had failed. Deosaran spoke at a media briefing after the commission met for an hour yesterday with acting Commissioner of Police Stephen Williams. Asked if the measures implemented over the past years to deal with crime had failed, Deosaran said: ‘...yes.’

He said there were very serious concerns about the crime rate.”

This is 2013 we are talking about.

“The meeting with Williams dealt with issues such as challenges to the system of police promotion, his plan for fighting crime and his performance appraisal,...Deosaran said the commission also wanted to make sure Williams’ performance so far was ‘on board’. He said the final appraisal report should be available to the public by next month...”

Williams’ acting appointment was recently extended by six months.

He said the commission was ‘very troubled’ about the existing recruitment process for a commissioner of police and deputy commissioners. ‘We cannot have a serious crime rate as it is. We cannot have such an escalating public fear of crime and yet the Police Service Commission is constrained in appointing a substantive police commissioner,...’”

He also spoke about Williams being grilled on the Flying Squad.

“The commission also demanded answers from the acting CoP about the alleged new Flying Squad. National Security Minister Jack Warner has repeatedly denied the existence of that unit within the Police Service.”

**Mr. Warner:** “Leave out dat!”

**Mr. C. Imbert:** “Dat is what it say. I just reading it.” You want me to leave that out? All right, I am sorry.

“Former police inspector Mervyn Cordner told the T&T *Guardian* the unit had been in operation since July last year. Williams has said he knows nothing about it.”

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Mr. Speaker, look at this. February 22, 2013, the commission is grilling the Commissioner of Police about the alleged Flying Squad, and the commissioner says he knows nothing about it.

What happened a couple of weeks ago? It came to light, in the other place, that a report has been available since December of 2013, stating that there was, in fact, a new Flying Squad. “De report say so.”

**Mr. Warner:** Not true. [*Interruption*]

**Dr. Moonilal:** Mr. Speaker, 36(1); this is irrelevant, man.

**Hon. Members:** What?

**Dr. Moonilal:** “Flying Squad and ting now.”

**Mr. C. Imbert:** Mr. Speaker, I am not even taking on that. If you want me to sit, I will sit.

**Mr. Speaker:** Continue.

**Mr. C. Imbert:** Mr. Speaker, I am reading from a comment made by the Police Service Commission. Let me go back, since the hon. Member was asleep:

“PSC chairman admits: Crime Plans have Failed”—and he was speaking about their job.

We are here being asked to agree to the reappointment of Prof. Deosaran as head of the Police Service Commission. In order to determine whether he is suitable, we have to look at what he did; we have to look at what he said, and the only way we can establish that is to look at reports from the commission on their job. And I am being told that is irrelevant? Well, I had better read it again. [*Laughter*] The commission is demanding answers from the Acting CoP about the alleged new Flying Squad.

The point I was making, the only job, more or less, that the Commission has and that Prof. Ramesh Deosaran will have, or had, is to appoint a police commissioner, and the commission headed by Prof. Deosaran goes to the Acting commissioner and says, “We want to know about the new Flying Squad, and he says, “I know nothing”; that is what it says.

Then, Mr. Speaker, we learn that two reports have been submitted since December of last year. What is the Police Service Commission to do about that? What is the new head of the Police Service Commission going to do about that? They have already told us they cannot do anything about it. All they could do is complain, make a set of noise, criticize the Acting Commissioner of Police, call

upon him to submit reports, demand information from him and demand performance from him. When he does not give them the information, and when matters come out in the public domain that perhaps he knew a little bit more than he was making out that he knew, they can do nothing. They have to reappoint him for another six months and then for another six months and then for another six months, and then for another six months.

Do you know why? Because the Government has been sitting on recommendations from the Police Service Commission since March of 2013, for the reform of the process for appointing a police commissioner. One year you are sitting on that.

You see, Mr. Speaker, I want a chairman of a Police Service Commission that is going to put the Government under pressure, because nothing is going to change if we reappoint this honourable gentleman, as I told you. “De man have a CV long like dat, 10,000 papers.” The man is emeritus professor at UWI; he is professor at UTT. He is probably professor at 10 universities in the world, for all I know. We do not need to be convinced of professor—[*Interruption*]

**Mr. Speaker:** I think this is a good time for us to pause and have some tea. This sitting is now suspended until 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Mr. C. Imbert:** Mr. Speaker, you know, the way the Government has approached this matter is just “business as usual”. So you have not appointed a commissioner in three years, so what; just do the same thing. You know, Mr. Speaker, Albert Einstein had defined madness as doing the same thing over and over and expecting the same result.

**Mr. Deyalsingh:** A different result.

**Mr. C. Imbert:** A different result; I am sorry. And this is exactly what is wrong with this Government. You know, the Member for Oropouche East told us this should not be a discussion about crime. I could not disagree with him more. And when I said that they were killing people in broad daylight in Trinidad and Tobago, they laughed. Well it is no laughing matter. Let me read a *Guardian* story, February 15, 2014:

“Daylight shoot-out leaves two men dead.

Police have killed two gunmen less than 30 minutes after the gunmen opened fire on a Cunupia businessman... Investigators said 40-year-old Darryl Painter

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was shot dead while selling Valentine's Day gifts next to the Evening Light Tabernacle on the Southern Main Road, Cunupia. His killing took the murder..."—total—"...to 70. His attackers, who were caught after a high-speed chase, were shot multiple times by police during a shoot-out....

According to reports..."—and this is the important aspect of this article—"Painter was standing at the roadside when he was approached by two men."

This is just February 14, 2014, Mr. Speaker. I am talking about just a couple months ago.

"Painter was standing at the roadside when he was approached by two men. After a short conversation, one of the men whipped out a gun and shot him several times. Eyewitnesses said as if in a scene from a Hollywood movie, the gunman laughed loudly while shooting Painter and when his magazine was empty, he pulled out another gun and continued shooting. Crime scene investigators found more than ten spent shells at the scene."

That is life in Trinidad and Tobago today, Mr. Speaker. Let me read a *Newsday* story, April 18, 2012:

"THE CALM at Mahogany Drive in Malabar was shattered yesterday...first by loud gunshots at midday and later in the afternoon by the anguished screams of a woman as she mourned the shooting death of her young son Nicholas... 22" years old.

Suzette Cooper...had to be restrained by relatives as she repeatedly screamed out her son's name as his bullet-riddled body was taken away from the scene by undertakers. Police said that at about 1.30 pm, Cooper was walking along Mahogany Drive with a friend, when a car pulled up alongside them.

The occupants, without warning opened fire on Cooper and his friend, hitting Cooper several times." Cooper collapsed and died.

I have another article here, Mr. Speaker—May 11, 2013.

"Brazen daylight murders East of the capital swelled the country's murder rate today even as the Acting Commissioner of Police continue to hail the work the Police Service was doing in the fight against crime."

This was the murder in the capital city of Port of Spain, in May 2013, in broad daylight.

Mr. Speaker, in my own constituency just about 10 days ago a resident of the Blue Basin area, Mr. Speaker, was outside of his house, in daylight, and a man—he was there with a young girl, a relative, I believe, his sister, 13 years old—just



walked up to the two of them and started opening fire, shot the young man, I think his name is Farrell, injured the young girl who is in hospital now in serious condition. This happened in the middle of the day.

Mr. Speaker, this is not unique to my constituency. It is not unique to Port of Spain. It is not unique to Cunupia. It is not unique to Malabar. These things are happening all over the country, Mr. Speaker. And the reason these things are happening—one of the reasons—is that the police service lacks proper leadership. And as I said, the single job, or the single most important job that the Police Service Commission has is to appoint a commissioner of police so that he can manage and control the force.

Mr. Speaker, we on this side are going to have a little difficulty in agreeing to “business as usual” because we do not think that you are going to get any result. As I said—Einstein said, “madness is doing the same thing over and over and expecting a different result”.

So I would ask the Government, Mr. Speaker, you have your numbers, you go ahead and appoint whoever you want to be head of the Police Service Commission, we may not support your proposals, but much more importantly, Mr. Speaker, I am calling on Government, stop making excuses and bring legislative proposals to amend the system for the appointment of a commissioner of police. Stop making excuses. You have 27 votes. You do not need the Opposition’s votes. You have a special majority. You can easily amend the regulations dealing with the appointment of the police commissioner. Bring the documents to the Parliament. We have already said we will support anything that you bring, once it is reasonable. We will have a midnight session here to pass new legislation for the appointment for a commissioner of police. So rather than wasting our time with this, do what you have been hired to do. What the people of this country have asked you to do; to make things better. Bring reformed regulations for the appointment of a police commissioner now to Parliament. Make it top priority. [*Desk thumping*]

**Hon. Member:** Tell them!

**Mr. C. Imbert:** Make it the highest priority, Mr. Speaker, and you will receive our support for that! But we are not supporting this “business-as-usual” approach, ostrich head buried in the sand approach, pretending that everything is hunky-dory.

I heard the Member for Arima saying, we should appoint Prof. Deosaran for continuity; continuity of what? Three years he “cyar” appoint a police

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commissioner. So we should continue that for another three years. That is the obvious implication of what he is saying. We cannot support that kind of thing. We are calling on the Government, do your work, bring the legislative proposals, deal with the substantive issues, not these peripheral issues, and you will get our support. Stop wasting the Parliament's time and the people's time. I thank you, Mr. Speaker.

**Miss Mc Donald:** Yes!

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Thank you very much, Mr. Speaker. Mr. Speaker, I want to thank Members on both sides for their contributions, and thank Members of the Opposition for fielding two formidable speakers, and compelling speakers, rather than the normal battery of Opposition Members.

Mr. Speaker, earlier in the afternoon when the Member for Arima gave way for me to place on record an important matter, Members thought that I was standing up to talk, and when I stand now to close this debate, Members may suggest that this is the third time I am speaking in this debate.

**Hon. Member:** Yes. It is. It is. [*Crosstalk*]

**Hon. Dr. R. Moonilal:** But if it is the third time it is because the Member for St. Joseph did not speak. [*Laughter*] Because this is the first debate in this session of the Parliament that we have not had the benefit of the Member for St. Joseph, [*Crosstalk*] and I “doh” know—

**Mr. Deyalsingh:** The evening is young. [*Crosstalk*]

**Hon. Dr. R. Moonilal:**—we may be poorer for it, that the Member for St. Joseph—I do not know what went wrong, I do not know what went wrong—did not dazzle us with Deyalsingh, as the Member for St. Augustine alerted us.

Mr. Speaker, when I opened this debate and moved this Motion, I deliberately, deliberately, calculated my mood, calculated my words. I measured my delivery with precision. I was very clear, Mr. Speaker, not to enter this debate and make this a debate on crime; I said it about three times. It is not that I did not want it, but I did not want something about that. I did want to do what I have to do now. [*Crosstalk*] I did not want to do what I must do now. And to do it, I must. I just received my envelope, and this is really what I was waiting for. This is exactly what I was waiting for; I just received it. And I did not want to do what I really have to do now. I was hoping I did not—

**Miss Mc Donald:** Well, tell us “nah”.

**Hon. Dr. R. Moonilal:** Mr. Speaker, the Leader of the Opposition and the Member for Diego Martin North/East, both of them, you know, you hear terms that “is blood everyday pouring on the streets, people are being killed in broad daylight”—

**Mr. Sharma:** That is not true?

**Hon. Dr. R. Moonilal:**—as if in between 2002 to 2010 they were killed in the darkness of the night alone.

**Mr. Imbert:** That is history.

**Hon. Dr. R. Moonilal:** No! And then they say, “is history”. Let me tell “yuh”. Let me put in perspective something for you immediately. You see this document here, Mr. Speaker? This document—I will explain what this is because it is a document that I will have with me every time I speak; so I must tell you what it is.

During the period 2002 and 2010 I sat in the Opposition, and at that time I used something called a PalmPilot, which was very popular at that time. [*Crosstalk*]

**Hon. Member:** First man I ever see using it.

**Hon. Dr. R. Moonilal:** Yes. I was the first person in the Parliament to be using a PalmPilot. And at that time, Mr. Speaker, was before smartphones, and I used a PalmPilot for eight years. And, Mr. Speaker, believe it or not, I made notes, I made a log book on my PalmPilot of headlines in the newspapers, issues every day, but political issues, social, political, economic. I made a log book.

Mr. Speaker, I have in my possession here a document—this document is 85 pages in length. This is my log book, 2002 to 2010, of making jottings and taking notes on the maladministration, the corruption, the waste, the dictatorship of the People’s National Movement.

**Hon. Member:** Oh, Lord.

**Hon. Dr. R. Moonilal:** This is what—now it is 85 pages because it is in—the spacing is one.

**Hon. Member:** Oh, single spacing.

**Hon. Dr. R. Moonilal:** Single spacing; one. That is why it is 85 pages, Mr. Speaker.

**Hon. Member:** I have one like that.

**Hon. Dr. R. Moonilal:** Yes, Mr. Speaker. So it would have been more. Mr. Speaker, and in this document—and you know, my friend opposite talking about crime, and the headlines he is reading. Headline, the 15—what day is this I am telling you here? January 13, 2005, *Newsday*, bloody day: “4 murders in 6 hours”. And history is important because they speak, you know, “blood in the streets and crime in broad daylight”. Bloody day, “4 murders in 6 hours”.

**Dr. Gopeesingh:** 2005.

**Hon. Dr. R. Moonilal:** 2005, Mr. Speaker. There are many more murders in the week in review. April 24 to 30, 2005, five murders for the week. Two kidnappings for the week. Let us go on again. I did not want to do it because it is not something I want to do. The *Newsday*, Monday, July 11, 2005, PM Manning promises security net over T&T.

**5.15 p.m.**

Imagine, *Newsday*, July 11, 2005, “PM Manning promises security net over TnT, a few hours later bomb exploded in Port of Spain, injuring 14 persons.” The next day the *Newsday* carried a headline, “Bomb rocks city.” You could not walk in Port of Spain because you thought at any time a bomb would blow up in Port of Spain.

**Dr. Gopeesingh:** It was like Baghdad.

**Hon. Dr. R. Moonilal:** It was like Baghdad. *[Interruption]* People did not want to walk in Port of Spain, but today we “hear bandits and daylight robbery.”

Mr. Speaker, they forget August 11, 2004, a police inspector Edward Williams was killed. At that time the Minister of National Security, his strategy was to “bouffe up” criminals. Every time you had a murder, Martin Joseph would “bouffe up” the criminal. Hear what he said—*[Interruption]*

**Miss Mc Donald:** Mr. Speaker, 36(5).

**Hon. Dr. R. Moonilal:** He is not a member of this House; he is not a member of any House; he is a private citizen.

**Miss Mc Donald:** It does not matter, he is not here to defend himself.

**Hon. Dr. R. Moonilal:** No private citizen is here to defend themself. *[Interruption]* Mr. Speaker, former Minister Martin Joseph said, and I quote:

“There is an understanding worldwide that you do not kill a police officer.”

Now, that did not stop the criminal, eh. That understanding was not understood by the criminal, you know, it was understood by him. So, Mr. Speaker, police inspector was gunned down; the bodyguard of former President ANR Robinson was killed; the car that carried a former first lady was shot at in an assassination attempt. *[Interruption]* Communities in this country, particularly rural communities had to set up community watch groups, so that people wake whole night drinking Hong Wing coffee. Whole night you sit down drinking Hong Wing coffee watching out on the street to see strange cars passing. You could not take your wife and children, your family for ice cream on a Sunday. Businessmen in this country would tell you, when they were on a plane going to Miami they felt free, because they could not walk around in Trinidad. *[Crosstalk]* How much people—you see they do not like it.

**Mr. Speaker:** Please! Please!

**Hon. Dr. R. Moonilal:** Is they who start it, you know. *[Interruption]* But they start it! Businessmen sold out their properties and went in gated communities to live.

**Hon. Member:** “Leh dem go down Woodbrook!”

**Miss Mc Donald:** Go down by Hamilton Holder Street. *[Crosstalk]*

**Mr. Speaker:** Hon. Member, I have this. Member for Port of Spain South and my colleague from Diego Martin North/East, I would like both of you to, at least, pay attention to Standing Orders 40(b) and (c), respectively, and listen to what the speaker is saying. You have an objection, I would say, take notes, but do not interrupt and do not engage in this interjection. Please! Continue, hon. Minister.

**Hon. Dr. R. Moonilal:** Thank you. And, Mr. Speaker, that is why I did not make it a crime debate. Because nobody wins with a crime debate, eh. Look, it is how much murder today; how much murder then. But, murder is murder.

Trying to come to the table pious as if, you know, there was a state of nirvana before 2010, all was well; country did well; no crime, no blood. Mr. Speaker, in the year 2008 the murder rate was 547. It was the first time in the history of this country we had more than half of 1,000 people being killed, that was in 2008; 2009, 507. When you read the scores—it looks like score—the highest in 2008. Look in 2007, 391 murders. You want to go back further? I can tell you. In 1998 the murder rate was 97.

**Hon. Member:** How much?

**Hon. Dr. R. Moonilal:** Ninety seven.

**Hon. Member:** In '98; who was in power?

**Hon. Dr. R. Moonilal:** The United National Congress formed the Government. In 1999 you know what the murder rate was? In 1999 the murder rate was 93. Ninety three persons were murdered in 1999.

Mr. Speaker, the biggest jump was in 2005, that bloody year, 386, it was higher than 2013; 2005 is higher than 2013; 2007 higher than 2013; 2008 higher than 2013; 2009 higher than 2013; [Interruption] 2010 it came down. First sub-500 was in 2010; dramatically reduced, 352; climbed back a bit, 2012 and then 2013 increased by 10 or 15. The year of the state of emergency they wanted to execute us for that too. The murder rate had fallen to 352 as a result of the state of emergency, when we saved lives with a state of emergency and to this day they still condemn that. They condemned an action that led to the saving of the lives of their own constituents. They condemned that. [Interruption]

And now the Member speaks, he went to Diego Martin or somewhere and somebody was killed as if, you know, nothing happened before. Mr. Speaker, I will take up my logbook and read more headlines. [Interruption] The *Express* of April 23, 2006 "Blood flows on the street after a double murder the night before in Arima". And with the recent, really tragic killing of the former state prosecutor, some people tried to even politicize that, forgetting activities that happened before.

The crime rate—I spoke about the homicide rate first, something else has emerged in this country, the People's National Movement is now telling the Government that the Government should not tell the population that crime is being reduced. They should not tell the population that, so the police data on crime, which is the same police when they were in office, the same practice, the same analysis that occurred before is taking place now. The same unit that is compiling statistics, they tell us that serious crime is down 37 per cent. Now, the PNM says, "doh tell nobody dat", because if you tell people that they are offended and they would feel is obscene. So, "doh" tell anybody that serious crime is down. But, Mr. Speaker, if the murder rate goes to 10, those 10 families will tell you that they are affected, you know, so, do not tell anybody the murder rate is 10 either, because 10 families, rightly so, are affected.

But, Mr. Speaker, murder is the most serious crime, and we will say that. Murder is the most serious crime, but apart from murder, this is a society that has been traumatized over the years by wounding and shootings, rape, other sexual offences, kidnapping for ransom, burglaries, break-in, robberies, fraud offences, larceny of motor vehicles, narcotic offences. When we did a comparison between

2009 and 2013 you will be shocked to know, larceny of motor vehicle is down 40 per cent, larceny of dwelling house is down 41 per cent, robberies are down 52 per cent; but do not tell anybody that. *[Interruption]* Do not tell nobody that because now is not a good time to tell the truth. There will be another time when we could tell the truth, not now. That is their position. *[Interruption]*

**Hon. Member:** And whose statistics are those?

**Hon. Dr. R. Moonilal:** This is the Trinidad and Tobago Police Service. So, robberies between 2009 and 2013, down 52 per cent; burglaries and break-ins, 49 per cent; kidnapping for ransom, down 87 per cent; rape and other sexual offences, down 28 per cent, but do not tell any, any body at all.

**Mr. De Couteau:** “Doh tell ah soul, doh tell ah soul.”

**Hon. Dr. R. Moonilal:** “Doh tell ah soul”, that is the song. You see, the murder rate is also down, but the murder rate is still significantly high for us.

The murder rate between 2009 and 2013 is 20 per cent down. *[Interruption]* No, their position is, do not compare anything with them because what they did was history. But, all of them are fighting to get back on this side, you know. All of them are fighting to come back on this side. *[Interruption]* And, the team they are putting is a case of back to the future, you know. I saw an endorsement the other day for the Member for Diego Martin West, when I saw the flyer with people endorsing—Mr. Speaker, you all saw that? I thought was something from a police station, the last time I saw something like that was a wanted list. *[Laughter]* The only difference is this one was in colour.

Mr. Speaker, when I looked at these pictures I did not know some of those people were alive, and that was an endorsement. That is not an endorsement, that is an indictment. *[Laughter]* That is the cabinet of the Member for San Fernando East, they were rejected in a landslide in 2010 and they are the shadow cabinet to return to this Government if you turn your back and they get in. *[Interruption]* Look at the people! The Member for Diego Martin West put up his shadow cabinet. In fact, if they had supported him in 2010 he would have singlehandedly removed the Member for San Fernando East. They did not support him then.

**Mr. Indarsingh:** Who is the potential AG?

**Miss Mc Donald:** Keep out of PNM business, nah!

**Hon. Dr. R. Moonilal:** The AG is a fella from—I do not want to say nothing about the AG or the potential AG from the PNM.

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Mr. Speaker, the point I am making is that there is progress in dealing with crime. There is progress. Between 2009—2013, 38 per cent decrease in serious crime. Murder is not where we want it. The most serious crime is murder and that figure is not acceptable to us, so we will take action with that. It is down. Murder under the People's Partnership administration has not reached 500-plus as it did under the PNM, but that is not something we are proud about either. We have much more to do with murder, but should we not tell the population that the other serious crime is down? No, keep that a secret; that is obscene, do not tell anybody that.

You see, they do not want us to tell a soul that serious crime is going down because they feel it will affect their election and their progress in campaigning. And I have a whole book here I can read about serious crime being down. We have increased the police cars. There was a time when you drive from Port of Spain to San Fernando and you will not see one police car on the road. Not one. Never! Not by accident you will see one. The only time you will see a police car on the road is when they are carrying the prisoners down to the court in the morning. Today as soon as one car pass you, you look, you see a next one coming.

**Miss Mc Donald:** Nah! No, no. [*Crosstalk*]

**Hon. Dr. R. Moonilal:** But I go every day from Port of Spain to San Fernando. Madam, you do not go to San Fernando. If I give you GPS you cannot find San Fernando. [*Laughter*] You do not know where that is. [*Continuous laughter*]

When you pass a police car, a next one you see, Mr. Speaker. When you get to the bottom of the highway by Palmyra there—Mr. Speaker, every day a police car is waiting there with officers, and it is not only there. This Rapid Response Unit you see officers all around. We have given the police service more manpower, we have given them more cars. I am not saying that every emergency call in this country is handled in the best way and police come on the scene all the time within quick time. There are offences committed, and you hear stories that police are there within a minute or two, but you also hear stories that offence is being committed and it takes a long time for the police to get there and so on. I am not saying that. What I am saying is that we have given them more resources, more cars, more manpower, it is something that we have done that they could not have done before. [*Continuous interruption*]

Mr. Speaker, the drug bust has been the biggest ever under this administration.



**Mr. Speaker:** Member for Port of Spain South, I seek your cooperation and the Member for Diego Martin North/East, allow the Member to speak in silence. You can engage, but you cannot engage on a continuous basis. So, this is the second appeal I am making for cooperation. Continue hon. Member, please.

**Hon. Dr. R. Moonilal:** Yes, Mr. Speaker, I wanted to treat with that and I will come to this Parliament with more headlines between 2002—2010, because we have to remind the population. We have to remind the population what took place there, because if we do not they may convince the population or seek to convince this population that they can deal with crime.

They come today talking about the extension to acting commissioner Williams. They extended former acting commissioner Philbert three times [*Interruption*] and today, in a self-righteous way they accuse the Government with this self-righteous, virtuous way of presiding over that.

Mr. Speaker, I chose my words well in the first innings when I spoke.

### **5.30 p.m.**

When I spoke about this review team—I am coming to that just now; I have something else to say. There is another theme that appears now with Members opposite. Regrettably, my good friend from St. Joseph did this sometime ago and the Member for Diego Martin North/East continues this theme that the Opposition Members are harping on. Mr. Speaker, they are on a dangerous path and I would like to point out to them what they are doing, which they know, but I need to point out for the record.

They are creating in this Parliament this impression and conveying an impression; relaying an impression to the national community—anybody who would listen, would read, would look on—that this Government and the society—the State—we do not deal with white collar crime; we let the white collar criminals go; we are soft on white collar crime but we are brutal and aggressive on blue collar crime, on the small man, and particularly the small man who comes from the ghetto areas, and the depressed and dispossessed areas; the poor man.

**Hon. Member:** That is true.

**Hon. Dr. R. Moonilal:** They say it is true, that is what they are doing. They are conveying that impression, and today the Member for Diego Martin West says it. He says we are concerned with that, but the white collar criminal will go free. The Member for St. Joseph said that already. The Member for St. Joseph has

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raised that. You know what they are conveying to people? They are conveying to persons outside that it is okay to steal from people who are rich and successful, so rich people are people who should be robbed.

That is the message they are sending, that the society produces this inequality where, if you are poor and at the low rung of the ladder, they do not care about you; the establishment does not care about you, and those who have reached somewhere, who are successful, whether in business, profession, whatever, they got there by “tiefin”. So the role of the lower rung is to go and steal from the upper rung. And in the courtroom you hear that. The Member for St. Augustine will tell you, in the courtroom you will hear that, where someone will say, “I steal, but that man who I steal from, he steal first and my job is to equalize, to take from people who steal”.

Kidnapping was done with that premise, that people who had accumulated wealth—professional people, business people, wealthy people—“dey tief to get dere, so we should equalize the society; take back de money becor dey got it by fraud in de first place.” And when you convey messages like that—my friend from St. Joseph did it last week, who, incidentally, I believe is from Valsayn North, a very nice neighbourhood and so on. When you convey that sentiment you are telegraphing to persons in this society at the lower socioeconomic class that it is right to take from those who have “becor” those who have are protected by the establishment if and when they do wrong.

That is what you are doing. That is a dangerous thing because those same people that you are sending that message to, eventually they will target you, your family and your neighbour. Do not think they will sit and watch “who is PNM, who is UNC”. Well, “dey doh wear ties anymore so yuh doh know dem wit de balisier tie”. But the criminal element will not discriminate between who is PNM, who is UNC.

The Member for St. Joseph, when he came in the protest the other day, people embraced him outside—some UNC colleagues. They thought he was UNC. So that if a bandit comes by and they are robbing somebody and “dey say dey rob a UNC, dey rob him”. So that they feel that they are doing a good while they are inciting violence and dividing the society, Mr. Speaker.

**Miss Cox:** Mr. Speaker, 36(5). The Member is imputing improper motives and saying that we are inciting violence.

**Mr. Speaker:** Member, I do not want that impression to be given, that the Members of the Opposition are inciting violence in the society. I know that is not where you want to go and I hope you do not go there.

**Hon. Dr. R. Moonilal:** Mr. Speaker, I will withdraw it. If it is offensive to my friends opposite, I am prepared to withdraw that. But I would make the point in a way that will not be personal to them, that when anyone carries arguments that seek to convey to lower economic groups—dispossessed persons—that the reason that they are dispossessed and suffering is because those at the higher echelons stole and robbed and committed fraud, you are telegraphing to those people that it is right to take away from that other class—*[Interruption]*

**Hon. Member:** To do the wrong thing.

**Hon. Dr. R. Moonilal:** To do the wrong thing. And there is a danger with that. I find, generally, Members are speaking in that tone and they must be very careful about doing that—rather than condemning. It was this administration that strengthened the Financial Intelligence Unit and that agency. So if they blocked \$1.2 billion in suspicious transactions, how did they do that? They did that pursuant to law that we passed.

**Dr. Gopeesingh:** The Integrity Commission.

**Hon. Dr. R. Moonilal:** Yes. Mr. Speaker, it is this Government that passed the human trafficking legislation so that the big people who are involved in smuggling human beings will be subjected to the law. Human trafficking, we passed the legislation after about 15 years on the back burner. We strengthened the Financial Intelligence Unit. We did that.

Mr. Speaker, you go to the courts, you will see, as I did, there are businessmen, professional people go to court, charged with narcotic-related activities. The difference somehow, is that they “doh” make the front page of the newspaper. I “doh know why dey doh” make the front page of the newspaper, but when you lock up and hold some person of a lower income group and you drag him to the court, that makes the paper. But that person who is at a middle and upper class level, somehow when they go to court they do not make it. But I have seen them and I know what they are doing in prosecuting. So conveying that impression is a dangerous impression. I would leave it there.

And you see, this point—the Member for Diego Martin West is aspiring to be Prime Minister of this country, to which he is entitled to aspire. He is entitled to aspire to that position, and as a citizen of Trinidad and Tobago anyone is entitled to that. The Member for Diego Martin West is entitled to aspire for the position of Prime Minister, but when someone aspires for that position there is a higher duty on that person to bring arguments based on some semblance of facts. Bring your analysis with facts.

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We have said before in this Parliament, you are entitled to your own opinion, but you are not entitled to your own facts—your opinion. My friend from St. Joseph, new to our fraternity, a week ago we were talking about fingerprinting, he said “When a million people come to Tobago they will be fingerprinted”. Mr. Speaker, the immigration records will tell you there are about 40,000 arrivals in Tobago every year. But my friend said, “When a million people descend on Tobago, how do you fingerprint this million people in a year?” While that sounds good—[*Interruption*]

**Mr. Deyalsingh:** Check your own tourism figures, “nuh”.

**Mr. Cadiz:** No, no. That is not so. That is not so.

**Hon. Dr. R. Moonilal:** Mr. Speaker, the immigration records of Trinidad and Tobago tell us that more or less 40,000 arrivals are in Tobago a year. But you see, all I am telling my friend is that he is new to our fraternity. Those things, if you say that under a house in a little meeting and when “yuh finish yuh get some juice and bread and cheese and so on”, that is fine. You know, “yuh rounds up people; yuh motivate people, yuh tell a million people come to Tobago, de Government want to fingerprint dem”. When you are in Parliament, you have a higher duty to at least be close to the truth; on the line of the truth, if not with the complete truth. The Member for St. Joseph—I mean, Mr. Speaker, “I nearly tumble dong” from my chair when I heard him say a million people arriving in Tobago a year.

Then the Member for Diego Martin West, who I really wanted to respond to, earlier in the day when he spoke—the Member is pretending that he does not know, but we know, he is aware. He is the Leader of the Opposition. He has been in this Parliament for 20 years or more, I “doh” know, but he has been around a long time and he has participated in Parliament; he has been a member of Cabinet and so on, and he must know that the Police Service Commission is not empowered to manage the police service. That is a job of the Commissioner of Police. The Commissioner of Police has the complete powers to manage human, physical and financial resources pursuant to section 123 of the Constitution, but accuses the Police Service Commission of mismanaging the police service—the Leader of the Opposition, of all people. [*Interruption*]

The national community believes 1 per cent of what he said.

**Hon. Member:** So much?

**Hon. Dr. R. Moonilal:** What you said, “so much”? One per cent of the people believe anything from him. And the Member for Diego Martin North/East is not

proposing himself as the Prime Minister of this country. I do not think he will ever do that, but he is not proposing himself. You know, I mean, you cannot do Trinidad and Tobago that. [*Laughter*]

The Member for Diego Martin West, who should know—and I think he knows—it is the Director of Personnel Administration that is responsible for advertising the positions of Commissioner of Police and Deputy Commissioner—the DPA, the Director of Personnel Administration. The Police Service Commission does not advertise. When they have a short list, it goes to the Police Service Commission.

So it was unfair of the Opposition Leader to criticize the Police Service Commission, or even the Government directly, for this delay in conducting that business. So you see, Mr. Speaker, the Opposition Leader is someone who has been very far from coming with facts to this Parliament. This is an Opposition leader—Mr. Speaker, I have worked with an Opposition leader in this country; I worked with an Opposition leader for 10 years; I worked with another one for one month. But I worked with an Opposition leader for 10 years and I sat opposite another Opposition leader for six years, and I have seen Opposition leaders operate, and none of those Opposition leaders before came to a Parliament and just *mauvais langue* and *ex tempore* as they go along.

When they got up to make a presentation, whether it was the Member for San Fernando East or the former Member for Couva North—and they did not talk all the time—it was based on some facts, on some analysis, some clear argument. The Member for Diego Martin West is the Opposition Leader. If the population close their eyes in the next general election on that day, this man could become Prime Minister. He says he talked to somebody who “tell” him something. He talked to somebody working in the bank and that person in the bank “tell” him that. So he accept that that is so, came in Parliament and pass that off as fact.

The Opposition Leader’s approach is, “Listen, I hear something, all yuh check it out”. That is his approach to debate. He will do it over and over again. “I hear something, check it out.” So if he is playing golf, his golfing partners who are in the upper socioeconomic class, I imagine—the Member for St. Joseph was talking about the golfing partners of the Leader of the Opposition. So the Opposition Leader has this tendency to come and say, “Somebody tell meh dis”, and he is making an important point.

Today he stood to condemn the police service—he has condemned the Trinidad and Tobago Police Service because somebody in the bank “tell” him

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something. Now, that is not an Opposition leader. Now, if the Opposition Leader will come and say, “A report was made on March 03 at the police station on Besson Street, to this day my information is police have not responded to a, b and c”, it is fine. But somebody “in de bank tell him something” and he comes here, as Leader of the Opposition and peddles it. Mr. Speaker, I find that troubling from someone who aspires to such high office.

The final matter I would raise now—again, I did not want to do this, and I certainly did not do it in the beginning. We invited Members opposite to participate with us on the complete business of reform of the Police Service Commission. The review team addendum indicates that on all the issues that they are dealing with, including simplifying the recruitment of an appointment process for a Commissioner of Police and Deputy Commissioner of Police, since July last year the Opposition promised to make a submission on their reservations, their comments, their criticisms, their proposals, to appoint Police Commissioner and Deputy Commissioner—since July to now they have not submitted what their reservations are; what their proposals are; what their ideas are, but they come to the House today and say, “The Government doing nothing! Nothing!” And the Member for Diego Martin North/East now has a pet line: “What yuh doin about dat.”

**Mr. Imbert:** Yes, what “you doing”? I want to know.

**Hon. Dr. R. Moonilal:** But we asked you what your proposals were. You have none! But he says, call Parliament 12 midnight, he is coming to vote.

**5.45 p.m.**

**Mr. Cadiz:** That is to take down the dragon.

**Hon. Dr. R. Moonilal:** No, no. Mr. Speaker, in the last Parliament, he went in the middle of the night at the Red House to take down the dragon.

**Mr. Imbert:** That is plenty Parliaments ago.

**Hon. Dr. R. Moonilal:** He was Minister of Works. Then, Mr. Speaker, he wanted to build a statue somewhere on the hill in Diego Martin. The Member for Diego Martin West nearly dealt with him. [*Laughter*] The former Prime Minister told him he saw some sign on the hill. The Member for San Fernando East tell him he passed one day, he saw a sign on the hill. It was something spiritual and he asked the Minister of Works at that time, Member for Diego Martin North/East, he said, “Go and build a statue at the same place I see the sign”.

**Mr. Imbert:** [*Inaudible*]

**Hon. Dr. R. Moonilal:** No, you were going to build it. If the Member for Diego Martin West did not deal with you, you would have built it. [*Laughter*]

**Mr. Imbert:** Mr. Speaker, he is going too far now, 36(5), 36(5).

**Hon. Dr. R. Moonilal:** Do you want me to tell you what the Member for Diego Martin West told you?

**Mr. Imbert:** Mr. Speaker, 36(5). He is going too far now.

**Mr. Speaker:** Okay. I believe the Member is denying what you have said.

**Hon. Dr. R. Moonilal:** Mr. Speaker, it is no problem. Mr. Speaker, off the air I would tell colleagues in the corridor what the Member for Diego Martin West— [*Interruption*]

**Mr. Imbert:** It is untrue.

**Hon. Dr. R. Moonilal:**—told the Member for Diego Martin North/East because it is on unhansard-like, to tell you what he told him, and that I think dissuade him from building the statue on the hill in Diego Martin.

**Mr. Imbert:** That is not true. [*Laughter*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, I am coming back to the point now that they promised to send in their reservations, to send in their recommendations. They promised to work with the Government in this process to give us the benefit of their thinking, their views on policy. They did nothing. The Attorney General reports that he is still waiting for a submission from Members of the Opposition.

**Mr. Imbert:** Until when?

**Hon. Dr. R. Moonilal:** Waiting because they said that they will make a submission on the matter.

Mr. Speaker, the Member for Laventille East/Movant is aware, was part of this process. The Member attended meetings—I think 50 per cent of the meetings—and is well aware of what happened. I mean, this Member is really not a combative and adversarial Member. I do not want to say anything about that.

**Mr. Cadiz:** Not in Balisier House?

**Hon. Dr. R. Moonilal:** No, here. In Balisier House it is a different story. You dare not challenge her in Balisier House. [*Laughter*] You have to put on pad and helmet like Geoffrey Boycott if you challenge her.

Mr. Speaker, I want to make the point that the Opposition has defaulted on their position of submitting proposals and recommendations as they relate to a

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new procedure for appointing a police commissioner and deputy police commissioner.

So, Mr. Speaker, I wanted to point out these matters because—you know, there was also a matter raised by the Opposition leader. I thought it was a cultural issue. He stumbled along a good idea. He says that in this modern world the police commissioner is there and he goes to the Police Service Commission and, you know, he looks like if he is writing common entrance when he goes in. If he pass—if he fail he comes out and his authority may be diminished in some way when he comes out and his men see him being challenged and chastised by the Police Service Commission. But, Mr. Speaker, we have to balance that as well. This is a society and this is a time that calls for enormous accountability, transparency, taking responsibility. So that it is not like the past.

Mr. Speaker, as I said there was a time in this country when you heard names, Alvin Reeced, Jim Bain—who else? [*Interruption*]

**Dr. Gopeesingh:** Jimmy Bain.

**Hon. Dr. R. Moonilal:** Jimmy Bain, Reece and these people, Mr. Speaker, you did not know who that was.

**Mr. Imbert:** Alan.

**Hon. Dr. R. Moonilal:** Alan. Well I did not even know the man's proper name. I did not even know his proper name. Victor Bruce and so on, you did not know who that is. They were on commissions and service commission and so on. You do not know what they look like.

Today, this is a society that demands that persons in office answer. First they demand you answer the phone, but you answer, you account, they see you. So it is known that if the police commissioner goes the commission building the media will go. Mr. Speaker, the media today is not the media when Randolph Burroughs was Commissioner of Police. When he was commissioner, I think it had two papers, two radio stations and one TV station; and the young people would like to know, that station used to sign on in the morning and in the night I think they sign off. Today, you have 20-something radio stations, 11 television stations or something like that. People are hungry for news. So a commissioner going and coming is news. The environment is different.

So, it is not that the Commissioner of Police should only be concerned because—Mr. Speaker, I have a different view to him. I find the leadership of the protective service, historically, has been very much concerned with pomp and



ceremony, and dressing up and passing out and so on. That is fine. It is part of that. But the accountability issue is really the challenge of this generation, and because of the need by ordinary citizens now to read, to see, to hear, to get explanations, any commissioner of police will face an enquiring and inquisitive media, and it is their job to respond to that media.

Mr. Speaker, I told you before the audit—now, the Member for Diego Martin West, about 25 times he asked for this audit, and I indicated that the Cabinet has agreed that Rudy Giuliani and Associates will be contracted to do an assessment of the Trinidad and Tobago Police Service. Their administrative and human resource capacity, that is being organized.

Mr. Speaker, the Leader of the Opposition went on to speak about the—well, he mentioned his former Senator going to the USA for something, but we are not concerned too much with that former Senator. But, that former Senator could well be national security minister, again, in a nightmare, if there is a nightmare in this country.

Mr. Speaker, the Members opposite made an amazing type of argument. We came and we spoke to the work that the Police Service Commission is doing, the work that they are doing in several areas. We spoke about the issue of continuity, but the Leader of the Opposition has said that they are not in a position to support Prof. Deosaran as a member of the Police Service Commission. The Leader of the Opposition, I imagine, he would have made another recommendation for this position to His Excellency. Those matters are privileged and confidential. I imagine he would have made another recommendation, bearing in mind his nonsupport of the Professor to be reappointed to the Police Service Commission.

Today, Mr. Speaker, we are increasing the manpower human resources in the police service. By definition there are much more SRPs who will be coming out, and by definition they are young. So you will increasingly see young police officers all around, whether in the Parliament or outside, because you are increasing the numbers and you are recruiting. There was a time when per year we would recruit 200 SRPs. Today, we have lifted that to 500. We want to get the police service to the strength that is required, but the Leader of the Opposition made a fascinating revelation. He said he went somewhere where a crime was committed. I pray to God he was not on a crime scene polluting it, but he was around and he said he looked on and he saw police officers and he found they were young. He said that they looked leaderless or directionless. Now, how do you do that? How do you look on and see 15 police officers at a crime scene or at a problem, protest by residents and they look leaderless? How does that work?

**Mr. Cadiz:** But young fella for them is 54 and 60.

**Hon. Dr. R. Moonilal:** Mr. Speaker, the Member for Chaguanas East reminds me that young for them is pensionary age.

**Dr. Gopeesingh:** The youth officers.

**Hon. Dr. R. Moonilal:** Their youth officer qualified for pension. [*Laughter*] So, Mr. Speaker, by definition, they will have more SRPs on the road. You will have Special Reserve Police Officers.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Hon. E. McLeod*]

*Question put and agreed to.*

**Hon. Dr. R. Moonilal:** Mr. Speaker, much to the disappointment of my colleagues on this side, I will not speak for 30 minutes, but I would want to, again, reiterate the enormous qualifications that Prof. Deosaran brings to the table. The issue that was raised by my friend, the Member for Arima, which somehow they did not appreciate, but it is very important that given the challenges we face with the Police Service Commission and the police service, and general crime in Trinidad and Tobago, we should not underestimate the importance of continuity and stability to that organization.

Prof. Deosaran, we know has been working at the commission. To our knowledge from the public domain when we look on, it appears that organization is stable and there is support for Prof. Deosaran even among his own team and the Police Service Commission. We have not had any sense in the public domain of any disquiet or instability or rumblings in the Police Service Commission, so that one can conclude that the colleagues of Prof. Deosaran are in support of him as well.

Mr. Speaker, the work has to continue. We are at a very crucial moment in the fight against crime. It is a critical, critical moment. We are at a junction here where, if we let go the wheel we can derail and end up in a ditch. Mr. Speaker, notwithstanding Members opposite trying to pull our hands off the wheel, trying to push us from behind the wheel, trying to kick us and cart us out from behind the wheel, we need to keep our hands on deck, keep our hands on the wheel.

Mr. Speaker, the National Operations Centre reports that they have seized 270 firearms in one year. Three thousand, five hundred and twenty-eight rounds of

assorted ammunition. For this year so far, they have seized 3,528 rounds of assorted ammunition and 270 firearms—a record—[*Interruption*]

**Dr. Gopeesingh:** You know how many lives that saved.

**Hon. Dr. R. Moonilal:** Mr. Speaker, that saved potentially 3,528 lives because one round of ammunition could kill somebody.

Mr. Speaker, this is the work that is taking place. It is now under the energized leadership of Sen. The Hon. Gary Griffith. [*Desk thumping*] We are for the first time getting the integration of all the security agencies: intelligence, police, the various departments, the defence force. It is now integrating; it is coming along as a whole. Today, an effort is really an effort among all agencies in the security sector. Minister Griffith is leading that charge. The National Operations Centre is a reality and they are coordinating their responses accordingly, and they have much more work to do. Mr. Speaker, we cannot talk about any matter that is currently before the police and they are well aware on the other side.

So, Mr. Speaker, with those issues—Mr. Speaker, they have challenged me opposite to give them more crime data, but I would tell them that on a next occasion I am sure we will have much more data to share.

Mr. Speaker, it is therefore my privilege to move this Motion for the approval of the notification of the nomination of Prof. Ramesh Deosaran as a member of the Police Service Commission.

Mr. Speaker, I beg to move. [*Desk thumping*]

**6.00 p.m.**

*Question put.*

**Mr. Imbert:** Division.

*The House divided: Ayes 19*

AYES

Moonilal, Hon. Dr. R.

McLeod, Hon. E.

Dookeran, Hon. W.

Ramadhar, Hon. P.  
 Gopeesingh, Hon. Dr. T.  
 Rambachan, Hon. Dr. S.  
 Seemungal, Hon. J.  
 Khan, Mrs. N.  
 Cadiz, Hon. S.  
 Griffith, Hon. Dr. R.  
 Baker, Hon. Dr. D.  
 De Coteau, Hon. C.  
 Samuel, Hon. R.  
 Douglas, Hon. Dr. L.  
 Indarsingh, Hon. R.  
 Roopnarine, Hon. S.  
 Alleyne-Toppin, Hon. V.  
 Partap, C.  
 Sharma, C.

*The following Members abstained:* Miss M. Mc Donald, Miss D. Cox, Mr. C. Imbert, Mr. T. Deyalsingh, Dr. A. Browne, Mrs. J. Thomas, Miss A. Hospedales, Mrs. P. Gopee-Scoon.

*Question agreed to.*

*Resolved:*

That the Notification of the nomination of Professor Ramesh Deosaran be approved.

**MISCELLANEOUS PROVISIONS  
 (LICENSING COMMITTEE) BILL, 2014**

[Second Day]

*Order read for resuming adjourned debate on question* [March 21, 2014]:

That the Bill be now read a second time.

*Question again proposed.*

**Mr. Speaker:** Those who have spoken thus far: the hon. Member for St. Augustine, the hon. Member for St. Joseph, the hon. Member for Diego Martin North/East and the hon. Member for La Horquetta/Talparo. Anyone else speaking from the Opposition? The Member for D'Abadie/O'Meara—no, the Member for Arouca/Maloney. [*Crosstalk and laughter*]

**Miss Alicia Hospedales (Arouca/Maloney):** Thank you, Mr. Speaker, for the correction.

Mr. Speaker, I am happy to at least register my concerns with respect to this Bill: the Miscellaneous Provisions (Licensing Committee) Bill, 2014. The Member for St. Augustine, Minister of Legal Affairs, came and told us that the Bill proposes that approvals would be no longer under a magistrate but rather under a Justice of the Peace who would be heading a committee called the Licensing Committee. So what the Bill is indicating to us is that magistrates would be removed as the key decision-maker for the approval of the various licences.

The Member for St. Augustine also told us that the reason he had suggested that the Justice of the Peace would now replace the magistrate is to remove the burden of proof from the court and to ensure that the magistrates are basically freed up to focus on criminal, as well as other judicial matters. The Bill tells us that the Licensing Committee would be made up of the Clerk of the Peace; it will also include a representative from the municipal corporations and, in the case of the Tobago House of Assembly, a representative from the Assembly, and it also indicated that the Minister will make recommendation for a member of the local business association to be on the committee in consultation with the local business association.

Mr. Speaker, you know when I read this aspect of the Bill, there were a number of questions that came to mind, and I would like to find out from the Minister of Legal Affairs, Member for St. Augustine: who will the Clerk of the Peace and the other members of the Licensing Committee be answerable to? The Bill does not indicate whether they have to report to the magistrate or who exactly they would be required to report to. I want to ask him as well, to tell us what systems are in place to ensure that the Justice of the Peace, or the Clerk of the Peace, who are responsible for heading these committees, are not going to be prone to taking bribes.

Mr. Speaker, the reason I am asking this question, I saw an article in the *Guardian* dated December 09, 2012 and the headline was:

“Arneaud De Gannes: JPs taking bribe”

As far as the article indicated, Mr. De Gannes is now the head of the Justice of the Peace Association and he has expressed concern over the fact that JPs were taking bribes. His colleagues, as the article indicated—he was:

“...calling for urgent action to prevent some of his colleagues from accepting what is tantamount to taking bribes in the execution of their...”—duty.

The article further goes on to say that he believed that some of them were:

“...involved in taking bail and charging for doing that...”—which is against the—“justice of the peace...”—Act.

As far as he indicated, it is a voluntary service, they were not required to accept money from anyone or charge a fee for performing a service to the individual. He highlighted concerns about the fact that some Justices of the Peace go to the prisons and tout their services, as well as they take money from people who are often reluctant to say who they are because they are fearful for their own safety.

Mr. Speaker, again, I would like the Minister to tell us whether or not penalties would be applied to these individuals—these Clerks of the Peace who actually take bribes to ensure that an applicant—someone who is applying for a licence—get that licence. I would like the Minister to tell us exactly what they intend to do about persons like that because the Bill is rather silent so I am not sure if they have given consideration to it.

I would also like to ask the Member for St. Augustine whether or not there was any consultation with the public health inspectors, officials from Town and Country Planning; whether there were consultations with the police, with residents or members of the public, with reference to the proposed amendments of the Bill, because it does not seem so. The reason I am saying that is that the establishment of the Licensing Committee, I do not think really gives much comfort to any resident who lives close to a local bar and their lives have been disturbed; their peace basically would have been disturbed as a result of it. So the establishment of this Licencing Committee, I do not think would give them much comfort, would give them any sort of assurance that the noise levels will decrease when this committee is installed.

The other thing we have to focus on is the fact that there are weak enforcement issues with respect to the current system. Again, would this new measure, this new proposal for a licensing committee to be put in place, bring any resolutions to the issues that some of the residents actually face?

Mr. Speaker, I can tell you about my own experience or the experience of constituents of mine who would have been faced with the same type of disturbance for as many as eight years. One particular constituent was able to go to court recently, probably about a month ago and I stood with her, as a witness, to indicate my support because of the amount of harm that she experienced as a result of the loud music and the disorder.

**Dr. Rambachan:** And what happened?

**Miss A. Hospedales:** I will tell you what happened. The case was won. Let me explain for the benefit of the Member for Tabaquite. This resident, for eight years, would have been calling the police, would have been filing her complaints with them with respect to the amount of noise emanating from the pubs that surrounded her. There were actually three of them in close proximity of her home.

As a result of the inaction of the police, the noise continued and what she experienced was severe damage to her ear and, as a result, had to have inner ear surgery. She also experienced sleep deprivation as a result of the amount of noise and eventually started experiencing hypertension as a result; because of her inability to sleep, her body started to react to that. And so, she is not the only citizen who, in this country, their constitutional right to enjoyment of property has been denied.

So, Mr. Speaker, I went to court with her and I stood with her. I went to indicate my concerns, as well as a Member of Parliament representing not only her—because she was brave enough to go to the court and object to the renewal of a licence. She was brave enough to do that, but the other residents, they were a bit more timid and a lot older as well because, you know the community that she came from is an ageing community. And this is not only representative of my constituents, I am sure all of us can testify that we have had complaints from other residents because of the same loudness of noise. So what you find happening is the fact that because there is no enforcement, there is a weak system of enforcement, you find that people are converting houses into pubs, and the only thing that separates other residents from this pub is a concrete wall or sometimes even some plants just separating the two properties. So, it is normally a very uncomfortable and traumatizing experience for some people because late into the night, wee hours in the morning—

I had my own experience as well, as a Member of Parliament. In the community that I lived in, a block away, there was this recreational pub and wee hours into the morning, 2:00 a.m., 3:00 a.m., music blasting and I am actually

*Miscellaneous Provisions Bill, 2014*  
[MISS HOSPEDALES]

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hearing the words as though it were in my own home, as if we were having an event. So I understand the kind of experiences that people would have as a result—having to get up in the wee hours of the night or not being able to sleep. I remember one night I actually slept for two hours because the noise just continued. I called the police to ask them to go visit and lower the music. So, some pub owners have no discretion whatsoever and they play the music way beyond the decibel level that is recommended.

And what happened in this particular case—thank God for the support of the EMA police who was able to come and object in court, and even when he came and objected, as a police officer, you know the other police officers did not object and they were aware of the case that has been going on for so many years.

**6.15 p.m.**

They are aware of the fact that this resident and other residents were harmed by it. They are aware. When the magistrate called on them to say: do you object? They said no. Thank God for the EMA police who would have been able to say: “Yes, I visited several times. I visited those pubs and I noted that the decibel level for the music was extremely high, way beyond the required level, according to law.” What would have happened, I am just telling you, is that the magistrate, through a court order, indicated that, based on the recommendation of the EMA police, the decibel levels at daytime would be 80 and at night time would be 65 maximum. At night time what—[*Interruption*]

**Dr. Rambachan:** That is still high.

**Miss A. Hospedales:** No, it is very low, and what they did as well was made a recommendation that the speaker boxes be turned inside, as against outside, and there has been a commitment on the part of the EMA police to do periodic spot checks. So, it was done for the three pubs that basically would have been objected to, in terms of their renewal of the licence before the court. That is how that particular issue was resolved. At least the residents basically can say that they can sleep at nights now and they are not experiencing the issue of sleep deprivation.

**Dr. Rambachan:** How long ago was that?

**Miss A. Hospedales:** Recently, just about less than a month this matter came up before the court. All of that should not have taken eight years to come to a closure, with respect to this particular issue; eight years of having to call the police, seek the intervention of EMA, talk to—there are many complaints that had been filed.



The thing is as well, the magistrate also indicated to the police that the harm that was caused to the residents should not have taken place if the police were much more vigilant. There were instances when the police was called and the feedback was: “Well that is not under our purview. We are not the EMA, so we do not have anything to do with lowering music.” But the music is disturbing the peace of other persons and as a result, they needed to have intervened at that particular point in time, if even to say lower your music, please, you are disturbing the residents. But they did not intervene. They claimed they had other serious issues to deal with, that is not under their purview and stuff like that. So, we need to ensure, in looking at this particular proposal, we look at a system whereby there is a greater level of integration of all the agencies that are needed to ensure that an approval is done. So, we have to ensure that the police function, public health inspection and Town and Country Planning function.

Let me talk about Town and Country Planning. I do not know how these approvals for these bars are done, because many times—as I indicated, it is a house that is converted into a local bar.

**Dr. Rambachan:** In a residential area?

**Miss A. Hospedales:** In a residential area. As I said, the only thing that separates the bar from the other residents may be a concrete wall or a plant. Many times they do not have parking.

Even in terms of garbage disposal, the disposal is as a residential property, not as a commercial property. So, in the court order as well, what was required was that these businesses get commercial bins, because they were just discarding their garbage, it would remain there for days and dogs would tear the garbage bags apart and that kind of thing. So the magistrate made a recommendation that they get commercial bins to place their garbage into the bins half an hour before they close and not before that. There were specific recommendations that were made.

I do not know for you all, but I am sure you all have testimonials of how these local bars, they have been wreaking havoc in the lives of your constituents, as well as many of these bar owners are not residents. Sometimes they live somewhere else, so when they leave their DJ playing late at night and the patrons there, they go home to sleep in an environment of peace.

Not only did the magistrate chastise the police, the magistrate also chastised the business owners because of the fact that they recognize that the business owners were not empathetic to the concerns raised by the residents. Yes, you have a business. It is no problem that you have a business, if that is the type of business

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you want to get into, but the fact of the matter is you are disturbing the peace of other individuals and the magistrate did chastise the business owners and told them that they needed to have ensured that in the execution of their business, that they had concern towards other persons.

In one particular area, I am pretty much familiar with the fact that a family actually moved out of their own home because they could not get peace at nights and that was happening for years. They moved out of their own home and they went to rent in another community. Just imagine that! Mr. Speaker, this is a major, major issue.

I would like to highlight a few recommendations with respect to the fact that a site visit by the Licensing Committee must be mandatory with reference to local bars. It must be mandatory because sometimes they give approvals. I remember going to the court, “and I was like: oh my God this is how they do it? They call the name of the applicant, approved. That is it, or the name of the bar, approved and that is it. And I was like: that is how they do it?” Unless somebody objects, then they would look at the issue but one of the things I found with the objector was the fact that my constituent was treated like a criminal. She was treated as though she was a criminal, she was a nuisance. She was talked down to by officials in the court. I am telling you! It was only when I identified myself, they began to tone it down a bit. But the thing is, it should not be like that.

If somebody comes to the court to object, they come out of the fact because they have tried every single thing else and it just did not work for them. They tried all the other agencies and it did not work for them. So when they approach the court it is normally a last resort and I think that even members who work within the judicial system must be empathetic to the cause of these residents. They must be empathetic because of the fact that—losing sleep.

You could imagine losing sleep for months or years, not being able to rest comfortably in your own home? That is a real horror story to even describe. Yes, sleep deprivation is a major issue. You cannot function. Your organs begin to deteriorate. You are unable to think clearly, et cetera. There is one experience where this particular resident told me that she fell asleep while driving and got into an accident as a result of sleep deprivation. That is a serious issue. It is a serious, serious, serious issue. So we can lose people as a result of sleep deprivation, not because they chose not to sleep, but because their peace is not given.

Mr. Speaker, I would like to say that the voice of the citizen needs to be given special attention; the voice of the citizen. They will not just come forward out of

malice. Most of them come out of concern. Most of them come because their needs are not being met and they need to, at least ventilate and let people know exactly what their experiences are.

I would recommend the need for the expansion of the EMA police unit, that monitoring unit, that they increase the number of officers there, who would be able to better monitor these local pubs. It is important that that kind of monitoring take place on a regular basis; at least even if it is once a quarter, but at least the bar owners should know that somebody is monitoring them and should not be left on their own to do whatever they want, any day, anytime, any hour and that is what is happening in this country; any day, anytime, any hour you can go into a community and you can find a local pub, a local bar, open, Mr. Speaker, and this is a measure of great concern, Mr. Speaker. So that is something we could look at, and the law needs to be amended, I would think, to include stipulated times.

We had an experience in Arouca where, at a particular pub, this was the only local pub where critical incidents occurred, shooting, stabbing, who got murdered, who was an attempted murder victim.

**Dr. Rambachan:** What is the name of the pub?

**Miss A. Hospedales:** I would not call it right now. You can ask the Arouca police, they would give it to you, I am sure. The thing is, it is a serious issue. This particular pub opens 24 hours, every day, seven days a week and that is where it had the most critical incidents that have occurred in the Arouca area. So, there has to be some kind of amendment, making sure that there are stipulations as to what time these bars close. I mean, 12.00 a.m., 2.00 a.m. but not all day, every day, seven days a week. Something is terribly wrong with that.

Again, we can make amendments to ensure that the decibel levels are— the maximum for the night time is 65 and maximum for the daytime is 80. Because what happens, after a while, even for someone who is listening to music for his or her pleasure, listens to it at a very high decibel level, what happens after a while is that you begin to get problems with your ear. Yes, you begin to get problems and as a result of that, most times you lose your hearing or you have to have surgery to rectify the problem. So, it is important that some measure be put in place to ensure that the decibel levels are noted as well.

Mr. Speaker, there should be something in place to ensure if damage to property occurs, there is some kind of recourse to the resident whose property was damaged. In this same instance, the resident who took the matter to court, her property was damaged as a result. The windows were shattered during these occasions. There was an occasional licence that was allowed for a particular

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season and during that time her windows were shattered. So, there should be some kind of recourse to the resident, with respect to getting the damages to her property—basically, her identifying it and getting the repairs done.

Mr. Speaker, the other thing I want to indicate, we on this side are unable to agree with the Bill if there is not an amendment to section 44, to include the need for the Licensing Committee to give significant notice to residents. Because what happens—give residents notice with reference to the application of residents who may be affected and receive feedback from them as to whether they object or not. What has happened is that a lot of times residents are not informed that next door to them a pub is actually going to be opened. Most times they are not aware and as a result of that, they are unable to object. So there is no objection brought forward. What happens is after a while people observe that this pub has been established and then the whole scenario of loud music, et cetera, and improper parking facilities and all of that come up. So, this is an issue, I think, that needs to be looked at. The Minister of Legal Affairs needs to tell us what they intend to do in going forward.

**6.30 p.m.**

Mr. Speaker, I need to ask another question. The Bill speaks to the fact that a member of the licensing committee who is experiencing a conflict of interest in relation to an application that is before the committee, should disclose that conflict of interest. I would like to ask who is to determine whether or not a member discloses or does not disclose, particularly when there are no consequences? There are no consequences attached—there is no consequence attached to a member of the committee remaining on the committee, and knowing that there is a conflict of interest, and not saying anything, and presiding over the approval of an application that is before the committee, Mr. Speaker. This is a matter that needs to be looked at again because, if someone is aware that no consequence is attached if he does not disclose, that person would not disclose, and may preside over the approval, knowing that nothing is going to be done.

So, Mr. Speaker, I would like the Minister of Legal Affairs to look at this particular issue again and to make, you know, probably make an amendment suggesting that a penalty be applied for the person who does not disclose that he has a conflict of interest, with reference to an application that is before the licensing committee.

Mr. Speaker, the other thing I just want to highlight is the fact that the—I remember in the Minister of Legal Affairs' presentation, I was listening out to

hear whether or not he was going to talk about any alternative dispute resolution training and he did mention it. But what I want to ask is whether or not there is a system in place to ensure that, you know, there are periodic evaluation and monitoring of the licensing committee, to ensure that they are actually applying the knowledge, the skills and the information received with respect to—and even techniques received with respect to the alternative dispute resolution procedures, Mr. Speaker.

Because, Mr. Speaker, in order for the issue regarding an objection coming before the committee being resolved, Mr. Speaker, it means that the personnel, the members of the committee need to understand exactly how to bring about a proper resolution to the issue that is before them. One thing I would like to ask is, when the matter is heard by the magistrate, because they said if the matter is not resolved at the level of the licensing committee, it will then go to the magistrate. When the matter is heard before the magistrate, who will be required to appear, is it the licensee or—and the objector or is it the committee filing a report before the magistrate? I am not too clear on this, and I would like the Minister of Legal Affairs to tell us. Because from my own experience, having gone to the court and experienced my constituent being treated as though she was the criminal, and as though she was a nuisance to the court, I would like to know whether the objector will be required to file, verbally, his issue or her issue before the court.

Mr. Speaker, the other area that I want to identify is the fact that I agree with the increase in the penalty for the sale of intoxicating liquor to children. Mr. Speaker, the reason I am saying this, I remember coming upon a study conducted by the National Alcohol and Drug Abuse Prevention Programme, in collaboration with the Inter-American Drug Abuse Control Commission on pupils in Forms 2, 4 and 6 in both public and private schools, as part of a national secondary schools' survey report.

It found that there were a number of students who were actually using alcohol, and who used alcohol even before the age of 13, and that is a serious issue. And even in looking at this particular issue, there is a recommendation made by the secretary of the Psychiatric Association, indicating that magistrates need to look at when people are applying for liquor licences. They should say: "Hey, you are too close to a school", and not only primary schools, but secondary schools as well. There are a lot of local bars that are actually very close to primary as well as secondary schools. And particularly the secondary schools, the young people then gravitate towards those bars, drink alcohol, engage in all sorts of activities, Mr. Speaker, and it is a matter that needs to be looked at. Whenever the approvals or

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applications come in for a licence for a bar, what needs to be done, is that whoever—the licensing committee needs to go out, members of the licensing committee need to go out and ensure that local bar is not being established close to a school, either the secondary or the primary school.

Mr. Speaker, I just want to make one more point before I close. One of the things that the Bill speaks to is the fact that there would be licensing and inspection of the old metal and marine stores. And, Mr. Speaker, I would like to say that there—according to research provided by the Central Statistical Office—are a lot of scrap metal industries in Trinidad and Tobago; scrap metal outlets in Trinidad and Tobago.

And what they said is, that the scrap metal exports have increased from \$69 million in 2009, to \$96 million in 2010, and it is probably way beyond that by now. Mr. Speaker, what they said is that this industry is unregulated and unmonitored, and as a result of that all sorts of things occur in this particular industry. And what they need to do is to ensure that there is a proper system in place to make sure that the scrapyards and metal industry, they are actually regulated.

I saw online a policy document with respect to the discussions that had been held so far, in terms of trying to bring some thought to regulating the scrapyard industry. I think that there needs to be a bit more discussion as well as bringing it to the public domain, so that people will comment and they would even highlight their concerns, because there are a lot of concerns.

One of the things that I read by a researcher is the fact that because the industry is unmonitored, it leaves room for things like trafficking of drugs and guns, et cetera, you know. So it is important that we try to bring some kind of monitoring system in place. Even with respect to the licensing committee, that they also look at that, ensure that they visit these sites on a regular basis, et cetera. So it is important for this area, as I indicated, to be monitored.

Mr. Speaker, I really do not want to go on and on, and on, you know. I really—[*Desk thumping*] I am going to end now. Even though we understand that the Bill that is brought before us here today, is really seeking to move the responsibility for licensing from the magistrate to the Justice of the Peace, and ensuring that the burden is lifted from the court, and magistrates are now able to look after criminal matters, and other judicial matters, the concerns that we have registered, we hope that you all will take them into account. Even in terms of the section 44 where, you know, these occasional licences are granted, only the police

who is the head of the division is responsible for approving or submitting an approval, et cetera. We need to ensure that the voices of the residents are registered there, where they can register their concerns to the committee, and in providing the objections, that you know, they would be given a fair opportunity to have their concerns addressed.

Mr. Speaker, I thank you. [*Desk thumping*]

**Mrs. Joanne Thomas** (*St. Ann's East*): [*Desk thumping*] Thank you, Mr. Speaker. I would not be long, you know, but I do not want to belabour the point about Members on this side who have reiterated time and time again, about fixing section 34 and we will support it. So I want to say it again and again, whether I say it in slow motion, fix section 44 and we will support this Bill. [*Desk thumping*]

**Hon. Members:** Section 44?

**Mrs. J. Thomas:** Yes, right. And, Mr. Speaker—[*Interruption*]

**Hon. Member:** Section 34 or 44?

**Mrs. J. Thomas:**—44. And, of course, I know my colleagues would have, spoken quite at length of residents being impacted and so. And so, of course, in the north here, we have Ariapita Avenue, where we, I mean the members of the community there, the residents who have legal rights to their property, they were there first before a lot of these bars and so came on board, and yet they still have to keep complaining and complaining. And in fixing that section where you would give the residents a say, this problem we know will be alleviated and, of course, you will have full support of all the Members on this side.

Mr. Speaker, one of the sets of people who I want to represent here in this Bill, are the promoters, right, the event planners. These are the people who have all the events to promote all our artistes and so, and they are very much in favour of the establishment of the committee, that they can go to and get a licence attained very speedily. Mr. Speaker, just to highlight the process, an event planner, whether it is one of our local promoters, whether it is an institution, I know both of our sides, we have in our various parties, we will have fundraisers and we have our committee members who would go about organizing these events for us.

Just to give you a little sense of what is involved: apart from planning your event and so, you do the necessary advertising, you make your application to the police service, you make your application to the fire service, right. And then you have to take these stamped applications to the Magistrates' Court to apply for the

licences, then a date is given to appear in the court to obtain your approval. And, of course, you know, what is of great concern to me, Mr. Speaker, the sergeant in charge of that particular station, is the one to determine the police strength for your event. Similarly, the fire is the one who determines the strength for your event.

Now, I just want to highlight a scenario that a popular promoter here who would do the calypso events, right. He does calypso events, right. *[Interruption]* Mr. Speaker, he was given a police fee of \$40,000, and I had not even gone yet to the fee for the fire. And, of course, for his event—now, these calypso shows, they cost as you know, very small moneys, and 500 persons came to the show, 500 persons.

Just to give you a sense of what the police fee is like: a police constable is paid \$50 per hour, a corporal is paid \$61 per hour, a sergeant \$74 per hour, an inspector \$86, an ASP \$97 and a superintendent, \$104, and that is the fee per hour. And, of course, the estimated time for any event, I think, most of the licences come from eight to four. So you multiply those hours and per each of the allocation of these officers, and this is how much the event planner has to pay.

#### **6.45 p.m.**

Now what is of concern to me: what calculative process does this fireman and this policeman use to determine the number of policemen to send to each event? Is it that he goes back one, two, three years because, as we can see these days, especially for calypso, the calypso is kind of dying and we really have to fight to keep the calypso alive, Minister of Arts and Multiculturalism. And the thing is, the support you got for calypso before, if you go to the tents for carnival, you do not get that. Thank God for Calypso Fiesta in San Fernando, where you see a number of persons going to support this event.

You are looking at what mileage does the police use to determine the number of police that should be used in an event. If you notice, even the mass public events are becoming more and more extinct and people are now going to the all-inclusive events. So, of course, an all-inclusive event would not have as much security, much police, so the police would not make any money. Of course, that is when they would use the smaller events to make the kind of money they want to make. I am saying that committee that will now be granting this licence, there should be some measure of getting involved as regards the number of police that are being allocated to these events, both police and fire.



We understand now why, of course, people are going to the all-inclusive—because of the crime. Because of the crime in the country, people tend to stay away from the mass public events and they prefer to go to an all-inclusive where they somehow feel a little more secure. I mean something has to be done to cater for all these event planners, whether, as I said, it is somebody doing a mass event or whether it is a group of people organizing a fundraising event for a particular fundraiser or so.

Mr. Speaker, what I want to look at as well is the composition of the committee. You see where the committee is made up of the Clerk of the Peace, a representative of a municipal corporation and a representative from the business community and, of course the Clerk of the Peace appoints a secretary—four persons to form this committee. What was most amazing to me, a quorum is determined with two members. [*Interruption*] Two members! It is here. Two members of a licensing committee constitute a quorum and then, of course, if the chairman is not there, you appoint a member to be the chairman of the day's proceeding.

We need to expand the usefulness of this committee and it is for that reason I would like to suggest, Mr. Minister, that we probably look at the number of people that we have making up this committee. I really want to suggest that this could be something that could help these event planners, but my key issue, fix section 44 and look at how you allocate the number of police—some member of the committee to get involved with the number of policemen and firemen allocated to the events.

Mr, Speaker, I thank you.

**The Minister of Legal Affairs (Hon. Prakash Ramadar):** Thank you, Mr. Speaker. I am really heartened by the contributions of my two friends on the other side, this afternoon, because I sense that they were well intentioned, though very much misguided. Let me put to rest some of the concerns that we have heard just this evening and I shall retain the later part of my contribution to the two other Members who contributed from the other side—the Member for Diego Martin North/East and the Member for St. Joseph.

The Member for Arouca/Maloney said that the magistrate would be removed from the decision-making process. Let me just say that this whole legislation is really not about removing the stringency of the award of a licence. What it does is that it simplifies the process by which licences are processed.

I am forced to be reminded that this legislation, what it does is this, very simply, when application is made and the necessary statutory requirements are met—whether they be from the fire department, police department and Town and Country Planning Division—and where there is no objection from anyone, then all that happens is that it becomes an administrative act where the licence is granted and you just pay and you get your licence.

However, if there is any objection whatsoever—and we have made it much simpler now—because the very ordeal that my friends have spoken to of persons who not just apply but for those who object, to have to go to court and sometimes days on end have to be told that we do not have time and may have to return for that matter to be heard, the trauma that my friend clearly experienced, the Member for Arouca/Maloney, of seeing what the real world court affair is like, has been removed in that where that objection is noted and taken before the committee, the committee then sits with the applicant, together with the objector or objectors, and try to mediate and work through a process because we do have to take the reality of Trinidad and Tobago in hand. Many of these businesses are really in homes and communities that grew up around them or sometimes they grew up within the community and, therefore, there is a need to have an outcome that is favourable to all sides as best as we can.

If after the mediating process with the committee it cannot then be resolved, the matter then goes, as it normally would, to the magistrate for determination where there would be a full-fledged trial; where you bring your evidence, you bring your lawyer, you cross-examine and you produce evidence upon which the magistrate will decide whether to grant the licence or not. And to comfort your heart, Member for Arouca/Maloney, on the issues of conditions, which are very, very valid concerns, the court already has the authority, and so would the committee, in the negotiating process, in the mediation process, to work through those issues and, if they cannot be worked through, then the court can do so. So all of your concerns have been met.

I was stunned when I heard the suggestion about Clerks of the Peace taking bribes and whether this legislation does not deal with that. That is a matter that is a criminal offence across the board and especially a person—and my friend, the Member for Port of Spain South, will tell you very clearly that persons who hold judicial office have been prosecuted in this country for accepting bribes—indeed Clerks of the Peace have gone to jail for these matters, so there is no need for any special legislation to deal with that.

You have corruption in public life legislation, misbehaviour in public office and the severity of the penalties will make you shudder. So that matter, really, has been dealt with before and anyone who takes a bribe in the pursuance of a public duty, there is a serious consequence if they are prosecuted for it.

Many of the concerns I have heard really go to zoning and that is why the local government is an important component of the committee that we have put together. So that, ultimately, I can foresee the day when this country moves from the community-based development of these businesses and these rum shops, first of all, to a point, as we transition to residential areas. And then you will have the zoning for light industrial and for entertainment areas—and that must come—and there is legislation that we have worked on to deal with those issues looking way into the future, but starting now.

But what we hope to achieve in this is very simply to take the burden off the very persons who are troubled by these businesses and the noise levels and the nuisances and we have expanded the basis upon which you can object. In the past it was only on the basis of noise, but now we have legislated the extension of any nuisance, for instance parking in front your gate where you have no access to your home, whatever hour of the day or night and other things. So the court now has a greater leverage to put conditions to the granting of licences or for refusing licences. So, it is very people-oriented, people-empowering and that is what we are all about.

Now, having dealt with those issues, I just want to deal now with the contributions of my friends, the Member for St. Joseph and the Member for Diego Martin North/East. I want to tell you it is very troubling to have heard some of the submissions made by my friends. I have to surmise it is as a result of the ignorance of facts due to the misunderstanding of the proposed measures or due to simple mischief or a combination of those things.

When my friend, the Member for St. Joseph, spoke and my friend, the Member for Arouca/Maloney, referred to it in relation to the legislation dealing with the Licensing of Dealers (Precious Metals) and Old Metal Marine Stores Act, the Member for St. Joseph said, and I quote, we will

“...have serious implications for money laundering, financing of terrorism and the FIU legislation.”

Mr. Speaker, you know, he never took a moment to explain what he meant by that; how is it that he could come to the conclusion that these things are so

without explaining how they are so. He just threw out into the wilderness an expression of disdain and expected everybody to take bait on that and accept it as given truth.

When we analyze what he has said, we realize more and more that the finesse of language is a very dangerous thing because we can be easily seduced into believing what they say because they say it with such conviction and appearance of honesty and truthfulness that when held up to the light proves anything but.

Mr. Speaker, let me just say that the Member for St. Joseph spoke about the need for stronger regulation of the scrap metal industry and that the Member for St. Augustine did not know of the policy efforts of this Government. Let me just say that he was so misunderstanding—I want to put that in the kindest form—as to what is really happening in this Parliament with this legislation. There is a policy to deal with the scrap metal industry and, if I may be permitted, with your leave, Mr. Speaker, I quote parts of it:

“In accordance with the Old Metal and Marine Stores Act of Trinidad and Tobago, the responsibility for issuance of licences to deal in scrap metal resides with the Magistrates Court. In several countries with contemporary best practices in the Scrap Metal Industry this responsibility lies with the Ministries responsible for Trade, Commerce or Industry.

The Ministry of Trade, Industry and Investment has, under its ambit, a Trade Licence Unit responsible for the issuing of licences for various Trade and Industry related activities in accordance with the Trade Ordinance of 1958. It is therefore recommended that the licensing regime be removed from the purview of the Magistrates Court under the judicial arm of the Government and transferred to the Ministry of Trade, Industry and Investment under the executive arm of Government. This would ensure that a centralized and controlled approach is adopted in the issuing of licences for the Scrap Metal Industry. Centralizing the licensing regime under the Trade Licence Unit will facilitate the better co-ordination and supervision of the various actors in the industry.”

**7.00 p.m.**

So, Mr. Speaker, there is, in fact, a policy that would strengthen the conduct or the issuance of licences. What this legislation does, it does not take away anything from the requirements that at this point in time exist and until that policy is made law and the institutions are strengthened to deal with it, this legislation, what it does, is to allow as has always been the case, for the statutory requirements to be put before the committee and if they are fulfilled then the licence would be granted.

Now, I want to pause here to say this: that if it is to believe my friend, the Member for St. Joseph, that the judicial eye is so critically important that you must look upon a person, forget all about the reports whether they should be granted or not granted, but make a determination on the appearance of a person and he expects a court to act in that manner, well then that court does not deserve to be a court.

What they are suggesting—the judicial eye, it sounds really good, but the judicial eye that they on that side, the one that they wish, is one to look at a person's appearance, the colour of one's skin, how one dresses, the height of a person, to determine that? That is what the judicial eye that they speak to means. It cannot mean anything otherwise, because the court, in any event, under the old system operates on the old basis of reports. So you do not determine whether a person should get a licence—[*Crosstalk*] Yes, I am, I try to be.

**Mr. Deyalsingh:** I never said that.

**Hon. P. Ramadhar:** The judicial eye, what is the difference? What is the combination of factors that the court will take into account other than the reports of the institutions of state that have a duty to produce them? Is it whether you wear a rolex or that you wear a timex that you get it?

**Mr. Deyalsingh:** Mr. Speaker, Standing Order, 36(5), imputing improper motives. I never referred to people skin colour or race. Never! [*Desk thumping*]

**Mr. Speaker:** The Member is saying that he never referred to that, so I would ask you to be guided accordingly.

**Hon. P. Ramadhar:** I am heartened to hear, but what would it mean otherwise? What is the logical conclusion when you speak to—[*Interruption*]

**Mr. Deyalsingh:** Standing Order 36(5), Mr. Speaker, I am asking that he withdraw the statements. I never referred to race.

**Mr. Speaker:** Yes. And I am asking the Hon. Minister to take the Member's word and let us move on, please.

**Hon. P. Ramadhar:** And that is why I say I am heartened and that is why we have to be very careful and I withdraw it. If it is that it offends you, but it is offensive to suggest—[*Crosstalk*] Mr. Speaker, with all due respect, I am making a point that judicial eye means nothing if it is that it operates outside of the ambit of objective reports and that you have sight of a person. That is what it amounts to.

**Mr. Deyalsingh:** That is new politics for you.

**Hon. P. Ramadhar:** You could speak all you want about new, old or whatever, but it is the fundamental core value of the society to not determine the rights of a person by anything other than objective assessment, and I leave it at that. You could nibble on that.

**Mr. Deyalsingh:** You should be ashamed of yourself. [*Crosstalk*]

**Dr. Gopeesingh:** What kind of language is that? Withdraw that.

**Mr. Speaker:** Member, Member, please!

**Mr. Deyalsingh:** So withdrawn.

**Mr. Speaker:** Thank you. Yes, continue, hon. Minister.

**Mr. Deyalsingh:** You are bringing race into this.

**Mr. Speaker:** Listen, that matter has been settled, he has withdrawn the statement, if it has offended you, so we do not want to go there again and you have apologized. Let us continue, hon. Minister, please.

**Hon. P. Ramadhar:** You know, to put it beyond any doubt, I had never suggested that you said that—my friend, the Member for St. Joseph, said that. I am saying this, that one could interpret the judicial eye if you take the objective assessments out of the game, to be subjective assessments and that you have to appear before a court for them to look at you to determine whether you get it or not. I leave it at that. So if you are offended, I am sorry. I know that you are not that sort of person. I expect no less from my friend, the Member for St. Joseph, but I am saying that be very careful that without intending it that is the effect of your submission. That is all. And that this regime really, Mr. Speaker—and I repeat this—makes the process simpler, not less stringent. I repeat it: it makes the process simpler not less stringent.

My friend went on to speak about money laundering and everything else. The Magistrates' Court even at the height of whether it is judicial eye or whatever, has no authority nor does he have the resources to determine those issues. If is, for example, after a licence is granted for the FIU to monitor the business activities and then pursue whatever legal recourse there is for it, but to suggest to change of the regime—and I repeat this—the change of the regime does not give you an advantage in obtaining a licence, because it is only when there is no objection will the licence be granted. If there is an objection from any of the institutions or from any person, then it goes to the court for final determination. It is as simple as that. [*Crosstalk*]

I am going to finish really, really quickly, because really having heard my friends speak for extended periods there was very little substance in many of the submissions that they made, one of which from the Member for Diego Martin North/East who spoke on the issue of the licensing committee, that there ought not to be a member of the business community on that committee, because they will favour a friend or a colleague from the business community.

Let me just say that his arguments are self-defeating because the committee stage where a licence would be granted is where there is no objection. So, if there is no objection there is no question of favouring anyone, the licence would be automatically granted. The most one could suggest is that during the mediation process that person may try to influence the mediation process to ease up their partner. But even if that is the case and you maintain your objection nobody could force you to relinquish your right, and if at the end of the mediation you choose to hold on to your objection then the matter goes for trial like in every other case.

Another point—[*Crosstalk*] Yes we will drive safe—I will hasten it because I see my friend is already making arrangements to leave. [*Laughter*] I could not have gotten a better hint. Mr. Speaker, one of the points, with great furore, my friend, the Member for Diego Martin North/East, put forward was the issue now that the Magistrate will be overburdened because everything is now put to the Magistrate. Now, I cannot imagine that he would honestly and reasonably have said that having regard to the Bill itself. What this does is that it removes the burden of having to hear as my friend, the Member for Arouca/Maloney, said every single case, every single application, all of the eight pieces will have to go before a Magistrate and where there is no objection just to be told “no objection; granted; no objection, granted.” The only matters that will come before the magistrate are where there are objections which, thankfully, is a very small percentage of the number of applications.

So, I could not understand, you know, a person who we all respect sometimes for his intellectual capacity to have gone down that road to make submissions of that quality. It sounded really good when you heard it because of the fervour it was presented with, but I caution again, we really do in this Parliament have to boil it down like bhaji as they say and take away all the theatrics and let us get down to the kernel of what they are saying and none of the objections I have heard on the other side makes sense, with all due respect.

I just really hope as I take my seat that those objections came about from a genuine misunderstanding.

**Dr. Gopeesingh:** Genuine?

**Hon. P. Ramadhar:** Yes, genuine, [*Interruption*] as distinct from something more nefarious and sinister. Because, as my friend today in this Parliament had to speak, the Member for Oropouche East, we have to be very careful here of the message we send to the community, to the society, that when you distort and you manipulate for a non-healthy purpose, you distort things more and greater than you ever imagine, and the consequences of that would be a lack of trust in institutions, and when you do not have a trust in institutions, a society pays the price for it.

So, Mr. Speaker, I commend this legislation to all of my friends and do hope that in a spirit of trying to make life easier for our citizens, that they will support it, as we on this side are taking efforts, as one example, to remove the need for a life certificate where persons who approach or who are in the silver years of their life have the indignity of having to go and certify that they are alive. [*Interruption*] I understand my friend—sorry, I thought was my friend, the Member for Caroni East had to get one, but I understand he signed one. [*Laughter*] He had to sign one to help someone. This Government, in this year, we hope, will be able to remove that indignity from our citizens as one example.

In this year, a legislative effort was made in 2006 I imagine, that deals with bankruptcy, but never proclaimed. In this year, this Government would be bringing that legislation to this House so that persons who find themselves—business and individuals—in very difficult financial waters will have protection like they never had before, where your homes will be protected and not be subjected to the automatic sale of one's home. These are the things that the people of Trinidad and Tobago want and need and this Government with your help or without your help, but I really want your help on these matters. So, to tell the society that their Government and their Parliament work in their interest and on their behalf.

And there are many other things and we would have many other opportunities so that I could tell you about the other issues that will empower our people to make Trinidad and Tobago a more loving environment, a more trusting environment and a safer, healthier one that we all would be proud of.

So, Mr. Speaker, having said those few words, I beg to move on this matter. [*Desk thumping*]

*Question put and agreed to.*



*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

*House in committee.*

**7.15 p.m.**

**Mr. Chairman:** What I am proposing is that we will deal with clauses 1 to 4, then we will go to 5 and then we will go from 6 to 11. Is that Okay?

**Dr. Moonilal:** Yes. Thank you, Chair.

**Mr. Chairman:** Chief Whip?

**Miss Mc Donald:** Sure.

**Mr. Chairman:** Okay.

*Clauses 1 to 4 ordered to stand part of the Bill.*

*Clause 5.*

*Question proposed:* That clause 5 stand part of the Bill.

**Dr. Moonilal:** Mr. Chairman, I beg to move that clause 5 be amended as follows:

5(f) Delete subclause (f) and substitute the following:

(f) in section 14-

- (i) in subsections (1) and (2), by deleting the words “Licensing Committee” and substituting the word “Magistrate”;
- (ii) in subsections (3) and (4), by deleting the word “committee” wherever it occurs and substituting the word “Magistrate”;
- and
- (iii) in subsections (5) and (6), by deleting the words “Licensing Committee” wherever they occur and substituting the word “Magistrate”;

5(g) Delete subparagraph (i) and substitute the following:

(i) in subsection (1)-

- (A) by deleting the words “Licensing Committee” and substituting the word “Magistrate”;

- (B) by deleting the word “it” in the first place where it occurs and substituting the word “he”; and
- (C) by deleting the word “it” in the second place where it occurs and substituting the word “him”;

5(o) Delete subclause (o) and substitute the following:

“(o) by deleting section 28 and substituting the following section:

“28. All evidence given before a Magistrate under this Act shall be on oath.””

*Question put and agreed to.*

*Clause 5, as amended, ordered to stand part of the Bill.*

*Clauses 6 to 11 ordered to stand part of the Bill.*

*Question put and agreed to:* That the Bill, as amended, be reported to the House.

*House resumed.*

*Bill reported, with amendments, read the third time and passed.*

#### **FINANCE BILL, 2014**

#### **Senate Amendments**

**The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):**  
Mr. Speaker, I beg to move:

That the Senate amendments to the Finance Bill, 2014 listed in the Appendix II be now considered.

*Question proposed.*

*Question put and agreed to.*

**Mr. Speaker:** Before the clerk reads it, there are one, two, three, four, five, six, seven amendments to clauses that we have to address; I suggest that we take all together. Is that the will of the House?

*Assent indicted.*

*Senate amendments read as follows:*

**Clause 3**

- A. In (1)(e) sub-paragraph (2)(a) - Delete the words “in respect of every year commencing from the year 2015,”
- B. Delete paragraph (9) and substitute the following:
  - “(9) The gaming tax payable for a new members’ club which applies for a certificate shall be calculated on a prorated basis for the unexpired portion of the year from the date upon which the new club applies for the certificate.”;
- C. In proposed section 23B (1), delete the words “in liquid securities” and insert after the word “thereon” the words “, if any,”;
- D. In proposed section 23B (5), delete the words “a member of”;
- E. In new section 23C (1), insert after the words “Secretary of that club.”, the words “Failing which, each and every member of the Club shall be liable for the said debt of the Secretary.”

*Clause 4.*

Renumber the new section 60A as section 60A(1) and insert after section 60A(1) as renumbered, the following subsection:

“(2) Subsection (1) is deemed to have come into effect on 1<sup>st</sup> October, 2010.”

*Clause 10.*

In proposed section 23B (3), insert after the word “fine” the words “up to a maximum”.

*Clause 11.*

Renumber paragraphs (a) to (d) as paragraphs (b) to (e) and insert before paragraph (b) as renumbered, the following new paragraph:

“(a) section 8(1) –

- (i) in paragraph (aa), by deleting the full stop and substituting a semi-colon; and
- (ii) by inserting after paragraph (aa), the following new paragraph:
  - “(ab) with effect from 1<sup>st</sup> October, 2010, the duty allowance paid to a member of a Municipal Police Service.”

*Clause 14.*

In paragraph (y)(ii), delete the word “shall” and substitute the word “may”.

*Clause 16.*

- A. In subclause (1), in proposed section 20A, by inserting after subsection (2) the following new subsections:

“(3) The holder of a licence specified under section 35(3) or (4) who hosts amusement games on his premises, shall not permit an individual who is under the age of eighteen years, to be in that part of the premises where amusement games are conducted or to engage in amusement game activities on his premises.

(4) The holder of a licence specified under section 35(3) or (4) who hosts amusement games on his premises, shall cause to be displayed at all times, in a prominent place in that part of the premises where the amusement games are conducted, a sign, written in large, bold, upper case characters, that reads as follows:

“INDIVIDUALS UNDER THE AGE OF EIGHTEEN YEARS ARE NOT ALLOWED IN THIS PART OF THE PREMISES AND ARE PROHIBITED FROM ENGAGING IN AMUSEMENT GAME ACTIVITIES”.

(5) The holder of a licence specified under section 35(3) or (4) who knowingly permits an individual under the age of eighteen years -

(a) to be in that part of his premises where amusement games are conducted; or

(b) to engage in amusement game activities on his premises,

commits an offence and is liable on summary conviction for a first offence, to a fine of five thousand dollars, and in the case of a subsequent offence, to a fine of ten thousand dollars and the licence issued under this Act may be revoked.

(6) The holder of a licence specified under section 35(3) or (4) who fails to comply with subsection (4), commits an offence and is liable on summary conviction to a fine of one thousand dollars and the licence issued under this Act may be revoked.”.

B. Delete the proposed section 20B(9) and substitute the following:

“(9) The gaming tax payable for an applicant who applies for a new certificate shall be calculated on a prorated basis for the unexpired portion of the year from the date upon which the applicant for a new certificate applies for the certificate.”;

*Clause 20.*

A. Renumber clause 20 as clause 20(1) and insert after clause 20(1) as renumbered, the following subclause:

“(2) Subsection (1) shall come into effect on such date as is proclaimed by the President by Proclamation.”.

B. In paragraph 20(1)(a) insert after the word “penalties,” the word “fines,”.

C. Renumber proposed paragraph (b) as (c) and insert after proposed paragraph (a) a new paragraph (b) as follows:

“(b) In section 5 –

(i) By deleting the word “and” after paragraph (d);

(ii) By deleting the word “.” after paragraph (e) and substituting the words “; and”;

D. By inserting after paragraph (e), the following new paragraph:

“(f) make or receive payments in electronic form or by electronic means.”

**Mr. Howai:** Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendments to clauses 3, 4, 10, 11, 14, 16 and 20.

Mr. Speaker, I shall deal with the explanations seriatim from the list of amendments made in the Senate to the Bill. With respect to clause 3, item A, “in respect of every year commencing from the year 2015,” these words were already in the chapeau to the clause and there was no need to repeat them, and therefore the Senate had recommended that these be deleted and we had agreed. With respect to item B clause (9), the existing clause that had been proposed was somewhat clumsy and it was agreed to reword it in a way that would be much more understandable and, again, this particular clause also comes up in section 16.

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With respect to clause C, in the new proposed section, 23B (1), we have deleted the words “in liquid securities” and made certain other insertions, and the reason for this is that the previous words were fairly restrictive in that it required the Minister to invest only in liquid securities, and it was felt that it was best to leave the flexibility for the Minister to invest in deposits and other types of instruments rather than simply securities such as T bills, and so on. With respect to the new proposed section 23B(5), it was decided to delete “a member of” because the transaction is processed, not by a member but by the members’ club, and we took that point which was made in the Senate and we have made that change.

There is a new section E, and this section really is intended to indemnify the secretary. Many times what tends to happen is that the secretary is simply a clerical functionary, and the owner of a members’ club can actually place the onus on that secretary while they themselves get away from having to actually take the liability themselves. So the intention here is to make sure the secretary is indemnified, such that the owner then has the responsibility to meet the commitments with respect to fines and liabilities that the club incurs.

With respect to clause 4, this is an amendment to the Municipal Corporations Act, and what this does is allows the President to issue a retrospective order to grant the duty allowance that we want to do, which we are proposing to do actually, in clause 11. So there was a need for us to do that, which had been overlooked, and we have made that correction. With respect to clause 10, the new proposed section 23B(3), the words “up to a maximum” were inserted to give flexibility to the court to allow the fine up to the \$150,000, which is in the Bill. So this will allow more flexibility in terms of the range of fines that can be introduced.

With respect to clause 11, basically this is allowing us to pay the benefit to the municipal police and it takes effect from October 01, 2010, as was done for the normal police.

**7.30 p.m.**

Mr. Speaker, with respect to clause 14, we are deleting the word “shall” and substituting the word “may”. The reason for that is this actually refers to section 213 of the Customs Act. Section 213 makes provision for penalties for evading the Customs laws regarding imported or exported goods. Apart from the imposition of a fine, the prohibited goods will be forfeited. The use of the word

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“may” will now suggest that the court has a discretion as to whether to impose both the fine and forfeit the goods or simply to forfeit the goods. So this gives some more flexibility to the court.

With respect to clause 16, this was a commitment we had made to a request by the Member for Point Fortin to include that, once it got into the Senate. So we have made this change which prohibits young persons below the age of 18 from accessing the amusement games, which are being conducted in these areas, and requiring a prominent sign to be displayed in each of these premises which clearly states that individuals under the age of 18 are not allowed into these areas. We have made that change, as had been requested and which had been agreed.

Finally, Mr. Speaker, with respect to clause 20, this is to make section 53 of the Electronic Transactions Act effective, on proclamation by the President. The Act has been partially proclaimed, and there are things that we need to do still in order to effectively implement the legislation. For example, there are operations that we need to put in place regarding how transactions and electronic transactions will be cleared from the Central Bank, the Ministry’s account at the Central Bank, directly to a bank or vice versa. And there are reconciliation issues and so on that arise, and we need therefore to put some arrangements in place. So we have actually put a section in that will now allow this section to become effective, only after it is proclaimed by the President—for this particular section—given the fact that the Act has already been partially proclaimed. Therefore, this gives us some time to put the operations in place.

There is a change at paragraph B which relates to penalties. After the word “penalties,” we are including the word “fines,” and when you read this section you will see that it relates to all the different ways in which revenue is derived by the Government. We did not, however, include the word “fines” and it is now being included to make that particular paragraph comprehensive.

Finally, we have a clause (f) which is to: “make or receive payments in an electronic form or by electronic means”. This is, of course, simply to allow collection of revenue by electronic means by any public body.

Mr. Speaker, these are the changes that we are proposing, the amendments, and with that I beg to move.

*Question proposed.*

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**Mr. Speaker:** Any contributions?

**Mr. Howai:** Mr. Speaker, I beg to move.

*Question put and agreed to.*

#### ADJOURNMENT

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I beg to move that this House do now adjourn to Friday, May 23, 2014. On that day, the fourth Friday of the month, it is Private Members' Day, the only day of the month that is reserved for Members of the Opposition to raise the issues affecting their constituents and the people. I will ask the Chief Whip opposite to kindly alert us and indicate to the Parliament the order of business that Members of Parliament can expect on the 23<sup>rd</sup> at 1.30 p.m. Mr. Speaker, I beg the move.

**Miss M. Mc Donald:** Mr. Speaker, in keeping with the responsibilities of a very good Opposition Bench, [*Desk thumping*] I hereby give notice to the Government that I will be here and we will be debating Motion No. 2 under "Private Business".

#### Leave of Absence

**Mr. Speaker:** Hon. Members, before putting the question, I will like to revert to item 3 under "Announcement", and to inform hon. Members that I have received communication from the hon. Kamla Persad-Bissessar, Prime Minister, Member of Parliament for Siparia, seeking to be excused from today's sitting of the House. The leave which the Member seeks is granted.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 7.36 p.m.*