



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

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**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE ANNISLETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Friday 20th July, 2018

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HOUSE OF REPRESENTATIVES*Friday, July 20, 2018*

The House met at 1.30 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Madam Speaker: Hon. Members, the hon. Dr. Fuad Khan MP, Member for Barataria/San Juan; Mr. Prakash Ramadhar, MP, Member for St. Augustine; and Dr. Surujrattan Rambachan, MP, Member for Tabaquite, have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

VISITORS**(Young Citizens)**

Madam Speaker: Hon. Members, I would like to draw to your attention, the presence of the young citizens, who are here from vacation camp and who are part of today's proceedings and therefore—[*Desk thumping*]*—thank you.*

PAPER LAID

Notification of Her Excellency, the President, in respect of the nomination of Mr. Stephen Williams, for appointment to the Office of Commissioner of Police. [*The Deputy Speaker (Mr. Esmond Forde)*]

Mr. Lee: Madam Speaker, just before—I would like to seek clarification, again, why we are—what Standing Order we are convening this sitting in Parliament, because we are supposed to be on a fixed recess; I take objection to this. [*Desk thumping*]

Mr. Padarath: They still reeling from Barataria.

Madam Speaker: Member for Princes Town. Hon. Members, we are here under Standing Order 14. I would just like to draw it to the attention of this honourable House that the Member for Pointe-a-Pierre has already written raising this issue. I have met with him as the Whip, and the Acting Leader of the House, shortly prior to these proceedings, and have given my interpretation of the relevant Standing Orders, and as they relate to all the Standing Orders. I so rule that this is a sitting under Standing Order 14. Prime Minister. [*Desk thumping*]

**COMMISSIONER OF POLICE
(NOMINATION OF MR. STEPHEN WILLIAMS)**

The Prime Minister and Minister of Housing and Urban Development (Hon. Dr. Keith Rowley): Thank you very much, Madam Speaker. Madam Speaker, I beg to move the following Motion standing in my name:

Whereas section 123(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the Police Service Commission shall submit to the President a list of the names of the persons nominated for appointment to the office of Commissioner or Deputy Commissioner of Police;

And whereas section 123(4) of the Act provides that the President shall issue a Notification in respect of each person nominated under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the Police Service Commission has submitted to the President the name Mr. Stephen Williams as the person nominated for appointment to the office of Commissioner of Police;

And whereas the President has on the 12th day of July, 2018 issued a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the President of the nomination by the Police Service Commission of Mr. Stephen Williams to the office of Commissioner of Police be approved.

Madam Speaker, once again we are here proceeding under law under instructions, under directions of the Constitution in pursuance of the objective of having a Commissioner of Police appointed in Trinidad and Tobago.

Madam Speaker, may I remind you that for a number of years—I think the figure is seven, is it five or seven years?—2012—it is going on to seven years that Trinidad and Tobago has not had in post a substantive Police Commissioner.

Madam Speaker, I understand the concern as raised by the Opposition Chief Whip that we are here in vacation and that many of us including myself would have been catering for some element of vacation during this month of July—end of July into August. But, the circumstances of the country’s business warrant us giving priority to that. [*Desk thumping*]

I find it curious, Madam Speaker, that every time there is a violent crime, particularly a murder, my colleagues on the other side cheer in hurrah and they describe the crisis that the country is into and they describe the crisis as requiring—

Mr. Lee: Madam Speaker, 48(1), please. We are dealing with a notification, Madam—

[*Mr. Lee and Dr. Gopeesingh stand*]

Mr. Lee: Madam Speaker, 48(1), we are dealing with the Notification, not crime. [*Crosstalk*]

Madam Speaker: Hon. Members, I just remind you that we have young citizens here in our audience today. Member for Pointe-a-Pierre, I overrule your objection.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. As a matter of fact, I was simply taking his concern into account. I am saying that we are here because they, among others, on a regular basis, indicate the level of priority that should be attended to with respect to the attention to criminal conduct in this country. And there can be no more important matter, Madam Speaker, than ensuring that those officers of state, the policemen and women in and out of uniform, that they are led in the best possible way, and they agree and they say publicly, as we do, that not having a Commissioner of Police substantively appointed is one of the impediments to our effective response to the criminal element.

Hon. Member: A burning issue.

Hon. Dr. K. Rowley: Madam Speaker that is why we are here today. It is because we are giving priority in our attempt to treat with this issue which has been with us for seven years, and if after seven years we are required to be here today, tomorrow or next week, those of us on this side will be here—[*Desk thumping*—because the alternative, Madam Speaker, of not being here, is as the President of the Republic is informed by the service commission, without an involvement of the Government, but in anticipation by the Government and the rest of the country. And I find it would be strange that a notification could come to us in this House to treat with this matter and we could say leave it until we finish our vacation. [*Desk thumping*]

So, Madam Speaker, in one side we are being told it is a crisis, it is urgent, we need to do this, we need to do that, and now that we are in a position because we were not in a position before. Madam Speaker, if we were in a position

before I give you the assurance that we on this side and those on the other side, we would have been here before doing this. It is only now that this matter is in a position to be treated with under the Constitution, Madam Speaker. [*Desk thumping*]

So I find these objections from our colleagues on the other side strange, because they know the law. Because, until the service commission had got the work done and it took a long time for it to happen, none of us here could have done anything about it. As Prime Minister, no matter how much I would have read in the papers or watched on television or heard on the radio that the Prime Minister must do something about this and the Prime Minister must—the Prime Minister had absolutely no authority, or no involvement to treat with the matter of a Commissioner of Police until the President sends the Notification here.

Mr. Young: The Constitution says so.

Hon. Dr. K. Rowley: The Notification has only now come here in the last week or two. We dealt with two persons already and this is the third person we are dealing with. And we are dealing with it under the system that this House put in place—law. And, Madam Speaker, I do not know what the others have sworn on to, but I stood in this place and I swore to uphold the Constitution and the law. [*Desk thumping*]

Madam Speaker, on this particular matter, on this Motion standing in my name, let me draw to your attention what the law says, and the law says the selection process—[*Interruption*—Madam Speaker, I crave your indulgence.

Madam Speaker: Member for Couva South, maybe it is that your mike is on. And if it is not on, I will just remind you of Standing Order 53. If it is you do intend to join the debate, you will be allowed to do so in the proper time.

Hon. Dr. K. Rowley: Madam Speaker, the laws of Trinidad and Tobago—and I quoted this last time, and I will do it again because I am of the opinion that there are others in this House, and I am sure others outside, who can benefit from my quoting of the law. Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, made under section 123(2) of the Constitution of Trinidad and Tobago. Section 3 says:

“The selection process for appointment of the offices of Commissioner of Police and Deputy Commissioner of Police shall be conducted in the following manner:”

There is no other process, other than that which is outlined here:

“...shall be conducted in the following manner:”

And, Madam Speaker, the manner in which it shall be conducted, if we go to section 3(e) it says: “The Commission”—not the Government, Madam Speaker. “The Commission”—not the Prime Minister, Madam Speaker. “The Commission”—and Madam Speaker, the commission is an independent commission under the Constitution. This section, this law says;

“(e) the Commission shall then take into account all information on the candidates and thereafter establish an Order of Merit List;”

Madam Speaker, that has been done. And the names that we have been treating with here come off that merit list. Subsection (f) says:

“the Commission shall select the highest graded candidate on the...Merit List and submit that candidate’s name to the President”—not the Government, not the Prime Minister—“...the President in accordance with the procedure set out in section 123 of the Constitution.”

Section 4, then continues and it says, subsection 1:

“Where, in relation to clause 3(f)”—which is what I just quoted there—“the House of Representatives does not approve of the highest graded candidate on the...Merit List pursuant to subsection 123 of the Constitution...”

And, Madam Speaker, this House, in response to the ordering of this act, this House has been treating with the names that came before the House in the order that this law says it shall be.

1.45 p.m.

And it goes on to say:

“...subsequent nominations in order of merit may be submitted to the House...from the Order of Merit List only in accordance with the procedure set out in the Constitution.”

—meaning this is the only pathway that any authority in this country—meaning this House—can proceed to treat with the merit list and the names on that list. Madam Speaker, that is what we have been doing and that is what this House has been called to do, because the Government is eager to have a Commissioner of Police, a substantive officer, holding the post with all that will flow from that.

Madam Speaker, section 4(2) says:

“Where the Order of Merit List is exhausted, the process set out in this Order shall be”—recommended.

To the best of our knowledge, Madam Speaker, when we met here the last time, the merit list was not exhausted. We did not affirm the recommendation of the nomination, and today we are now informed by the President that the commission has submitted another name—the next name in line—from the merit list and that is the law, Madam Speaker. That is the process. And may I remind my colleagues in this House, that is the process put in place by this House under the Constitution. [*Desk thumping*]

So notwithstanding any other fulmination, any other line of argument, that is as simply put in the nutshell of activity, which brought us here today. Yes, it can be said that we could have been on vacation. Madam Speaker, I would love to have been on vacation. [*Crosstalk and laughter*] You know I was on vacation? Madam Speaker—[*Crosstalk*]

Madam Speaker: Member for Princes Town. Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, I apologize for your inconvenience. There are 139 local government seats and if you win one and you are so happy, I am so happy for you. [*Laughter and desk thumping*]

Madam Speaker: Member for Princes Town, this is the last time I am going to ask you to please restrain; the last time.

Hon. Dr. K. Rowley: So, Madam Speaker, as I was saying, all of us would have been—[*Crosstalk*]—“us” as per the Standing Orders—would be happy being somewhere else doing something else, but the priority in this country, which we have agreed is a priority, sufficient priority, to come here for as long as we want to be here, because this need not detain us, because today we have in front of us, as required by the law, the dossier on Stephen Williams. But may I say, Madam Speaker, I need not go into the details of this dossier on Mr. Stephen Williams, because this whole country knows Mr. Stephen Williams.

I think 10 years ago, Mr. Williams appeared before this House in a similar fashion for the position of Commissioner of Police. He was 10 years younger and he was 10 years less tired and, Madam Speaker, at the time, the position of the House was that Mr. Williams was not ready—I think that was the word used by the then Prime Minister—for the responsibility of Commissioner.

In fact, Madam Speaker, Mr. Williams’ qualification since then, even at that time, he was a qualified officer in many respects, but there was a view in many quarters that even though there were qualifications of one kind or another, the nature of the problem that we were facing of crime fighting, as against ordinary policing, and the criminal explosion in Trinidad and Tobago, it was the view of

the Government of the day that Mr. Williams was not ready for the job, and on that basis as the law provides for, the majority in the House did not affirm the commission's recommendation. And, as I said before, this is not unusual. Other persons who were nominated by the commission, and for reasons best known to the House, they may or may not have been accepted. That is what the law provides for.

So today, Mr. Williams is with us again, 10 years later. But during that period, Madam Speaker, Mr. Williams has had the opportunity to serve this country for many, many years in the office of Commissioner. I think he was extended to act as Commissioner in six-month increments, I think about 10 or 12 times.

Dr. Gopeesingh: Thirteen times.

Hon. Dr. K. Rowley: Ten, 12, 13 times, many times, Madam Speaker. And what has happened then, Madam Speaker, is that while an acting position has its drawbacks, especially with respect to the succession planning and the effecting of promotions and so in the system, Mr. Williams has given the assignment his best effort. I have had the opportunity of working with him for two and a half years or thereabouts, and I can tell you, Madam Speaker, that he has given of his best. [*Desk thumping*] And I think there is no disgrace in us accepting, or Mr. Williams accepting that he, like all of us, once you do your best you simply have to leave the rest.

Mr. Williams has served this country as Acting Commissioner, and I understand his feelings because, Madam Speaker, I do not like to use the word "system", but he has been a victim of the system because whether one wanted to appoint him as Commissioner earlier or not, subsequent to the original nomination, it took years, Madam Speaker, and millions of dollars to bring us to where we are today, a matter of a couple months or thereabouts before Mr. Williams retires.

I am told that Mr. Williams is retiring. He has accumulated leave, and under the public service system he is due to go on pre-retirement leave in September, Madam Speaker. So he has been on the job holding the fort, standing in the gap for Trinidad and Tobago. [*Desk thumping*]

Mr. Deyalsingh: A patriot.

Hon. Dr. K. Rowley: Today, Madam Speaker, it falls to this House to affirm

Mr. Williams as the Commissioner of Police. But, Madam Speaker, what does that do for us responding to the assignment? Because whereas in—10 years ago, it was the view that Mr. Williams was not ready. This House cannot now say he is not ready because, Madam Speaker, I heard one of my colleagues, sotto voce, say he is ready to go. That might be so. But, Madam Speaker, what we do have now is the benefit not of foresight, but the benefit of evidence that with the best analysis in the world, with the best marking of the score, I think we all in Trinidad and Tobago must conclude that the fight against crime is not where we would like it to be.

And, Madam Speaker, as we thank Mr. Williams for his service as we treat with this nomination, confirmation of Mr. Williams as Commissioner of Police, in the view of the Government, is not going to make the change that the country requires at this time and, therefore, Madam Speaker, the Government will not accept this notification, because we expect to respond in a way that will bring about some element of change, and after seven years, Madam Speaker, we do not believe that just a confirmation of the incumbent—not the incumbent, but the holder in an acting position will change that. Madam Speaker, we cannot make a confirmation here today and tomorrow it is business as usual. That is not what Trinidad and Tobago requires now. We require, Madam Speaker, an intervention of change, so as to give ourselves a chance to get the upper hand.

But, Madam Speaker, I am taking the advice of the Attorney General, in the near future, and taking the liberty today to say that where there is authority at the Cabinet to ensure that Mr. Williams' effort in that acting position for all those years, that he does not go on unrecognized and unrecompensed [*Desk thumping*] because, Madam Speaker, I think the system has been unfair to him, and even in that period of unfairness, he did give it his best shot. [*Desk thumping*] So Madam Speaker, having said that, we are confined, we are constricted and circumscribed by the Constitution. This matter goes back to the commission to continue the process.

Madam Speaker, may I remind my colleagues, there is no way under law—and my colleagues know it, because when my colleague here, the Member for Arouca/Maloney, the substantive Leader of Government Business, indicated to the Parliament and the public “early o'clock” that we were not going to support the last nominee, so that everybody was clear up front what the Government's position was, my colleagues on the other side demanded, even before it was on the Order Paper, they demanded that we go to the Constitution as though we were going anywhere else. There is no other place to go. The only place to go, Madam

Speaker, as I said last week, is with this law here. [*Desk thumping*] We have no other alternative, because any other alternative will be a breach of the Constitution. And may I repeat it, this Government has no intention of breaching the Constitution to allow itself to be taken to court so that they could put on their gown and their suit, and go and win the case in the court. We are following the law and the Constitution. [*Desk thumping*] As we do that, Madam Speaker, the process continues. The process for which we take ownership, because this process was created by this Parliament.

I expect that in the not-too-distant future, the conversation will take place between the Government and the Opposition, so that this process—[*Crosstalk*]

Mr. Charles: We should be doing that today.

Hon. Dr. K. Rowley: Madam Speaker, I am not to be advised by my colleague, the Member for Naparima, with or without the wheel. [*Desk thumping*] Madam Speaker, this process needs to be abolished and be replaced by something far more efficacious. Madam Speaker, but in the meantime, until a new law is put in place, in the meantime, this is the law that we will follow and we will follow it to the letter.

So we will await the notification from the President, whenever she is advised by the commission, if there is another name on the merit list, and until the merit list is exhausted, we are not able to escape this process, and it might very well be, as I must mention, the Police Service Commission does not advise the President or the Government on who is on the list or how many on the list and so on. We will await the notification of the commission, and it might very well be, Madam Speaker, that there are others on the list who may find favour with this House. Madam Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Mr. Rodney Charles (*Naparima*): Thank you very much, Madam Speaker. Today we meet to discuss a Notification sent by the President for the selection of Mr. Stephen Williams for the post of Commissioner of Police, pursuant to December 2015, Legal Notice 218. Madam Speaker, I listened intently to the hon. Prime Minister, and I wish—the hon. Prime Minister keeps pointing out this is the law and we must obey the law. That is a deontological proposition which I will deal with later on. [*Desk thumping*] But the American Marketing Management Association says there is difference between a manager and a leader. A manager operates within the law, he is constrained with the law. A leader shifts

paradigms. So a manager operates within paradigms, a leader shifts paradigms. That is why Jesus said, they said unto you, the law:

“An eye for eye, and a tooth for a tooth.”

But I say to you, forgive 77 times not seven times. Jesus Christ, who sets the pattern for us, shifted the paradigm, and today we heard a Prime Minister, who is a slave to the system, a slave to the law, not recognizing as his representative for Tobago West has advised him, he is in charge. [*Desk thumping*] He is the leader. And to the young representatives, I want to tell you, because you have to—

Madam Speaker: You address—I know it is vacation and we might all be very exuberant, but you address your contribution this way.

Mr. R. Charles: Madam Speaker, I thought this was an Extraordinary Sitting, and that is why I thought it required an extraordinary contribution. [*Desk thumping*] It requires leadership. [*Desk thumping*] And to our young citizens who are listening today, I want them to understand and take a lesson, that leadership requires thinking outside the box. [*Desk thumping*] It requires not being imprisoned by a system that has not worked.

Madam Speaker: Member, the decibels, please. It is extraordinary. [*Laughter*]

Mr. R. Charles: Madam Speaker, this futile exercise which cannot produce a Commissioner of Police is an example of gross incompetence [*Desk thumping*] cluelessness, [*Desk thumping*]—and I would speak lower—and an indication that this PNM administration led by Dr. Keith Rowley does not know what it is about and does not act with forethought. [*Desk thumping*]

Madam Speaker, they have declared the process for the selection of the Commissioner of Police as being—according to the representative for Arouca/Maloney who is not here today, quote:

“lacking in transparency and that...can come to no other conclusion that the Commission did a job which cannot be explained and which was wholly unreliable and appeared to be flawed.”

And the quote continues:

“...any recommendations coming out of that flawed process cannot and will not be accepted”

By criticizing the process, they did not realize that they had set in train a motion of futility, [*Desk thumping*] an exercise where we have to come here and do

nothing, and if the audience was not the youth and the next generation, I would have told them about an action that provides enjoyment, but no productivity. [*Desk thumping*] It begins with “M” but I would not use it, because we have young leaders, a young generation here with us. This is an exercise in non-performance. It is a waste of time, and I would like to tell the Prime Minister, it is not a question of coming out on vacation. We will come out on vacation to do the people’s work [*Desk thumping*] to do things, to develop, to shift the paradigm, not to come here to sit down to do nonsense which leads to no action.

So, Madam Speaker, by wanting to get rid of Mr. Deodat Dulalchan—I not know what was his problem? Was he too tall, too short—

Mr. Deyalsingh: Madam Speaker, Standing Order 48(6), we do not want to get rid of anybody, 48(6).

Madam Speaker: Member, I will invoke 48(1). We are not here about—Member for Oropouche, I can hear you. I am quite aware of my responsibilities here. We are not here—please put your hands down—about Mr.—any other candidate. Mr. Williams, please.

Mr. R. Charles: Madam Speaker, the refusal to appoint Mr. Dulalchan is not the reason why we are here today?

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1) and 48(6).

Madam Speaker: Member, again, I said we are not here about any other candidate. So if you wish you can proceed. You have your choice.

Mr. R. Charles: I would proceed.

Madam Speaker: Thank you.

Mr. R. Charles: So we find ourselves today debating quietly what you, Madam Speaker, might call autoimmunity because the PNM has destroyed the very mechanism that they created and introduced in 2006. In other words, they are destroying the systems that we have produced. We are like today the Grand Old Duke of York—march us 41 up to the top of the hill and he march us in here again, and that was an exercise in futility. And when they were up they were up, and when they were down they were down. And we are here—we are neither halfway up nor halfway down. We just wasting time, Madam Speaker.

And, you know what bothers me? The Prime Minister has said and repeatedly, “I have nothing to do with this process.” He said—and I am reading last week on the 9th of July at page 5 on *Hansard* he said:

“Madam Speaker, we are following the law.”

Suddenly everything is the law now.

“As a matter of fact, let me say something else too, when you all created this law, I was not in this country, and I remember asking a reporter just what madness”—is this.

I wish to remind the Prime Minister of the principle, the hallowed principle, which I learnt in 1965 in A level in Naparima when I did British Constitution, about Cabinet collective responsibility. [*Desk thumping*] He, at that time, he was Minister of Housing from the 10th of November 2003 to the 22nd of April, 2008.

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1). Madam Speaker, may I invite you to look at Standing Order 48(1). [*Crosstalk*]

Madam Speaker: Member for Caroni East, okay, please. Member for Naparima, I will allow you some leeway.

Mr. R. Charles: Appreciated, Madam Speaker. [*Desk thumping*] You see, I wish to remind the hon. Prime Minister that with a slavish adherence to the law—also should be circumscribed with adherence to conventions, parliamentary principles, and the Cabinet collective responsibility, as I learnt from Prof. A. V. Dicey—and that is about half a century ago—he said, also known as collective ministerial responsibility is a constitutional convention in the parliamentary system that members of Cabinet must publicly support all governmental decisions made in Cabinet, even if they do not privately agree with them. So British Constitution 101 talks about Cabinet collective responsibility, and this Prime Minister keeps saying that convoluted process as if he was not part of that convoluted process. [*Desk thumping*]

So why are we here today? Today, Madam Speaker, I estimate, in this futile exercise—and this futile exercise we have been advised will continue until the list has been exhausted. When I checked the cost of parliamentary staff being here today, the cost of ministerial salaries by hours multiplied by the two or three hours we will be here today, the MP salary on our side and the opportunity cost to somebody like the MP for Chaguanas Central, a doctor, he could be earning income doing medical operations—

Hon. Members: Caroni East.

Mr. R. Charles: Caroni East, Madam Speaker.

Mr. Deyalsingh: Madam Speaker, Standing Order 48(1), please. This is about an Order.

Madam Speaker: Member for Naparima, please continue.

Mr. R. Charles: So we are here today, and the estimation given by persons who looked at it, we are spending \$400,000 of taxpayers' money in an exercise in futility, a charade that would not lead to any results. Generation coming up, \$400,000 of your taxpayers' money—

Madam Speaker: I am saying to you, Member for Naparima, you are speaking to the Chair. It may not be to me, but to the Chair. I will not permit you to do what you are doing.

Mr. R. Charles: Madam Speaker, I am speaking to the Chair and I am speaking—

Madam Speaker: Member, I have told you, you are speaking to the Chair. That is the end of it. I do not need anybody to paraphrase. Please continue.

Mr. R. Charles: We are spending today \$400,000 of taxpayers' money that is wasted. We have done it three times, so we are talking about \$1.2 million, and when we add on the 3.2 that was paid to hire KPMG, we have spent a total of \$4.4 million to achieve nothing, Madam Speaker. So why are we here today? Because the Prime Minister says we have to follow the law and he is the last to know.

We have on the 9th of July, *Hansard* and I am quoting the Prime Minister:

“Madam Speaker, the law as it stands now asks that the Order go through a certain process. On becoming Prime Minister, it was like pushing a stone wall up a hill to get this process started, even though we had not had a commissioner for years, and there was one being renewed every six months. To get the process started, I got to the point—and it is because the Prime Minister has no role in the matter.”

And about five or six times, the Prime Minister has no role in the matter. And as I said before, we have in effect been presented with a deontological dilemma which is an obligation, a slavish obligation to duty. This was a philosophical process and principle that was established by Emmanuel Kant. I am suggesting that he should have adopted a teleological approach which speaks to actions must be governed by results [*Desk thumping*] so that we are here today, and we should say what is the result of this action and this discussion today.

And you know, Madam Speaker, I seek inspiration even though I am not 100 per cent where I should be spiritually, but I seek solace in the scriptures and I quote Mark 2; 24—27:

Nomination of Mr. Stephen Williams
[MR. CHARLES]

Friday, July 20, 2018

“The Pharisees said unto him Behold, why do they on the sabbath day that which is not lawful.”

And Jesus said to them:

“The sabbath was made for man and not man for the sabbath.”

May I tell the Prime Minister, the laws to appoint a Commissioner of Police rest with us and the ability to work together to develop a process [*Desk thumping*] that could work to ensure that our country is properly governed. You hinted it earlier. Let us reason together, but reasoning together requires you to respect us and not tell us convoluted idiocy, like we are not patriots, as if anybody on that side has the right by qualifications, experience and maturity to determine who is a patriot and not. [*Desk thumping*]

And I say unto you, Prime Minister, come and treat with us respectfully and we can solve this problem in two weeks' time. [*Desk thumping*] But that requires a measure of humility, humility and leadership. And I would go back to the Bible again, servant leadership is where you see yourself as a servant of the people, a servant of the Parliament, a servant of the process and not one who dictates and talks about pavement and who could fight and what, et cetera. [*Crosstalk*] Yes, you can. We elected—the citizens of this country on September the 15th elected a Government not to provide excuses, but to accept responsibility and to lead. [*Desk thumping*]

Madam Speaker, they promised—and that is critical to why we are here—in their manifesto and in their 10-point crime plan to change the process for selection of a Commissioner of Police. Where is that changed plan that you talked about? Where is it? [*Desk thumping*] And why after three years we are still floating and looking, seeking salvation with no answers? [*Desk thumping*]

The only thing that came out of that—and it was item one of the 10-point crime plan—was a process to insert the Minister of National Security in the process to initiate the process for the selection of a Commissioner of Police. Well, our courts have ruled on that. They deemed it ultra vires the Constitution, null and void, but that is the PNM way. They make promises. They give up when they do not get their way and then blame everyone else for them not following through on their promise.

Madam Speaker: So, Member, come back now to what we are doing, please. I think you have set your table very adequately. Please come on.

2.15 p.m.

Mr. R. Charles: Yes. So, Madam Speaker, we are here today on this flawed process, and I crave your indulgence to just clarify two pieces of misinformation in respect of the flawed process. I heard it on radio stations and I heard it in the media that somehow they have bought into this flawed argument, this flawed argument that two persons did not apply for the job and therefore they could not be selected. Madam Speaker, any elementary management MBA student would tell you that in an interview process if someone is being interviewed and you determine that that person may be better suited in another area that management and leadership reserves the right in order to make the necessary adjustments.

In fact, Madam Speaker, I was interviewed in Trintoc—I worked in the Ministry of Education—for one job, and when the interview was finished I was placed in another job. That is normal, the normal process. It is not enough to invalidate the process to bring us here today. [*Desk thumping*] Madam Speaker, and the other question, and I need to do this because there is disinformation in the public sphere. The other bit of information is that—[*Crosstalk*]

Madam Speaker: Members, please. Members. I would like to hear the Member for Naparima and I would like to hear him with a certain decibel, so I will ask you all to cooperate so that he does not go beyond a certain—you know. Member for Naparima.

Mr. Deyalsingh: Madam Speaker, could he just explain what “disinformation” is, please?

Madam Speaker: Member for Naparima, please continue.

Mr. R. Charles: Yeah. I was—okay.

Madam Speaker: Please continue.

Mr. R. Charles: Okay. The other bit of misinformation, disinformation, whatever, the other was that the KPMG merit list was not the same as the Police Service Commission’s list. But, Madam Speaker, the Constitution—and the Prime Minister quoted the Constitution—the Constitution empowers the Police Service Commission to determine and take ownership for the process for coming up with a merit list. They cannot outsource that to a consultant. So when the Prime Minister comes and he waves this thing in the public arena and he says the list that the consultant gave was different to the PSC’s list, there is no requirement in law.

Madam Speaker: I do not recall that happening in today's debate. We have already debated the process, and, therefore, I am not going to let us go back to the process. If you missed that opportunity, please continue. Okay, please?

Mr. R. Charles: Yes.

Madam Speaker: Move on, we are not going back to the process.

Mr. R. Charles: Yes. Except to say, Madam Speaker, that the Prime Minister—the Economic Development Advisory Board disregarded their advice, they were consultants, and therefore the same argument was—

Madam Speaker: Member, Member, Member, Member. I think it is almost disrespectful after I have made a ruling for you to try to present yourself as if you did not hear or understand. I think you are well above that, having regard to the academic qualifications that you have made us all quite aware of. Please.

Mr. R. Charles: So why are we here today? We are here today because in my considered view, and in the view of the constituents of Naparima, their Prime Minister lacks the requisite mature advice to come up with a process that would lead us to a way of expediting the appointment of a Commissioner of Police. In the United States of America they have understood that this is a problem. A President needs advice of the highest quality, and therefore they have developed what they call the Strategic Advisors to Government. Madam Speaker, this is important, because we are here today, in my view, because of the poor advice that the Prime Minister is getting.

In the United States there is the Strategic Advisors to Government Executives. They call it SAGE, who lend their knowledge and insights to help senior leaders navigate this complex federal environment. Madam Speaker, these people have 25 years' managerial experience. They have held positions as acting general administration, chairmen of the Center for Internal Security, co-chair of the Partnership for Public Service Strategic Advisors. Where is that equivalent resource residing in the Office of the Prime Minister?

Madam Speaker, in Singapore—and they do not like to hear about Singapore because they do not like to hear about excellence, about best practice. In Singapore a Centre for Strategic Futures (CSF), a Centre for Strategic Futures was established as a future think-tank to focus on issues that may be blind spot areas, pursue open-ended long-term futures, and I am only saying this to say—I will leave it, but I am only saying this to say that in countries like Singapore such an exercise in non-performance, non-output, non-activity—sorry, non-output activity such as happening in this Parliament will not happen in a country like Singapore.

So we have somebody like the Member for Port of Spain North /St. Ann's West, who is an advisor to the Prime Minister, and I suggest that if we look at our colleagues in developed countries that that advice is not the same.

So we have 1,391 murders, something that the Commissioner will have to address, Madam Speaker. Instead we should be looking at saying what are the requisite qualifications for the appointment of a Commissioner of Police? We should have output objectives to say by 2019 the murders will increase by 20 per cent and let the Commissioner of Police agree to that.

Hon. Member: Decrease.

Mr. R. Charles: It is a decrease by 20 per cent so that we could, at the end of the day, judge the performance of the Commissioner of Police, not open-ended list of activities like we had yesterday. We call it metrics that we could use to judge. We could be discussing these things if we really want to solve our crime problem.

Madam Speaker: Okay, so, Member, we are not again discussing the process. We are not discussing what you may anticipate as possibilities for a new order, new criteria. We are discussing a nomination that is before us, so I would ask you now to focus on that, please.

Mr. R. Charles: Thank you very much. So I will get on now to the qualifications of Mr. Stephen Williams, and I would like to, on behalf of the Opposition, to apologize to a patriot, a man who has served this country with dignity. Notwithstanding what some may say about his performance levels, he should not be subject to an exercise today where he is abused, in fact, where he is just brought here for us to say that he is not a nominee. Madam Speaker, I was in management and although in management they deal with workers, and those in policy-making decisions are dealt by the court, the legal process, the Commissioner of Police—

Madam Speaker: Hon. Member for Naparima, your original speaking time is now spent—*[Interruption]*—Members, again, tolerance. You are entitled to 15 more minutes if you wish to.

Mr. R. Charles: Thank you, Madam Speaker. We have a man who has served this country with dignity despite abuse, besides the fact that he was not given the level of strategic guidance from a failing PNM Government. This is a man who holds several degrees, diplomas and certificates. He has a Master of Studies in Applied Criminology and Police Management from Cambridge

University, one of the top universities in the world by Times Higher Education rating agency, and yet we are being told that this man—we are dismissing his years of service to this country and his qualifications. He has a Level 7 Executive Diploma in Strategic Management, and people who cannot even give strategic guidance to reduce crime are making a judgment to say he cannot perform. Who are they, I ask?

The man has an Executive Masters from UWI, a legal education certificate from Hugh Wooding Law School and a Bachelor of Law degree. Madam Speaker, we—and I want Trinidad and Tobago to note—that we on this side apologize profusely to Mr. Stephen Williams for the indignity and humiliation to which he has been subjected because on that side were not able to understand that by rejecting the process they would have led to the humiliation of not only Mr. Stephen Williams but a host of other people.

This gentleman has been given 13 extensions. In 2014, Madam Speaker, the Prime Minister, our Prime Minister, notwithstanding his crocodile tears today, the Prime Minister, and I am reading from the *Guardian*, July 24, 2014, and it is an article by Kalifa Clyne, and she says:

“Opposition Leader Dr Keith Rowley says Acting Commissioner of Police Stephen Williams has made the Police Service an eunuch, causing soldiers to push them aside. During a People’s National Movement public meeting at the Massy Stores carpark, St Augustine, on Tuesday night...”—he said—

He is speaking about this same person who he is now praising today with crocodile tears, he says:

““He has converted the Police Service to a eunuch. The Police Service is headless and the criminals know it.””

And today you come and you are saying, we on this side, the PNM acknowledge the service of Mr. Stephen Williams. Madam Speaker, there is a word for that—hypocrisy. [*Desk thumping*] That is what they call that. You do not like the man, say you do not like the man, stand up for what you believe and at least we could say that you are a man of your word.

So I apologize, and I apologize to all who will come to go through this charade that we have experienced today. The Prime Minister spoke about an alternative approach. I ask him, respectfully, to engage the Opposition as recommended by my colleague from Chaguanas West, MP Ganga Singh in his contribution when he said come let us reason together and solve our nation’s

issue. So we are here today. What else could we have been doing, because the Prime Minister says we on vacation, not only vacation, we would not mind coming here to discuss legislation to take us off the EU blacklist.

Those are things that we would have absolutely no problem to deal with. We would not have a problem if we are dealing with the Cybercrime Bill, Madam Speaker, no problem at all. We will come out, cancel a marriage. [*Crosstalk*] We love our families, we love our wives, our children, Member for Port of Spain North/St. Ann's West, and we will give up our families [*Laughter*] to come here. We would discuss a new approach for the selection of a COP, a Commissioner of Police. I will give up all my holidays if we were here today sitting to discuss the new process to develop a Commissioner of Police. [*Desk thumping*] Madam Speaker, we would be happy to come here and discuss the whistle-blower legislation.

Madam Speaker: All right, so I think the point has been made, let us get back to this. You have made the point about that, let us—come on, please.

Mr. R. Charles: So we have, Madam Speaker, and I am saying that this exercise is a waste of time, because whoever is selected, whichever patriot is selected as a Commissioner of Police, he will not have the strategic intellectual guidance from a Government that is clueless and bankrupt [*Desk thumping*] of ideas to govern this country.

Why do they not admit it for God's sake? You all are incapable of governing this country. [*Desk thumping*] You all are incapable of solving the crime—as I said, in my constituency we have 17 murders and only one has been solved. Come let us discuss that; we have no problem with that. Madam Speaker, a new crime plan—

Madam Speaker: And this is not a crime debate, okay, so please, move on.

Mr. R. Charles: Yeah. So, Madam Speaker, today, I close by saying that I have—in my old age my time is important and to come here and sit down and hear nonsense, to hear things that do not add value, that does not change the price of cocoa, that does not solve our crime, that does not provide jobs, or anything like that; it is hard to take. So I call on this Government to please resign and [*Desk thumping*] and let this country breathe again, breathe again, breathe again. We are suffering. [*Desk thumping*]

Madam Speaker: Member for Port of Spain North/St. Ann's West. [*Desk thumping*]

The Minister of Communications, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker, and perhaps we will give it a couple of seconds to let the decibels just reside and for a sense of sanity to return to the Chamber. [*Desk thumping*] Let us start, as the Member for Naparima, “Duppy”, throws his insults across, let us start—[*Interruption*]

Mr. Charles: What about your family and your children?

Madam Speaker: Member—[*Crosstalk*] Members, order, I have said repeatedly, an eye for an eye will make all of us blind. Member for Port of Spain North/St. Ann’s West, while you might be caught up in the whole—please, if you can just withdraw that particular term?

Mr. Padarath: Madam, the Prime Minister repeated the comment.

Madam Speaker: Member for Princes Town, I think because you cannot control your emotions, if you could take a little walk and you can join us as soon as you feel you can—

Mr. Padarath: But, Madam, the Prime Minister repeated the comment. He repeated the insult of the Member. [*Crosstalk*]

Madam Speaker: Member for Princes Town, again, just—

Mr. Padarath: Madam, it is very unfair. The Prime Minister repeats the insult of the Member. That is the leadership of this Prime Minister, repeats the insult of the Member. [*Crosstalk*]

Mr. Hinds: You are challenging the Speaker? [*Crosstalk*]

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, that comment is withdrawn by myself. Madam Speaker, I would like to start by once again correcting the misinformation being put out there. I sat here and I listened to the Member for Naparima who was given the task of responding to the hon. Prime Minister say he would be happy to be here, they would be happy to be here during the vacation dealing with cybercrime, global forum, dealing with all these various things that I remind the citizens of Trinidad and Tobago are currently before joint select committees, and the Chairman of the Joint Select Committee has asked for the Opposition—[*Interruption*]

Mr. Lee: Madam Speaker, 48(1), the Joint Select Committee has nothing to do with this Notification. [*Crosstalk*] The Joint Select Committee, information in the Joint Select Committee has nothing to do with this sitting.

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, responding to what was frontally raised with a lot of exuberance, we would be happy to be here, we would be happy to be in the House to attend to the people's business, I can tell the people of Trinidad and Tobago today that the Member who has just departed, the Member for Princes Town, and other Opposition Members have written to the Chairman of these various Joint Select Committees to say they will not participate in any business of the people of Trinidad and Tobago, a joint select committee, during the vacation. It is in writing.

Mr. Lee: Madam Speaker, what happens in the Joint Select Committee has nothing to do with this—[*Crosstalk*]

Mr. Indarsingh: Member for Laventille West, your words, abusive words, Member for Laventille West.

Madam Speaker: Member for Couva South, please allow me, please.

Mr. Indarsingh: But he is—

Madam Speaker: Member for Couva South, it must be the time of the year.

Mr. Indarsingh: What time?

Madam Speaker: Member, could you kindly also leave the Chamber. You can come back in about 10 minutes, please.

Mr. Indarsingh: But once again, Madam Speaker, apparently we need video assistant referees. [*Laughter*]

Madam Speaker: Member—[*Crosstalk*]

Hon. S. Young: Thank you very much, Madam Speaker—

Madam Speaker: One minute, please. Member for Laventille West, a particular word reached my hearing. I would just like you to stand and withdraw that, please.

Mr. Hinds: I withdraw without more, Madam Speaker, respectfully. Thank you.

Madam Speaker: Member for Pointe-a-Pierre, you have raised an objection under Standing Order 48(1), I believe. I overruled the objection. Member for Port of Spain North/St. Ann's West.

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, just to bring us back on track, we are here today pursuant to the supreme law of Trinidad and Tobago. We are here today pursuant to the Constitution of Trinidad

Nomination of Mr. Stephen Williams
[HON. S. YOUNG]

Friday, July 20, 2018

and Tobago, and this Government takes the law, and, in particular, the Constitution very seriously. It takes the business of the people very seriously, and what we are here today to do is to deal with the nomination of Mr. Stephen Williams to the House of Representatives.

You see, Madam Speaker, what is the important distinction or an important distinction to be made, respectfully, is we heard a lot about the Government, the Government, the Government in the process. Absolutely nowhere in the process, pursuant to the Order, Legal Notice 218 of the 16th of December, 2015, the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015, does the word, the Government, appear in it. Because the process, Madam Speaker, is that the Police Service Commission goes through its process, the Government has no role to play. In fact, the court ordered, because the only part that the Government had to play—and let me go back a little bit, Madam Speaker. The Member for Naparima said that it was a manifesto promise of this side to simplify the process and to appoint a Commissioner of Police; we fulfilled that, Madam Speaker, because as this Order is dated we came into office in September 2015. By December 2015, we had gone through the parliamentary process and there was a new order or process in place by this Government in December 2015, [*Desk thumping*] simplifying the process that existed before.

Madam Speaker, just to remind the citizens of Trinidad and Tobago, those on the other side, from 2010 to 2015, had a constitutional majority and could have done it themselves and they did nothing about it. But what they did was worse, Madam Speaker. During 2010 and 2015 they hired—the Parliament approved the appointment of a Commissioner and a Deputy Commissioner of Police— [*Interruption*]

Mr. Lee: Madam Speaker, (48)1. [*Crosstalk*] The Notification, we gave you the Notification.

Madam Speaker: Member for Port of Spain North/St. Ann's West, I will give you a little leeway in terms of just confining to the response, but, please, remember what is before us.

Hon. S. Young: Thank you very much, Madam Speaker. So, Madam Speaker, during that period they did nothing to simplify the process. The Government came in, and responding to the Member for Naparima who said we did not fulfil our manifesto, we did. We simplified the process, it went to court, and the only involvement of the Government was the Minister starting the process, the court struck it off.

So we are here today, Madam Speaker, dealing with the nomination of Mr. Stephen Williams at the end of a constitutional process that does not, in any way whatsoever, involve the Government of Trinidad and Tobago. Because at the end of the process when the Police Service Commission sends names to Her Excellency, Her Excellency sends it to the Parliament, and the Parliament then puts it before the House of Representatives, not before the Government. So we are here today as Members of the House of Representatives to deal with what has been sent pursuant to the Constitution of Trinidad and Tobago and the Order Paper, despite all of the noise.

Another issue raised, Madam Speaker, was about vacation and the cost of being here today, a completely nonsensical point, because I would like to ask those on the other side if it is that they do not get paid during the vacation. As far as I am aware every Member of Parliament and every Minister gets paid for 365 days of the year, and we on this side work for the 365 days of the year, unlike those who may be on the other side. And unlike those on the other side, we do not call for overtime, we do not call for anything else. So, Madam Speaker, again, the argument and saying that being here for the people, to conduct the people's business, and the appointment of a Commissioner of Police that they are trivializing, we on this side will come out whatever day of the week it is, including on a Saturday or a Sunday to do the people's business to make sure that the Constitution is upheld and a Commissioner of Police is appointed, Madam Speaker; that is our position. [*Desk thumping*]

Madam Speaker, we heard about certain qualifications, we heard about he went to school, the Member of Parliament for Naparima went to school in 1962 and he did this at A levels, he did that, and he has done stuff in HR. Madam Speaker, he even said that he was in Trintoc, et cetera, and he said that there is a fallacy in the human resource principle that if a person does not apply for the post that person can nevertheless be given the post. Madam Speaker, again, complete attempt to mislead the population of Trinidad and Tobago, because every single recruitment process is governed by the rules or the law directed to that process.

I am certain if he goes to Trintoc, or he goes to anywhere else he may or may not have worked and he looks at the rules of hiring and promoting persons, it will say in there that regardless of whether a person applied for a position after an interview process they can be given another, and that is expressly stated. That does not apply here. And this Government thanks those who—well, we are thanking ourselves really, Madam Speaker, for not falling into that trap of persons who did not apply for a post being confirmed in a post, thereby opening it up for legal challenge in the court, as is being threatened at the current point in time.

So, Madam Speaker, again, do not be misled by those on the other side who may wish to do so. It was also quite alarming, if not amusing, to hear those on the other side, all of a sudden heap praise on Mr. Stephen Williams, because Mr. Stephen Williams—it was quite ironic, and maybe even hypocritical, because Mr. Stephen Williams could have been confirmed by those on the other side when they fired the two Canadians. They could have brought the process back through, he could have come and they could have confirmed. They could have changed the Order. They had a constitutional majority; they did none of it.

Madam Speaker, allow me to remind the people briefly what their then Attorney General, Anand Ramlogan, told Mr. Stephen Williams and the country at the time, it better to have you on contract, you know; it is better to have you acting because then you will act better. They want the people to forget that is what they did. So do not, Madam Speaker, allow them to mislead the people of Trinidad and Tobago, [*Desk thumping*] and their hypocrisy once again.

I heard the Member for Naparima, Madam Speaker, heaping praise and apologizing to Mr. Stephen Williams, apologizing for how he was treated over the period of time, et cetera, et cetera. The question is why did they not do something about it when they had the constitutional majority and the power to do something about it when they fired the two Canadians in 2012. They did nothing from 2012 to when they demitted office in September, 2015.

Madam Speaker, you heard the hon. Prime Minister, the Member of Parliament for Diego Martin West say in the clearest possible terms today, and it is worth repeating, that this Government will go, and as a Cabinet, we will ensure, in accordance with the law, that Mr. Stephen Williams is given his due, he is given what he is worth, and we thank him. We thank him for all that he has done [*Desk thumping*] in that acting position during the period of time. And unlike those on the other side, we moved immediately as a Government to try and reform the process, simplify it, and get us to the point we are in today. The difficulty we face today as a country is, unfortunately Mr. Stephen Williams has served his time and he goes on pre-retirement leave in a couple of months—

Hon. Member: In a couple of weeks.

Hon. S. Young: In a couple of weeks actually.

So, Madam Speaker, it makes no sense if you are looking for leadership in the police service to put someone in a permanent position and they disappear on us in a few weeks' time—and he disappears in a few weeks' time. So, Madam Speaker, on behalf of the people of Trinidad and Tobago, on behalf of the

Member for Port of Spain North/St. Ann's West, and on behalf of all of the Members of this Government, and, in particular, the members of the National Security Council that have worked with Mr. Stephen Williams, we thank him profusely for the service he has given to this country. As a Cabinet we will do what needs to be done to ensure that his pension rights, et cetera, are looked after, and we will continue, in accordance with the Constitution and the law, to go through the process that was agreed by this House and agreed by this Parliament, in accordance with the Constitution, and that is going through the Order of Merit List.

2.45 p.m.

So, Madam Speaker, in conclusion, the Government thanks Mr. Williams. The Government will continue in accordance with the law and the Constitution. The Government rejects what was said on the other side. The Government rejects the hypocrisy. The Government has put on the record now that despite them saying they are happy to work, they are not happy to work and they do not intend to work during the vacation. And if it requires us coming back here every single week of the vacation to do the people's work, to ensure that Trinidad and Tobago has a Commissioner of Police, we are prepared to do so. [*Desk thumping*]

Madam Speaker, we will not boycott meetings. We will do the people's business. We will not ask for overtime. We will not ask for extra payment, and we will do all that needs to be done to govern Trinidad and Tobago in a proper and constitutional manner. I thank you, Madam Speaker.

Dr. Tim Gopeesingh (*Caroni East*): Madam Speaker, I rise to make a short intervention and a short submission on this issue.

This is the third time we are coming to Parliament, week after week, discussing the issue of the Notification by Her Excellency to Parliament on the question of appointment of a Commissioner of Police. We would remember that on two previous occasions the hon. Prime Minister, the Member for Diego Martin West, indicated that he cannot support the submission of the Police Service Commission because the process was flawed. So therefore, by boxing himself into that, what message was he sending?—that the position of Commissioner of Police could not be filled because the two people who were nominated, and the notifications came to Parliament, could not be accepted or confirmed because they did not apply for the position of Commissioner of Police.

But today we believe, and we believe truly, that Mr Stephen Williams was a person who applied for the position of Commissioner of Police. So his name is

the first name that has been brought for the Notification, and therefore he rightly applied for the position of Commissioner of Police. And that statement or excuse by the Prime Minister in his submission on the two previous occasions cannot be held for this. So what is the reason why Acting Police Commissioner Mr. Stephen Williams cannot be accepted by the Government today?

The excuse made by the Member for Port of Spain North/St. Ann's West that, because of the short timing, if we appoint him now, July, he is due for retirement in September. He is not due for retirement in September.

Mr. Young: I said pre-retirement.

Dr. T. Gopeesingh: Pre-retirement. He is not due for pre-retirement. His position holds until 2020. He is entitled to leave. [*Interruption*] So therefore, because somebody is on pre-retirement leave by virtue of the amount of weeks he has accumulated, you cannot appoint him as Police Commissioner? The Prime Minister kept on saying, "process flawed, process flawed", well, of course that is another issue which we ruled on earlier on, we cannot go back there and debate that at all and speak about that.

So what is the reason for not appointing Mr. Stephen Williams? Madam Speaker, the hon. Prime Minister himself went back to 2008. I was a Member of that House then and a few of us—Dr. Moonilal, our political leader and MP Ganga Singh—when Mr. Panday had decided with Mr. Manning a process to be followed for the appointment of a Commissioner of Police. And they asked him if they wanted a three-fifths majority and he said, "No, you are the Government, Mr. Manning's Government, you undertake that. This is your process, you go on to fulfil that process and come up with a Commissioner of Police, because you have the responsibility for maintaining peace and order in society and prevention of crime."

So at that time the Opposition did not ask for any three-fifths majority. The Opposition said, "You are the Government, you have the process, work with it". The process was used by the Police Service Commission, they came up with a name of Mr. Williams, and I remember the Member for Diego Martin North/East, for 75 minutes spoke about why they cannot appoint Mr. Williams. Although the process came through and Mr. Williams was the person who was nominated by the Police Service Commission, today we are hearing the Prime Minister saying he was not there and he did not know what happened at that time. But my colleague dealt with the issue of collective responsibility, so he cannot claim ignorance of it.

The Member for Diego Martin North/East went on a tirade why they could not appoint Williams in 2008. Ten years later they are coming back to say they cannot appoint him again. What is it that they have against Commissioner Williams? [*Desk thumping*]

Madam Speaker, 2008, 10 years ago, the Member for Diego Martin North/East said, and the Prime Minister made mention of his statement, “He not ready”. So 10 years later “he not ready again”? “He not ready”, Madam Prime Minister—Madam Speaker? [*Crosstalk*] You are in the elite group of being a Prime Minister too, Madam Speaker.

The career highlights of this gentleman, the Acting Police Commissioner, for 10 years: He served on several Cabinet-appointed committees, including the one appointed to develop the transitional plan for the police service 2006. We would all remember the Mastrofski Plan; Penn State University coming up with the process. Let me just interject there, the Prime Minister at one time said we did not appoint Neil Parker. [*Interruption*] Yeah. Let me correct that. Neil Parker was the person who laid out the regulations for the process for appointing the Commissioner of Police when he was with Penn State University. So when he applied for the position of Commissioner of Police, how could you set out the process and then apply for it? So we did not accept him as a Commissioner of Police at that time. But we went on to appoint, even though we may have had reservations, Police Commissioner Gibbs as the Commissioner and Deputy Police Commissioner Ewatski.

Madam Speaker: Member, I am giving you some leeway, but you know, I am really now beginning to question where we are going with the historical chronology. Thank you.

Dr. T. Gopeesingh: I wanted to put into context the whole question of where we were and where we are now. Thank you, Madam Speaker.

Madam Speaker: For the past—and we have to remember it is all happening as you said. You said week after week, I do not recall it, but that is what you said. I think we all have the chronology. Let us zero in on what is before us today. Thank you.

Dr. T. Gopeesingh: Madam Speaker, thank you for the guidance.

He was a Gold Commander and led the largest multinational security task force ever to secure an event in Trinidad and Tobago, the Commonwealth Heads of Government in 2009. We had over 54 countries represented here, Commonwealth Heads of Government, and this was the person who served as the

Gold Commander in 2009, and things went very well and no issues arose. That is the person that they are saying they do not want today, Deputy Commissioner Stephen Williams. He was a member of the International Association of Chiefs of Police; a member of the International Advisory Committee of the Police Executive Programme at the Institute of Criminology, University of Cambridge, since 2013. He was the first male police officer to be awarded the prestigious Male Advocate Award by the International Association of Women Police 2017, in support of the United Nations He For She campaign. My colleague, Member for Naparima, made mention of some of his qualifications.

The qualifications of this Acting Commissioner of Police are superb. And as Mr. Panday would have told us many days in the past that Dr. Moonilal and you Dr. Gopeesingh, you have more degrees than a thermometer. This person has more degrees than a superb thermometer. *[Laughter]* So why is he being rejected? There is no explanation on that side, besides the fact that he is going to retire in 2020. So you cannot appoint him because he is going to be—so what is the reason? Every time the process comes forward and puts in somebody that they do not want, it is thrown out. So they did not want him in 2008, “dey throw him out. Dey doh want him now, dey throw him out. Who dey want?” Are we going to be subjected for five years without a Commissioner of Police?

Madam Speaker, what we have had in the many sessions related to this Notification in respect of the nominations of various individuals for appointment to the office of Commissioner of Police really reflects a truly sad state of our democracy, due to the purposeful attempt by the majority party and Members of the Government side to undermine and even destroy the democratic institutions enshrined in our Constitution.

Madam Speaker, we are all familiar that the independence Constitution in 1962, when both sides agreed to the separation of powers, and that these institutions, the Police Service Commission, Public Service Commission, Judicial and Legal Service Commission and Statutory Authorities Commission and so on, they must be independent to shield the individual citizen from the arbitrariness of a government. So that went on to the Republican Constitution in 1970-something.

Mr. Deyalsingh: Madam Speaker, may I invite you to look at Standing Order 48(1), please.

Madam Speaker: Member for Caroni East, I am going to allow you a little leeway but this is not a debate about the Constitution; it is not a lecture on constitutional law. So if you could tie that up very quickly with what we have before us, please.

Dr. T. Gopeesingh: Madam Speaker, I just want to draw to the attention of the House the necessity for the independence of these commissions. We see that these commissions are being trampled upon. They made their recommendations and they are being questioned on by this Government. So they were questioned in 2008, they are being questioned again in 2018, 10 years later, by PNM administrations, and therefore they have shown no respect for these independent commissions. [*Desk thumping*] If the Prime Minister wants—because he has shown no respect for the Integrity Commission as well.

Madam Speaker: We are not talking about independent commissions. If it is that you are talking about this specific one that is dealing with this Notification, I may entertain you, depending on what, but we are not talking about any other independent commission, please.

Dr. T. Gopeesingh: Well, I am saying that they have no respect for this Police Service Commission which is constitutionally— [*Desk thumping*—and they are finding all types of excuses not to accept the nomination. Do they have any respect for KPMG which was part of the process? If they do not have any respect, they went to KPMG and plucked out somebody from there to make the person a Minister.

Madam Speaker: We are not dealing with the process again, please. Kindly move on, on what is relevant to today's debate.

Dr. T. Gopeesingh: In summary, the point is they have abused their governance aspect of being the Government responsible for taking the recommendations of these commissions, and they have hypocritically denied what these independent commissions have sent to them, so that there has been no respect whatsoever—great hypocrisy. And today, we had the hon. Prime Minister and the Member for Port of Spain North/St. Ann's West, talking about—let me say what the Prime Minister was talking about—directions under the Constitution, as though he is really taking directions from the Constitution, which is the Police Service Commission. You are taking no directions from there.

He spoke about the respect for the Constitution and that is why we are here and we have to be here. How many more weeks are we going to be here? When he already said the process has been tainted, and he showed today that he does not want Williams because the process is already tainted, so whoever comes up on the list we will come back here week to week in futility to debate this, wasting everybody's time.

My colleagues have said on previous occasions, let us discuss this thing together. There was a joint select committee, we finished with that. The time has

come for us, if you want to bring four, five, six, seven one day and we finish with it, because we know that you are not going to accept the nominations of four, five, six, seven because it comes back to the same principle where you said that the process is flawed. So we will be coming back for four weeks, week after week, exercise in futility and we have reached nowhere.

So nearly three years would have gone under their watch, a Commissioner of Police would not have been appointed and the likelihood of a Commissioner being appointed is distant. So we are prepared on this side with our responsibility to work with that side, the Government, to choose a process that is probably better than the one that they worked on in December 2015, and they brought to this House. So the one that they brought to this house, as spoken about by the Member for Port of Spain North/St. Ann's West, they have not even accepted that process which they put into place in 2015. So we are prepared to work with you, as the Opposition was prepared to work with them in 2008, and we are prepared to bring about some degree of redress on this issue.

So come with a Bill. The Attorney General is there. They have the—I hope they have the ability to bring a Bill to Parliament, and let us discuss this Bill and prevent this exercise in futility from going through. I will just move on now to respond to one or two other issues.

The Prime Minister said that they have no authority to deal with this matter. We know that they have no authority in the nomination process, but they have the ability as the Government to accept or reject. But they have rejected one, two, three, and we know that they are going to reject four, five, six and seven. So this issue of, they are respecting this and they are respecting that and so on, is gross hypocrisy. There is absolutely no respect for any of these areas.

Now, let me come to the point the Government is eager to have a Commissioner. After three years you are there. You did not put the process in place. After three years, now you are coming and you are saying, “yuh doh want this person, yuh doh want this person, but yuh coming to say today, as Prime Minister, the Government is eager to have a Commissioner of Police.” Does this really show eagerness after three years? Do you really want to have a Commissioner of Police? If you do not have the person you want, you are not going to have any. That is the status of the Government at this time.

He said the work of Mr. Williams will not go unrecognized. I thought that the most important recognition was the issue of making him Commissioner of Police, because this is his dream. And if I am to read from his CV that he submitted to the Police Service Commission, his career objective:

I aspire to lead the Trinidad and Tobago Police Service on a full-time basis—on a full-time basis—in order to complete the turnaround of the organization within the two years.

After 13 six-month reappointments, six and a half years, “yuh doh think” a person who is so well-qualified, who has served with distinction, cannot be made Commissioner of Police? And this man is longing to be the Police Commissioner. So why? And you said that his work will not go unrecognized? The greatest recognition you can give to him is to ensure that he becomes Commissioner of Police. [*Desk thumping*]

We want to ask, when the Prime Minister was speaking he said, well, the Attorney General would look into this matter, is it going to be a Cabinet matter? What does this really entail? Is the Cabinet, going to contemplate something out of the law to recognize the Acting Commissioner of Police? We ask for clarity on that. What is it that they are thinking about doing to soften the blow that they have given the Acting Commissioner of Police, and in platitudes say that his work will not go unrecognized? So this is something they have to clear up.

The Member for Port of Spain North/St. Ann’s West spoke about the new order process in December 2015. They simplified the process and it does not involve the Government. Well, the same simplified process that you put in, in December 2015, is one that you do not want to accept now. So you put in something in 2015 and you do not want to accept it—how foolhardy.

Let me just conclude by saying that the issue when the Member for Naparima was speaking about the waste of time and a waste of professional capacity, and parliamentary—

Mr. Karim: Atrophy.

Dr. T. Gopeesingh: Yeah. Why are you bringing us back? We are a team prepared to work. Opposition is not afraid of any work at any time. [*Desk thumping*] Madam Speaker, 345,000 people ensured that we become a formidable Opposition, and this is what we are, a formidable Opposition. And when we see things are not happening in the way that it should happen, it is our voices that must be heard out in the general public. [*Desk thumping*] So therefore, we say that this process that the Government is putting through this Parliament is an abuse of process. It is absolutely unnecessary. It is a fault of the Government, and they must take the responsibility and the blame. It must be on the shoulders of this Government, who have shunned the responsibility—shunned, s-h-u-n—they have shunned their responsibility as a Government with proper governance by loss of respect for any of these institutions enshrined in the

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Constitution. [*Desk thumping*] It is time for them to get up and go and give the citizens of Trinidad and Tobago a better governance by electing the Opposition into government. Thank you, Madam Speaker.

Mr. Ganga Singh (*Chaguana West*): Madam Speaker, it is not my intention to be long in my debate today. I had the opportunity to speak on two occasions on this matter. However, I thought that it is important, having regard to the utterances of the hon. Prime Minister and the Member for Port of Spain North/St. Ann's West, to correct the record.

First, I want to congratulate the Prime Minister for seeing the wisdom of the Opposition in accepting the overture for engagement to change the law, [*Desk thumping*] because you may recall, Madam Speaker, I had indicated on the last occasion, which was July the 9th, that therefore, in order to deal with this matter, that the Prime Minister ought to embrace the Opposition, and that therefore constitutional change can only occur in the parliamentary system which we practise by engaging the Opposition to bring, as he indicated, efficacious law.

You see, what we are engaged in here really is an exercise in futility, as my colleague, the hon. Member for Naparima said. We come here and every week "we wuk dem one by one". You know, Sean Paul said that in his lyrics. "Yuh see de girls and yuh wuk dem one by one." What we do is that we are "wukking" the nominees sent by the President, one by one. [*Desk thumping and laughter*]

So the law is being eviscerated, it is becoming a hollow entity. And that therefore, you know when you did *Oliver Twist*, Mr. Bumble said certain things about the law, but I do not think it is parliamentary for me to indicate what Mr. Bumble said about the law being a certain kind of creature.

The Prime Minister when he dealt previously with the appointment of Mr. Dulalchan, and then subsequently Mr. Harold Phillip and today with Mr. Williams, is constantly shifting the goalpost. Then he said the process was flawed and that there was an invisible hand appointing a Commissioner of Police. Subsequently with Mr. Harold Phillip, he said he had not applied for the job of the Commissioner of Police, and that therefore they would not appoint somebody who had not applied.

Today, the goal post shifts again, that Mr. Williams, notwithstanding all his qualifications and good qualities and the fact that he is going to be given recognition for his service, he is not the change agent that is required in the circumstances. Make up your mind. [*Desk thumping*] Make up your mind. [*Desk thumping*]

Madam Speaker, I have been in Parliament for quite a while, but this is the first time I am beginning to understand that when the House is adjourned sine die, it means week to week—[*Laughter*—first time. Because it was adjourned sine die on July 3rd, and we came here on July the 9th. So “sine die” for persons looking on, means “without any future date as to resumption”, so it is adjourned indefinitely. So we have added to the parliamentary learning, and I am sure May’s will take a good look at that, that sine die means resumption every week in Trinidad and Tobago. [*Desk thumping*]

But the Prime Minister says the process is triggered by the Police Service Commission and then the President, and then there is the Notification of Parliament, and that is right. However, there is a matter that has been triggered by the Police Service Commission, that has been sent by the President to this House and that has not been dealt with, in accordance with section 123 of the Constitution. Because you see, Madam Speaker, the law states, which is the Constitution, and this is at 123(3):

“The Police Service Commission shall submit to the President a list of the names of the persons nominated for appointment to the offices of Commissioner or Deputy Commissioner of Police.”

Now, on February the 2nd, 2018, a supplemental Order Paper of this hon. Chamber, you have “Papers”: No. 6, Notification of His Excellency the President in respect of the nomination of Mr. Deodat Dulalchan for the appointment to the office of Commissioner; Paper No. 7, the Notification of His Excellency the President in respect of the nomination of Mr. Deodat Dulalchan for the appointment to the office of Deputy Commissioner of Police; Paper No. 8, the Notification of His Excellency the President in respect of the nomination of Mr. Harold Phillip for the appointment to the office of Deputy Commissioner of Police. [*Interruption*] Her Excellency—I thank you for the correction Member for Port of Spain North/St. Ann West, plastacine patriot that you are, I thank you all the same. [*Desk thumping and laughter*]

Madam Speaker, so what you have before this House in accordance with the law established by my good friend, the Member for Port of Spain North/St. Ann’s West and the Member for Diego Martin West, the hon. Prime Minister that they intend to follow the law. They intend to follow the Notification of the President. We do not need to come every week. There is a matter before us; let us deal with those matters that are before us. [*Crosstalk and desk thumping*]

3.15 p.m.

Because you see, Madam Speaker, you see because in the Order Paper of—it appeared in the Order Paper for the matters to be dealt with in the context of the Deputy Commissioner in accordance with the wishes, but now there has been a removal. So that therefore, from the Order Paper—and you have a whole listing as to when it appeared, from February the 2nd to June the 6th. So, we do not need to adjourn the House sine die and come every week. Let us put a date, let us deal with the Notification from the President for the Deputy Commissioners of Police.

You see, Madam Speaker, so it is good that we are engaged in this process, but it makes the law hollow, very hollow when we engage in this process in a way it enters, as according to one newspaper, the “genre of farce”. So that when you have that, you really make the ordinary citizen cynical and it makes the Parliament disconnected and irrelevant from the people. [*Desk thumping*]

This Government took a decision and as a consequence of that decision, that they found that the process was flawed and as a consequence of that decision we have a merit list to go through, because that is the law. In fact, the law will be available until January next year. That is the law, unless you exhaust the list that is the stance for a year from the date of the first order of merit being—the President being notified.

So, Madam Speaker, we are here in this extraordinary sitting because of the extraordinary incompetence of the Government of the day. [*Desk thumping*] And whilst we will do our duty to God and country, we find that it is inappropriate that we engage in this process as we are doing. Because, you see, the framers of this constitutional change, Mr. Panday as Opposition Leader and Mr. Manning, the deceased, then Prime Minister, it was never in their contemplation that the Government of the day will utilize their majority to flaw the whole process. [*Desk thumping*]

It was the contemplation, and you could see it by way of notification that you will have individual members being flawed, meaning that there will be character issues, there may be issues with respect to their alliances in the society or their allegiances in the society. There may be certain issues that will come to the fore, but it was never the contemplation that the whole process will be kicked out, the baby with the bathwater. [*Desk thumping*]

So, Madam Speaker, and it is because of that approach—and why? Why did the Government take that approach? Well, I do not want to engage in conjecture, but it is thought for them, because you see on July the 3rd, they did not

contemplate coming back, on July the 9th, they did not contemplate coming back; July the 20th, they did not contemplate. Today, I do not know when they are going to set the date. The acting Leader of Government Business might then now set the dates; so set the dates. So, you know, there are great expectations now, great expectations.

So, all I want to indicate at the end of this very short contribution, we must follow the Constitution, we must follow the law, but we have a duty not to make the law an ass. [*Desk thumping*] So, Madam Speaker, with these few words, I thank you.

Madam Speaker: Member for Diego Martin West.

The Prime Minister (Hon. Dr. Keith Rowley): [*Desk thumping*] Madam Speaker, what a note to rise on. I am a geologist and therefore, I will very respectfully let my colleague, the Member for Chaguanas West know, he being a lawyer, that if today the law is being made an ass of, it is not by me or anybody on this side.

Madam Speaker, as I said the last time, I expect my colleagues on the other side in a debate of this nature to rise and engage. And they have done so, some with sincerity, some in the full knowledge that what they are saying cannot stand the spotlight of closer examination.

What my colleagues on the other side are asking the Government to do is to somehow not follow the law. And I made it quite clear on the last occasion that I have heard you, I understand you, I do not agree with you, we do not agree with you, and we will not be advised by you to do that, because there are options of not following the law, taking shortcuts on this matter. We know that if we do that, it will create opportunities for successful legal challenge to the State and the taxpayer will pay by the millions to enrich the lawyers who are largely those who are encouraged by our friends on the other side; I made that quite clear. We are not doing that.

Madam Speaker, imagine, imagine that it specifically says in the law that the commission shall send the first person at the top of the merit list in any point in time, there is no provision for any other process. The commission cannot send the whole merit list here to us of five or 10 or 15 people, the law says you have to send them one by one, and that automatically means they come day by day. I did not make that up, that is the law.

So why are my colleagues, parliamentarians who made the law, coming here and taking issue with the fact that we are coming day by day? The law says you

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must do that, and if you are too busy, go and do what you have to do, we are going to come here and do it, and that is how it is going to be. [*Desk thumping*] Right?

And look at the logic. The fact that we are coming here today is costing taxpayers \$400,000. Madam Speaker, whether I had come here today, whether I had gone to my office in Diego Martin or gone to my office in St. Clair or gone on the beach in Pigeon Point, taxpayers would have paid me the same fee that they paying me at the end of this month. So what is the story, Madam Speaker? What is the story?

And, Madam Speaker, if I may remind you, these are the same people who in this very Parliament moved a Motion on crime and criminality in this country as a matter of urgency, requiring urgent action. And I had said and I am going to repeat it, the reason why we are doing this now in the vacation period is because it is the first opportunity we have had to respond in this way. Had this matter come to us before, we might have dealt with it, and we would have dealt with it within the parliamentary term.

I do not know how many of them went to the Latin class, but I understand that some of them understand now and they are giving us advice on “sine die”. Madam Speaker, you know what “sine die” means? “Sine die” means without a date, [*Desk thumping*] that is all it means.

So when the Parliament is adjourned—and you know, the language of Parliament is English. This sine die story that has exercised them, sine die—my colleague here could easily have said, as we normally would say, “a date to be fixed”. That is what “sine die” means, “a date to be fixed”. It means that you are adjourning today, and you are not saying at that time, when is the next time you will come. Madam Speaker that is the basis of an argument for hours here? That is what “sine die” means, “a date to be fixed”.

And there is provision in the parliamentary Standing Orders for us to come here; my colleagues know that. [*Desk thumping*] You have ruled. You are the authority, Madam Speaker. You have ruled that we are here, and even after you have ruled, they get up here and they are quarrelling, quarrelling, quarrelling about being here.

Hon. Member: Like children; they are forced to come to school.

Hon. Dr. K. Rowley: Madam Speaker, and while they are doing that, they are saying that “we are willing to come any time, any day, to do the people’s business”.

Madam Speaker, let me quote for you, not what they say, let me quote for you what they have written to the Government on that score as to how frequently they will want to come. Let me quote a document dated the 20th of July, today's date. Before we got here they wrote to us, to the Minister of Finance, 20th of July, nine minutes before the Parliament was due to convene this afternoon, 1.21 p.m., Parliament convened at 1.30 p.m.

Mr. Lee: Madam Speaker, I invite you to look at 55(b). The Member for Port of Spain North/St. Ann's West raised that already.

Madam Speaker: Please continue, Member for Diego Martin West.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. They have said, more than one of my colleagues this afternoon—[*Crosstalk*]*—*more than one of my colleagues on the other side this afternoon made the point very forcefully that they are prepared to come here anytime they are called to do the country's business. I am simply demonstrating to you, Madam Speaker, how to take that statement or those statements, because at 1.21 p.m.—this is not only people's business to be dealt with. It is quite normal in this Parliament for committees to meet during the vacation. Worse than that, it was my colleagues on the other side that brought this Parliament out in the vacation period to amend the Constitution to change the way we vote in this Parliament. [*Desk thumping*] They came in the vacation—[*Crosstalk*] Madam Speaker, I did not disturb them when they were carrying on. Could I have some protection, please, Madam Speaker?

Hon. Member: It is "Duppy".

Hon. Dr. K. Rowley: Yes, it is "Duppy".

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Yes, Madam Speaker, as I am saying, I am responding to what my colleague said about this whole violation of holiday rights. The Parliament of this country was called into session in August during the vacation period to amend the Constitution to change the law, to change the voting system in the country. It was so urgent that they do that, that they called it in the vacation. And we were in the Opposition then, we came to the Parliament and we engaged the issue.

Hon. Member: Week after week.

Hon. Dr. K. Rowley: We engaged the issue. They are suggesting to us that we are incompetent because we are coming here every week, every day. Madam Speaker, we can only come here to treat with a nominee, and it will only be a

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nominee, because the law restricts it to a nominee, one nominee, and we can only come here when the President sends a notification; [*Desk thumping*] that is the Constitution.

So if there is no notification coming from the President, we cannot summon our colleagues to come here for that. If a notification is sent to this House, it is our view as the Government of Trinidad and Tobago that we treat with it with dispatch. [*Desk thumping*] What they are asking us to do is to leave it to languish until the vacation is finished, and we are saying no to that. We want to put a Commissioner of Police in place as quickly as possible. [*Desk thumping*] It is the Opposition's view, that the Government does not know what it is doing. That is their view that is their point of view, you are free to have that point of view, that is not our point of view. We know exactly what we are doing. [*Desk thumping*] [*Crosstalk*]

Hon. Member: Read what they say in the letter.

Mr. Indarsingh: Read the letter from the *Galleons Passage*.

Mr. Deyalsingh: Read the letter.

Hon. Dr. K. Rowley: Madam Speaker, the letter says, the letter of—

Mr. Lee: Madam Speaker, relevance, 48(1). This letter is in a committee, 48(1). [*Crosstalk*]

Madam Speaker: Please, proceed.

Hon. Dr. K. Rowley: Madam Speaker, the letter written by a senior member of the other side representing the Opposition.

“Since the Chairman does not intend to observe the fixed recess provision”—
Right?

—“as well as to ignore the interests of members...it is”—the— “view...”—
and—“...must take a stand.”

And the stand that is being taken—

Under—“...the circumstances I wish to advise...that I would be unavailable to attend any future meetings of the JSC...during the fixed recess...”—period.

So in other words, they are holding to the position that they will do no public business during the fixed recess period. That is their written position, written at 1.21 p.m. today and sent to the Government by Wade Mark of the UNC.

Hon. Member: And what about Padarath?

Hon. Dr. K. Rowley: So if that is your position, it is written by individual members, [*Member displays document*] it is written by—

Madam Speaker: Member, please. I am sorry. But in terms of display—

Hon. Dr. K. Rowley: I have to speak loudly—

Madam Speaker: No. No. No. It has nothing to do with the tone of your voice. It has to do with displaying and flagging of documents. Please, continue.

Hon. Dr. K. Rowley: Yes, Madam Speaker, so that is one of the leaders in there, one individual Member of the House, he wrote the day before, 19th of July.

“I wish to advise that I am unavailable for sittings of the...JSC during the recess period.”

In other words, the recess period is the recess period and they are not conducting any business. [*Crosstalk*] They are free to say that. Madam Speaker that is the view of Opposition Members. We are saying that this matter of the appointment of a commissioner of police is sufficiently important for us to take time out during the vacation period [*Desk thumping*] to advance the process. If the process is not advanced, we are then going to continue a process that started in August 2012, because this business of appointing a commissioner of police did not start today.

And I will repeat, I am very surprised at their eagerness, now that they are in the Opposition, they are eager to change the law when for three years I as Opposition Leader said to them from the Opposition Bench, come to Parliament any Friday with a change and you will have our support and we will change the law. For three years I begged them, Madam Speaker, they never came, but all of a sudden they want to advise this Government not to follow the law. No thank you for your advice. I hear you, [*Desk thumping*] I understand you, I will not do that.

Madam Speaker, let me deal with this business of engaging. These colleagues of mine on the other side who are somehow now holding up the prospect of engagement as a solution, remember the story, Madam Speaker, about the spider and the fly? “Will you come into my parlor, said the spider to the fly.” These are the same Members who recently took part in a joint select committee, came to a conclusion, signed the report, come in the House and repudiate their signature and—[*Desk thumping*]— and telling me now that we can only advance anything in this House in this situation by embracing them. I am not embracing any porcupine. [*Desk thumping*]

Mr. Lee: Madam Speaker, 48(6). Who is a “porcupine”?

Mr. Hinds: He did not say “yellow porcupine”.

Madam Speaker: Member for Laventille West. [*Crosstalk*] Member for Pointe-a-Pierre—

Mr. Lee: Yes, Madam Speaker.

Madam Speaker:—I overrule your objection.

Mr. Lee: So you let the Prime Minister call us “porcupine”? We are porcupines?

Madam Speaker: Well, I did not hear anybody on this side being accused of being a porcupine. [*Crosstalk*] Member, please, while you know, I think we are entitled to a little latitude, let us not go overboard. Member for Diego Martin West.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. They offer us advice, we hear the advice, we understand the advice. Even, as I said earlier on, that we are quite open and willing to change the law, but we are also even more willing to act now to appoint a commissioner of police, now that we have waited for all these years and we are going through the process step by step, day by day.

Dr. Gopeesingh: So, why you do not want this one?

Hon. Member: “Doh answer”, eh.

Hon. Dr. K. Rowley: Madam Speaker, the Members of the Opposition are free to get on their high horse and prance in the understanding that they know the Government’s position. They are pretending that they know the Government’s position. As far as they are concerned, the Government is incompetent. That is your point of view, and you are free to have it. But the Government is very clear what we are doing and it will—[*Desk thumping*] We have waited for a very long time since 2012 to appoint a commissioner of police, from 2012 to 2015, it was not within our control. From September 2015, it came under our control. We took steps to have the order revised and reviewed. You challenged it in court, it was proven by the judge, it is there, it is now the order in place, so we have been consistent and we have been at work.

Hear the other big point. We said—we expressed a point of view that we had issues with the process, and therefore, having said that, we must now not follow the law. That is the advice from the Opposition, because we have said, in expressing our view on the process, and interestingly enough when we expressed

our view and concern about the process, our colleagues on the other side came up with their position. Yes, the process has issues, but it is not fatal.

Hon. Member: Exactly.

Hon. Dr. K. Rowley: That was their position.

Hon. Member: That is right.

Hon. Dr. K. Rowley: We said, send the matter back to the commission for their review. Subsequently, the independent commission went, and may I remind my colleagues on the other side, this process is under the control, the ambit and the responsibility of the Police Service Commission. That independent commission went and got senior counsel advice, and the senior counsel advice supersedes any feeling that we may have. Whether we feel so or do not feel so is of no consequence because we have to follow the law, and you seem to have a problem with following the law. We have no problem with following the law. [*Desk thumping*]

Today, the most amazing development, we are being chastised for following the law. I wear that as a badge of honour. [*Desk thumping*] Madam Speaker, my colleagues on the other side, they have a record, you know. They passed a law in this House, we told them—I am just explaining to the Speaker why I am not just—and I do not want to use the animal porcupine—why I am not just embracing my colleagues in the sphere as they are inviting. Madam Speaker, my colleagues have a record, you know, and against that record you have to understand what they are telling us. They passed a law here for the Children's Authority, passed a law in this House—

Dr. Gopeesingh: 48(1), Madam Speaker.

Hon. Dr. K. Rowley:—did not make the provisions, and when—

Madam Speaker: Prime Minister, an objection is being raised.

Dr. Gopeesingh: 48(1).

Madam Speaker: Yes, Member?

Dr. Gopeesingh: What is the relevance of what he is speaking about, the Children's Authority to this, Madam Speaker?

Madam Speaker: Member, Prime Minister, please, move on.

Hon. Dr. K. Rowley: Madam Speaker, I am moving on by saying, as they have invited me to allow them to run the process by the offer of the embrace, I am

simply pointing out, that if I am invited to embrace, I have to understand whether there is love or “smartmanism”. And I am saying that the Children’s Community Residences, Foster Homes and Nurseries, (Amdt.), Bill was passed here, and those who passed it, knowing that the Bill required, proceeded—

Dr. Gopeesingh: Madam Speaker, what is—[*Crosstalk*]

Mr. Charles: You told me I could not talk about the process. What are they talking about?

Madam Speaker: Member, Member.

Mr. Charles: Yes, Speaker.

Madam Speaker: I do not need you to remind me about what I told you, please. Prime Minister, please, do not go back to the Children’s Authority or the children residence. Please, move forward. [*Desk thumping*]

Hon. Dr. K. Rowley: All right. Without dealing with specifics, let me just make the statement, which I expect that I can make in the debate, that as I am invited to embrace the Opposition in this matter, I have to be very wary of their commitment on matters of this nature. Because there are many examples where they have invited, and they took advantage of the situation. So, Madam Speaker, it is against that background that I understand what they are saying to us—ignore the law and come into their parlour and try to create a new law at this stage. Right? And of course, I have a good idea how and where that will end up.

Hon. Member: And how long it will take.

Hon. Dr. K. Rowley: You understand? So, Madam Speaker, they are making the point that Williams was not supported 10 years ago, and today we are not supporting Williams and we are making excuses. We are not making excuses, we are making a decision, we are making a decision. Because you see, Madam Speaker, let me tell you why. Let me tell you why we have come to that position. Because Mr. Williams has, in fact, been managing the police service for seven years?—and after seven years you are in the forefront of saying that the police service has not distinguished itself. [*Desk thumping*] That is what you are saying. So it is the ministerial leadership why the police service has failed. That is the statement coming from the Member for Naparima; it is ministerial leadership.

Mr. Charles: Yes, I said so.

Hon. Dr. K. Rowley: So, I presume that it was ministerial leadership when you all were in Government, why crime was rampant in the country causing a

state of emergency? And it is because you think it is ministerial leadership so you changed Ministers like how you are changing clothes?

We are saying, Madam Speaker, that the police service regardless of who is in office in the Cabinet, that there is an urgent requirement for leadership and substantive leadership in the police service. [*Desk thumping*] And it is not just the Commissioner of Police. With the Commissioner of Police being acting, that watch will go all the way down through the police service. Senior superintendent; there are some people acting two and three levels above. Senior superintendents, superintendent, inspector, the whole police service acting because the Commissioner is acting, because the promotion system cannot be effected.

So, I am not just talking about the Commissioner here, I am talking about the Police Service of Trinidad and Tobago. You were in the forefront of saying that we are in an intractable crime wave, chronic crime wave in Trinidad and Tobago, and you have a problem with the Government treating the Commissioner of Police appointment as an urgent matter, and telling me about vacation? [*Desk thumping*] Well, if you all want to go on vacation, go on vacation. We are not going on vacation. We are staying on the job until we get it done. [*Desk thumping*].

And, Madam Speaker, having said that, I beg to move. [*Desk thumping*]

Question put and negatived.

Madam Speaker: Leader of the House.

The Minister of Health (Hon. Terrence Deyalsingh): Madam Speaker, I beg to move that this House do now adjourn to a date to be fixed.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.42 p.m.