



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

4th Session – 10th Parliament (Rep.) – Volume 21 – Number 9

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Wednesday 13th November, 2013

CLERK OF THE HOUSE: JACQUI SAMPSON–MEIGUEL

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(TYPESET BY THE HANSARD STAFF, PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, CARONI,
REPUBLIC OF TRINIDAD AND TOBAGO— 2022)

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Announcement by the Deputy Speaker

Wednesday, November 13, 2013

HOUSE OF REPRESENTATIVES

Wednesday, November 13, 2013

The House met at 1.30 p.m.

PRAYERS

[MADAM DEPUTY SPEAKER *in the Chair*]

ANNOUNCEMENT BY THE DEPUTY SPEAKER

Madam Deputy Speaker: Hon. Members, I have received correspondence from the Chief Election Officer dated November 05, 2013, addressed to the Speaker of the House, which reads as follows:

“November 05, 2013

Honourable Wade Mark

Speaker of the House of Representatives

Honourable Speaker

Re: St. Joseph By-Election 2013

Further to my letter dated 4th inst. to your good self on the above subject and pursuant to Election Rule 108(5)(b)(i) of the Representation of the People Act, Chapter 2:01, I wish to confirm the result of the by-election held on Monday 4th November, 2013, namely, that Mr. Terrence Deyalsingh is the candidate elected to represent the Electoral District [*Desk thumping*] of St. Joseph in the House of Representatives.

Yours respectively

Ramesh Nanan

Chief Election Officer

Elections and Boundaries Commission”

I now invite the duly elected Member for St. Joseph to take the oath of allegiance. [*Desk thumping*] Please stand.

OATH OF ALLEGIANCE

Mr. Terrence Deyalsingh took and subscribed the Oath of Allegiance as required by law.

LEAVE OF ABSENCE

Madam Deputy Speaker: Hon. Members, I have received the following communications: hon. Winston Dookeran, Member of Parliament for Tunapuna is currently out of the country and has asked to be excused from sittings of the House during the period November 10—19, 2013; hon. Dr. Keith Rowley, Member of Parliament for Diego Martin West, is currently out of the country and has asked to be excused from the sittings of the House during the period November 08—14, 2013; hon. Errol Mc Leod, Member of Parliament for Pointe-a-Pierre, is also out of the country and has asked to be excused from the sittings of the House during the period November 10—17, 2013; and Dr. Amery Browne, Member of Parliament for Diego Martin Central, and hon. Carolyn Seepersad-Bachan, Member of Parliament for San Fernando West, have asked to be excused from today's sitting of the House.

The leave which the Members seek is granted.

**JOINT SELECT COMMITTEES
(APPOINTMENT OF MEMBERS)**

Madam Deputy Speaker: Hon. Members, I have also received correspondence from Sen. The Hon. Timothy Hamel-Smith, President of the Senate, addressed to the Speaker of the House which reads as follows:

“September 25, 2013

Honourable Wade Mark, MP

Speaker of the House

Dear Mr. Speaker,

Appointment of Members to the Joint Select Committees

Please be informed that at sittings held on Monday September 23, 2013 and Wednesday September 25, 2013, the Senate agreed to following appointments:

- on the Public Accounts Committee—Mrs. Raziah Ahmed in lieu of Mr. Jamal Mohammed and Dr. Dhanayshar Mahabir in lieu of Mrs. Corinne Baptiste-Mc Knight;
- on the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group 1), and on the Statutory Authorities and State Enterprises falling under their purview—Mr. Gerald Hadeed in lieu of Mrs. Christlyn Moore, Mr. Elton Prescott, S.C. in lieu of Mrs. Corinne

JSCs (Appointment of Members)

Wednesday, November 13, 2013

Baptiste-Mc Knight and Dr. Dhanayshar Mahabir in lieu of Prof. Harold Ramkissoon;

- on the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions—Mr. Anthony Vieira in lieu of Mr. Elton Prescott, S.C.;
- on the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group 2) and on the Statutory Authorities and State Enterprises falling under their purview—Mrs. Raziah Ahmed in lieu of Mrs. Lyndira Oudit;
- on the Joint Select Committee on Parliamentary Accommodation—Mr. H. R. Ian Roach in lieu of Dr. James Armstrong; and
- on the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group 2), and on the Statutory Authorities and State Enterprises falling under their purview—Mr. David Small in lieu of Dr. James Armstrong.

Accordingly, I respectfully request that you cause this matter to be brought to the attention of the House of Representatives at the earliest convenience.

Yours respectfully,

Senator the Honourable Timothy Hamel-Smith

President of the Senate”

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Children’s Authority of Trinidad and Tobago, Children Authority Fund for the year ended September 30, 2012. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Regulated Industries Commission for the year ended 31st December, 2011. [*Hon. R. Indarsingh*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Trinidad and Tobago Civil Aviation Authority for the year ended September 30, 2004. [*Hon. R. Indarsingh*]

Papers Laid

Wednesday, November 13, 2013

4. Annual Report and Audited Financial Statements of the Trinidad and Tobago Heritage and Stabilisation Fund for the year ended September 30, 2012. [*Hon. R. Indarsingh*]

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

5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Agricultural Development Bank of Trinidad and Tobago for the year ended September 30, 2010. [*Hon. R. Indarsingh*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Agricultural Marketing and Development Corporation (NAMDEVCO) for the year ended 30th September, 2007. [*Hon. R. Indarsingh*]
7. Audited Financial Statements of the Vehicle Management Corporation of Trinidad and Tobago Limited for the financial year ended September 30, 2011. [*Hon. R. Indarsingh*]
8. Audited Financial Statements of the Sport Company of Trinidad and Tobago Limited for the financial year ended September 30, 2012. [*Hon. R. Indarsingh*]
9. Audited Financial Statements of the National Information and Communications Company Limited for the financial year ended September 30, 2012. [*Hon. R. Indarsingh*]
10. Annual Audited Financial Statements of the Petroleum Company of Trinidad and Tobago Limited for the financial year ended September 30, 2012. [*Hon. R. Indarsingh*]

Papers 5 to 10 to be referred to the Public Accounts (Enterprises) Committee.

11. Annual Report of the National Insurance Board of Trinidad and Tobago (NIBTT) for the financial year ended June 30, 2011. [*Hon. R. Indarsingh*]
12. Annual Report of the National Insurance Board of Trinidad and Tobago (NIBTT) for the financial year ended June 30, 2012. [*Hon. R. Indarsingh*]
13. Report on the Winding-up/Dissolution of the Sugar Industry Control Board. [*Hon. R. Indarsingh*]
14. Excise Duty (Compressed Natural Gas) Order, 2013. [*Hon. R. Indarsingh*]

Papers Laid

Wednesday, November 13, 2013

15. Legal Aid and Advice (Amendment to Part III of the First Schedule) Order, 2013. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
16. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) Order, 2013. [*Hon. Dr. R. Moonilal*]
17. Animals (Importation) Control (Amendment) Regulations, 2013. [*Hon. Dr. R. Moonilal*]

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

**Ministries, Statutory Authorities and State Enterprises (Group 2)
Water Taxi Service**

Miss Alicia Hospedales (*Arouca/Maloney*): Madam Deputy Speaker, I wish to present the following report:

Eleventh Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group 2), and on Statutory Authorities and State Enterprises, falling under their purview on the Administration of the Water Taxi Service.

**Ministries, Statutory Authorities and State Enterprises (Group 2)
National Transportation System of Trinidad and Tobago**

Mr. Fitzgerald Jeffrey (*La Brea*) Madam Deputy Speaker, I wish to present the following report:

Twelfth Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries, Statutory Authorities and State Enterprises (Group 2) on the Administration and Operations of the National Transportation System of Trinidad and Tobago.

1.45 p.m.

Madam Deputy Speaker: Member for Lopinot/Bon Air West.

**Ministries, Statutory Authorities and State Enterprises (Group 2)
Scarborough General Hospital**

The Minister of Arts and Multiculturalism (Hon. Dr. Lincoln Douglas): Madam Deputy Speaker, I wish to present the following report:

Thirteenth Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries, Statutory Authorities and State

JSC Reports (Presentation)
[HON. DR. L. DOUGLAS]

Wednesday, November 13, 2013

Enterprises (Group 2) on the Commissioning Process for the New Scarborough General Hospital.

Madam Deputy Speaker: Member for St. Ann's East.

**Municipal Corporations and Service Commissions
Port of Spain City Corporation**

Mrs. Joanne Thomas (*St. Ann's East*): Thank you. Madam Deputy Speaker, I wish to present the following report:

Tenth Report of the Joint Select Committee established to inquire into and report to Parliament on Municipal Corporations and Service Commissions (with the exception of the Judicial and Legal Service Commission) on the Administration of the Port of Spain City Corporation.

Madam Deputy Speaker: Member for Arima.

**Municipal Corporations and Service Commissions
Public Service Commission**

The Minister of National Diversity and Social Integration (Hon. Rodger Samuel): Madam Deputy Speaker, I wish to present the following report:

Eleventh Report of the Joint Select Committee established to inquire into and report to Parliament on Municipal Corporations and Service Commissions (with the exception of the Judicial and Legal Commission) on a Re-valuation of the Efficiency and Effectiveness of the Public Service Commission.

ORAL ANSWERS TO QUESTIONS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, may I indicate to my colleagues opposite that the Government today will answer questions Nos. 10, 11 and 12—[*Interruption*]

Hon. Member: “Ooooooh!”

Hon. Dr. R. Moonilal:—and would ask for the rest of the questions to be deferred for two weeks. Thank you. [*Crosstalk*]

Hon. Member: Why?

Madam Deputy Speaker: Member for Point Fortin.

The following questions stood on the Order Paper:

**Purchase of Aircraft by Caribbean Airlines Limited
(Details of)**

2. With respect to the Caribbean Airlines Limited (CAL) purchase of “wide-bodied” aircraft to re-establish a London route, could the hon. Minister of Finance and the Economy state:
- a) What is the age of these aircraft, from whom were they purchased and when was the transaction initiated?
 - b) Whether any agent, local or foreign, was involved in the procurement process at any stage?
 - c) If the answer to b) is in the affirmative, what was the extent of the involvement and how much were they paid?
 - d) What was the total cost associated with the purchase of the aircraft?
 - e) What is the total cost associated with the pilot training, storage, reconfiguration, upgrade and other related expenses in order to operate these aircraft?
 - f) How was the transaction financed?
 - g) On what date were the aircraft purchased and when were they put into scheduled service? [Dr. K. Rowley]

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

3. Could the hon. Minister of Finance and the Economy state:
- a) What is the total cost incurred in relation to “wet-leasing” of aircraft for operation of the London route to date?
 - b) When did Cabinet authorize the expansion of CAL onto the London route? [Dr. K. Rowley]

**Point Fortin Highway
(Details of Land Acquisition)**

4. With respect to the Point Fortin Highway currently under construction, could the hon. Minister of Works and Infrastructure state:
- a) The location and size of each parcel of land in the acquisition process as at June 15, 2013;

- b) The owner of each such parcel of land?
- c) The sums paid or agreed to be paid for each such parcel? [Dr. K. Rowley]

**Fire Tender Accident, Blanchisseuse
(Details of)**

9. With respect to the Fire Tender which was involved in an accident in Blanchisseuse in November 2012, could the hon. Minister of National Security state:
- a) What was the exact date and approximate time of the accident?
 - b) When was the tender bought and at what price?
 - c) What was the book value of the tender at the time of the accident?
 - d) What is the total cost associated with the recovery of the wreck?
 - e) What payment has been made to the contractor to date and how much is outstanding?
 - f) What was the approval process involved in authorizing the payment?
 - g) Who authorized and effected the payment?
 - h) Under which Head and Sub-Head were payments made? [Miss D. Cox]

Questions, by leave, deferred.

Madam Deputy Speaker: Member for Point Fortin.

**Point Fortin UTT Campus
(Details of Proposal)**

10. **Mrs. Paula Gopee-Scoon** (*Point Fortin*) asked the hon. Minister of Tertiary Education and Skills Training:

With respect to a proposal for a UTT Campus for Point Fortin, could the Minister state:

- a) whether this proposal is still being considered;
- b) if the answer to (a) is in the affirmative,
 - i) what is the chosen site for the Campus;
 - ii) what is the expected cost of the project;

- iii) when is the likely start date; and
- iv) what areas of study would be offered?

The Minister of Tertiary Education and Skills Training (Sen. The Hon. Fazal Karim): Thank you very much, Madam Deputy Speaker. Question No. 10 relates to—

With respect to a proposal for a UTT Campus for Point Fortin, could the Minister state:

- a) whether this proposal is still being considered;
- b) if the answer to (a) is in the affirmative,
 - i) what is the chosen site for the Campus;
 - ii) what is the expected cost of the project;
 - iii) when is the likely start date; and
 - iv) what areas of study would be offered?

Madam Deputy Speaker, Cabinet in 2008 noted the following:

- (a) Arising out of discussions with the University of Trinidad and Tobago and Atlantic LNG, the UTT and Atlantic LNG entered into a formal agreement in October 2007 to introduce over two phases a programme of study that focuses on secondary school graduates and residents of the area interested in furthering their education.
- (b) Phase one would involve the delivery of a pre-university programme (PUP) for post-secondary schools students with the academic foundation for entry into the tertiary level education programmes to be delivered at the Government Vocational Centre, the GVC in Point Fortin; and phase two comprised the establishment of a permanent facility funded by Atlantic LNG for the PUP programme and to impart the broader technical skills required to satisfy the needs of manufacturing plants operating in the areas identified.
- (c) UTT refined the proposal, and in addition to the PUP, it was proposed that other UTT diploma programmes would also be offered.
- (d) It was also proposed that the facility would be used by other agencies such as COSTAATT, MIC and the NESC to facilitate other programmes as required.

- (e) Two parcels of land, which Petrotrin holds a lease for mineral rights, comprising of 18 and six acres, were respectively identified for the proposed campus at the junction of several main roads leading into Point Fortin.

Madam Deputy Speaker, Cabinet having noted (a) to (e) as listed above, agreed in Minute No. 2100 of July 2008, to the establishment of a university campus in Point Fortin and that UTT negotiate with Petrotrin to obtain leases for the parcels of land identified.

Subsequently, Cabinet by Minute No. 1508 of June 12, 2009, noted that UTT was advised that the sites identified were found to be unsuitable with the presence of active wells, pipelines and flooding problems.

UTT identified a new site comprising 10 hectares which was state lands situated within the core licence area D, and that there were high tension lines or wires in the location, along with three wells on the site, which would have to be properly abandoned before any construction could commence, and:

- (a) rescinded its previous decision recorded in Minute 2100 of July 31, 2008, pertaining to the leasing of lands by UTT from Petrotrin; and
- (b) approved \$1.5 million to meet the expenditure of the works to be incurred in respect of the abandonment of three wells as identified on a new parcel of land comprising 10 hectares in the Point Fortin area for the establishment of the new campus.

Madam Deputy Speaker, the proposed reply to question 10 is as follows given the preamble. With respect to a UTT proposal—oh sorry—with respect to a proposal for the UTT campus to Point Fortin, the question was; can I state whether this proposal is still being considered?

Response: a feasibility study of the GVC conducted by the National Training Agency conducted in 2006, highlighted the need for post-secondary training opportunities in the region. As such, it was proposed that the campus be used by COSTAATT, MIC and NESC in order to facilitate the provision of programmes in areas not falling under the purview of the UTT where manpower shortages had been identified.

Pending the establishment of the campus, UTT upgraded the GVC, the Government Vocational Centre, in Point Fortin, with assistance from Atlantic LNG to facilitate the pre-university programme in 2008.

In addition, subsequent to notification of the 2009 Cabinet decision, UTT commenced negotiations with Petrotrin and received verbal agreement for use of the new site. It also undertook surveys and commenced preparation of a master plan, but no funding was received for further activity.

On May 21, 2012, the UTT wrote to the then president of COSTAATT, on the decision of Cabinet, to establish a UTT campus in Point Fortin.

UTT is aware that COSTAATT previously commissioned a study on labour market training needs in south-western Trinidad as it relates to the Government Vocational Centre—the JVC—which was conducted by the National Training Agency, the NTA.

The UTT intends to continue this study with COSTAATT and to establish a campus that meets the size of the tertiary education sector and market needs of the south-western peninsula.

Further, the initial master plan for the intended campus is being reviewed at this time. The plans for the Point Fortin campus, forms a larger part strategy to strengthen all UTT laboratories for engineering education, and to this end, the provost has established a board of engineering education at UTT that spans maritime engineering, the new aviation programmes, sound engineering, biomedical engineering, ICT engineering.

The intended site remains the same parcel of land UTT has agreed on, which is state land. The master plan is being finalized and is approximately 60 per cent completed, and on completion, the preliminary estimated cost for the establishment of the campus will be determined. When the master plan is finalized and the project scope is defined, a proposed timeline for implementation will be developed.

The areas of study will include the Certificate in Applied Engineering and existing diploma programmes in the specific programmes of, as follows: mechanical engineering, electrical/electronic engineering; instrumentation engineering; chemical engineering. It is also envisaged that additional UTT diploma programmes could be offered, subject to expressed interests and adequate class sizes in the following programmes: manufacturing engineering, automotive engineering; petroleum engineering; civil engineering and computer engineering. Thank you very much, Madam Deputy Speaker. [*Desk thumping*]

Mrs. Gopee-Scoon: Supplemental. Madam Deputy Speaker, supplemental question—and thank you, Minister, for enlightening us on the progress made by the last PNM administration for the establishment of a UTT—[*Interruption*]

Hon. Member: What?

Mrs. Gopee-Scoon:—campus in Point Fortin. [*Desk thumping*] [*Crosstalk*] I thank you much for the information provided, but I would still like to have some idea of a start-up date. Is it likely to happen next year, late 2013? Please give me a projected time period when it is likely to start and whether this is likely to take the form a public/private partnership as well still?

[*Crosstalk*] Thank you.

Sen. The Hon. F. Karim: Thank you very much, Madam Deputy Speaker. First of all, let me say that taxpayers of Trinidad and Tobago continue to finance the University of Trinidad and Tobago—[*Interruption*]

Hon. Member: Not the PNM.

Sen. The Hon. F. Karim:—and the University of Trinidad and Tobago is proud to announce, through me, that next year will be its 10th anniversary, and we continue to make tertiary education available—as we are going to be doing—in Point Fortin and other parts of Trinidad and Tobago. [*Desk thumping*] I did indicate to you—[*Interruption*] [*Crosstalk*—that we are about equity, fairness and non-discrimination. [*Desk thumping*] Therefore, I am pleased to tell you that we are going to be, as I said, the master plan is 60 per cent completed, and I am sure, Member of Parliament for Point Fortin, you are going to assist us tremendously, as we have been assisted in La Brea as well—where we are building an NESC facility in that constituency and we have one existing, you will assist us in ensuring that all of these programmes are up to capacity. [*Desk thumping*]

So, in conclusion to your question, Member for Point Fortin, we are very happy to tell you that negotiations continue with Petrotrin for the acquisition of the lands. We expect that this will be expeditious and it will be a timely exercise for us to so announce in 2014.

Dr. Gopeesingh: More questions?

Mrs. Gopee-Scoon: Supplemental. What I was alluding to when I asked about the PPP is whether you are still going to have negotiations with Atlantic with regard to this facility, because you did point out the fact that there were negotiations with them, under us, the last administration. Do you still intend to continue those negotiations? Have you approached Atlantic?

Dr. Gopeesingh: She gives a speech first.

Sen. The Hon. F. Karim: Madam Deputy Speaker, I did indicate in my presentation that negotiations with Petrotrin continue, and we also have discussions with Atlantic LNG and also other stakeholder interest partners within the south-west peninsula.

Madam Deputy Speaker: Member for Point Fortin.

**Point Fortin Civic Centre
(Details of)**

11. Mrs. Paula Gopee-Scoon (*Point Fortin*) asked the hon. Minister of Community Development:

With respect to the construction of the Point Fortin Civic Centre, could the Minister state:

- a) what percentage of work has been completed to date;
- b) the total estimated project cost;
- c) the projected completion date; and
- d) the name of the contractor executing the project?

The Minister of Community Development (Hon. Winston Peters): Thank you very much. Madam Deputy Speaker, with respect to question No. 11, the construction of the Point Fortin Civic Centre:

- a) is approximately 22 per cent completed.
- b) is estimated at \$15,436,449.
- c) has an anticipated completion date of December 24, 2014.
- d) is being executed by Carl King Company Limited.

Madam Deputy Speaker: Member for Point Fortin to the Minister of Community Development.

**Chatham Community Centre
(Details of)**

12. Mrs. Paula Gopee-Scoon (*Point Fortin*) asked the hon. Minister of Community Development:

With respect to the construction of the Chatham Community Centre, could the Minister state:

- a) what percentage of work has been completed to date;

- b) what is the reason for the delay in completing the Centre; and
- c) what is the anticipated completion date?

The Minister of Community Development (Hon. Winston Peters): Thank you, Madam Deputy Speaker. With respect to question No. 12, the Chatham Community Centre is approximately 89 per cent completed.

- b) the Ministry of Community Development was required to seek approval for the variation in cost which arose during the construction process, consequently resulting in a project delay.
- c) has an anticipated completion date of January 24, 2014.

Mrs. Gopee-Scoon: Could you tell me what is the new cost of construction?

2.00 p.m.

Hon. W. Peters: The variation would determine that and those costs I do not have as yet.

Mrs. Gopee-Scoon: Okay. [*Crosstalk*]

BAIL (AMDT.) BILL, 2013

Bill to provide the Bail Act, Chap. 4:60 [*The Attorney General*]; read the first time.

Madam Deputy Speaker: I call upon the Leader of the House.

RELATED MOTIONS

POLICE SERVICE COMMISSION (Appointments to)

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move Motion No. 1 standing in my name.

In moving this Motion I seek leave of the House to debate along with this matter, Motion Nos. 2, 3, 4 on the Order Paper which relate to the same subject.

Madam Deputy Speaker: Members, is this the wish of the House?

[*Assent indicated*]

Madam Deputy Speaker: You may proceed.

NOMINATION OF MR. MARTIN ANTHONY GEORGE

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much, Madam Deputy Speaker and thank you very much colleagues opposite.

Madam Deputy Speaker, I move Motion No. 1, but as agreed to we will discuss in the debate the other Motions.

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission; and

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

Whereas the President has nominated Mr. Martin Anthony George to be appointed as a member of the Police Service Commission; and

Whereas the President has on the 4th day of September, 2013 made a Notification in respect of the nomination; and

Whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Mr. Martin Anthony George be approved.

Madam Deputy Speaker, before I get to the substantive debate, may I take this opportunity first to congratulate and welcome the new Member of Parliament for the constituency of St. Joseph—[*Desk thumping*—]—and to indicate that the distinguished hon. Terrance Deyalsingh now joins a list of MPs, I think, including the Member for Siparia, Caroni East, Tabaquite, who began that political journey in the other place—[*Interruption*]

Hon. Member: In the Senate.

Hon. Dr. R. Moonilal: In the Senate.

Mr. Roberts: I hope he does not have “corbeaux sweat”.

Hon. Dr. R. Moonilal:—and would note that our saying here is, “in the other place is 12 rounds, here is three”, you do not have much time here. But we want to wish you all the best in your parliamentary and constituency endeavours and to assure you, like all my colleagues I stand ready to provide support to you—[*Interruption*]

Miss Cox: “Loord.”

Hon. Dr. R. Moonilal: As I do to all your colleagues.

Hon. Member: Yes, man; yes. [*Desk thumping*]

Hon. Dr. R. Moonilal: As I do to all your colleagues. [*Interruption*]

Mr. Roberts: “All ah dem.”

Hon. Member: No way.

Mr. Roberts: “Since dey have new hairstyle and all kind ah ting.”

Hon. Dr. R. Moonilal: You are assured we will not treat you differently than your colleagues. [*Crosstalk*] So welcome and all the best.

Madam Deputy Speaker, the matter before us [*Interruption*] speaks to the notification of His Excellency the President, in proposing to the honourable House or honourable Parliament and to the House of Representatives, the nominee of Mr. Martin George and others, to the Police Service Commission.

This is a very critical institution in Trinidad and Tobago, and cannot be more critical than at this time, when, as the nation is aware, the Government, all stakeholders, civil society, the private sector, are all involved in a collective effort to stem the tide of crime, violent crime, white-collar crime, to introduce reforms in the security sector, reforms particularly to the police service and to other areas of the protective services.

Madam Deputy Speaker, later in the debate the distinguished Minister of National Security, Sen. The Hon. Gary Griffith, will speak to some of those imperatives in the security sector and proposals that the Government are currently engaging in to deal with these matters. Suffice it to say that the Police Service Commission plays a critical role, not only in our constitutional make-up, but in the determination of selection, of promotions in limited cases; in dealing with regulations pursuant to the parent Act. The Police Service Commission is called upon to do an enormous amount of work to ensure that the police service is managed in an effective way, to ensure that that management leads to results.

Within recent times the Police Service Commission has also been working assiduously to ensure that the public is kept informed of developments relating to its mandate. The commission has played an important role in formulating and revising the selection process and the selection order for persons to serve at the level of Commissioner of Police and Deputy Commissioner.

Madam Deputy Speaker, the commission has also played an increasing role in public outreach programmes and programmes designed to ensure that all stakeholders in the national community are engaged to participate. They do consult with various stakeholders to ensure that policy formulation receives the benefit of the national community.

The nominees so proposed include Mr. Martin George. Mr. Martin George had served previously—and most persons would be aware that Mr. George is a very prominent attorney-at-law. He has, over the years, contributed in various areas of social service: he is a founding member and former chairman of the Crime Stoppers of Trinidad and Tobago; is an attorney-at-law—a graduate of the Hugh Wooding Law School and the University of the West Indies—and enjoys professional membership and contributes to the Trinidad and Tobago Chamber of Commerce, the Chamber's Crime and Justice Committee, the Chamber's Firearms Subcommittee, the Rotary Club of Port of Spain and the Law Association of Trinidad and Tobago. Mr. George has contributed over the years.

He was appointed as a member of the Police Service Commission on July 21, 2010 for a period of three years. So, Madam Deputy Speaker, the first nominee, the subject of Motion No. 1, Mr. Martin George, we are asked to approve and the Government stands ready to approve that nomination.

I would look to Motion No. 2, the candidacy, the nominee, Mr. Addison Masefield Khan. Mr. Addison Khan, most persons will be aware, is an attorney-at-law of long standing. Mr. Khan has served for over 45 years in the area of industrial relations and industrial relations law. He is a former legal advisor to Texaco Trinidad Incorporated; a former president of the Industrial Court of Trinidad and Tobago; has worked over the years in the area of labour law and employment law. Mr. Khan has also been appointed in 2010 to the Police Service Commission.

Madam Deputy Speaker, Mr. Khan brings a wealth of experience to this body, and consistent with the requirements of the law would provide and can provide, along with Mr. George, the legal expertise that is required for such an important body.

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Madam Deputy Speaker, Motion No. 3 speaks to the candidacy of Mrs. Roamar Achat-Saney to be appointed a member of the Police Service Commission. It is my understanding that all Members of Parliament have been furnished with the résumé of all the nominees. Mrs. Roamar Achat-Saney was born on August 25, 1953; received a certificate in Alternative Dispute Resolution, focusing on mediation; is participating in that programme, but is a graduate of the Hugh Wooding Law School in September 2012; received a Legal Education Certificate during the period 2006—2010, read for her Bachelor of Laws Degree (LLB degree) at the University of London—from the University of London.

Mrs. Achat-Saney is also the recipient of an executive diploma from the University of the West Indies, Arthur Lok Jack Institute of Business. She holds a Masters of Education from the University of the West Indies, St. Augustine; a postgraduate diploma in education, a bachelor of arts degree in English Literature and Social Sciences, all from the University of the West Indies and, of course, is an attorney-at-law—Madam Deputy Speaker, an attorney-at-law with a list of academic credentials and academic achievements, not only in the area of the law but in the area of education, in the area of management, in the area of the social sciences. Mrs. Achat-Saney also attended St. Joseph's Convent in San Fernando and is an attorney-at-law, of course.

Madam Deputy Speaker, in terms of the career of Mrs. Achat-Saney, she has worked for—she has had several stints working at the Chief Parliamentary Counsel level, working in the office of the Director of Public Prosecutions, the Solicitor General's Department, but she has had an extensive career in education during the period of 1975—2010. Mrs. Achat-Saney served as principal of Fyzabad Secondary School during the period 2002—2010; as vice principal of the said school from 2000—2002.

Miss Mc Donald: Never! Can I ask a question, please?

Hon. Dr. R. Moonilal: Sure.

Miss Mc Donald: Thank you, Member for Oropouche East. Madam Deputy Speaker, can the Member for Oropouche East just clarify something for me please? Could you tell us where she currently works, please?

Mrs. Persad-Bissessar SC: It is a law firm.

Hon. Dr. R. Moonilal: Madam Deputy Speaker, Mrs. Achat-Saney, it is my understanding, is currently employed in a law firm as an attorney-at-law.

Hon. Member: Which law firm?

Hon. Dr. R. Moonilal: Madam Deputy Speaker, if I can continue, [Interruption] Mrs. Achat-Saney has extensive professional experience in the area of education and has served for decades as a manager in the education system, has professional experience as an educator, as an examiner working for the Caribbean Examination Council and has served as a trainer/judge for various competitions of advocacy. [Interruption]

Mrs. Persad-Bissessar SC: She has never worked with me.

Hon. Dr. R. Moonilal: Madam Deputy Speaker, may I place on record as well that this candidate and this nominee has training in management—significance experience in management—and is an attorney-at-law. It is our belief that this nominee can provide an invaluable skill set to the work of the Police Service Commission by virtue of the extensive experience in the practical world of management and by virtue of qualifications in law.

Madam Deputy Speaker, Motion No. 4 speaks to the candidacy and the nominee of Dr. James Kenneth Armstrong. Most members would be aware that Dr. Armstrong served until recently as a member of the other place and has served with distinction in several fora in Trinidad and Tobago and across the globe.

Dr. Armstrong was born on May 07, 1944. His education includes degree of Doctor of Philosophy in Urban and Regional Planning from the University of Nairobi during the period 1982—1987; undertook short programmes at the Institute of Development Studies in Brighton, United Kingdom, in the area of urban settlements/access to housing and employment; obtained a Master of Science Degree in Urban and Regional Planning from Columbia University, Graduate School of Architecture and Planning, New York, USA; has a Bachelor's Degree in Environmental Design from the New School of Social Research and the Parsons School of Design, New York, USA.

2.15 p.m.

Dr. Armstrong also has a diploma in architectural interior design from Humber College of Applied Arts and Technology, Toronto, Canada. Madam Deputy Speaker, Dr. Armstrong as well, carries with him an enormous breadth of experience and an enormous skill set based upon his academic qualifications—[Interruption]

Mrs. Persad-Bissessar SC: Former legislator.

Hon. Dr. R. Moonilal: And of course a former Member of Parliament and Member of the Senate. Dr. Armstrong is also an acclaimed writer and has published papers in the following areas: climate change and urban planning; integrated infrastructure and human settlement; the role of planning in the structuring of sustainable communities for crime prevention through empowerment. Let me repeat that, the role of planning in the structuring of sustainable communities for crime prevention through empowerment; land use planning perspectives in relation to development.

Madam Deputy Speaker, the list goes on, but it is in the area of urban poverty, human settlements, environment, et cetera. The distinguished doctor, Madam Deputy Speaker, has special qualifications, honours and membership to the honours graduate, Humber College, Toronto. The Dean's list,—new school for social research—has received significant awards for his academic work, his policy oriented work; has been an executive member of the United Nations Association of Trinidad and Tobago; an executive member of the Trinidad and Tobago Arts Society and a member of the American Planning Association.

From 2001 to present—has served as an independent consultant, a senior lecturer: development planning programme, Faculty of Engineering, University of the West Indies; independent human settlement specialist consultant in Trinidad and Tobago and various governments; Chairman of the Board of Directors of the Pigeon Point Heritage Park Company Limited, Tobago; Vice President of the Commonwealth Association of Planners; local UN Consultant and Human Settlement; contributor to the government of Trinidad and Tobago Vision 2020, subsector for regional development and sustainable communities; a member of the Interim National Physical Planning Commission of Trinidad and Tobago. During the period July—January 2000—served with the United Nations Centre for Human Settlements in Nairobi, Kenya.

It is instructive, Madam Deputy Speaker, for our purposes to note that when Dr. Armstrong served in Kenya some of his duties included: preparation of national physical perspective plans for various states in Africa; development and strengthening of planning institutional capacity; supervision of various projects; planning and development of information systems. Other areas, other projects with the United Nations Centre for Human Settlements saw Dr. Armstrong with responsibility for financial management of the various programmes. In his capacity as chief technical advisor to the United Nations Centre for Human Settlements; Dr. Armstrong had responsibility for programme, for planning, for

implementation and for the management, including financial management, of various programmes which themselves, Madam Deputy Speaker, involved the expenditure of millions of dollars.

Dr. Armstrong also served as Caribbean Programme Coordinator for the Caribbean Programme for the Centre of Human Settlements and was responsible for the day-to-day coordination of the regional programme in the Caribbean. He has had the opportunity to manage large staffs across the region but also high-level interdisciplinary specialists in these various United Nations bodies where he has also had tremendous experience in management, and the management of financial resources associated with the UN system and their work.

Madam Deputy Speaker, there are several postings that Members can see from his résumé that include work in Southern Africa, in the Caribbean region, in the OECD, and Dr. Armstrong brings to the table an enormous breadth of cross-disciplinary skill involving management, finance, policy programme implementation, management of sophisticated programmes with high-level specialists. Madam Deputy Speaker, it is easy to understand why someone with this CV would bring an extraordinary amount of skill and expertise to the management of a Police Service Commission.

Mr. Sharma: It is similar to yours.

Hon. Dr. R. Moonilal: Madam Deputy Speaker, notwithstanding the distraction from the Member for Fyzabad, a very flattering distraction, we would like to give our support to the nominee, Dr. James Kenneth Armstrong for the reasons explained so far. Madam Deputy Speaker, those members here appointed would join under the chairmanship of Prof. Ramesh Deosaran whose appointment continues.

May I just for the records state in response to the question from the Member for Port of Spain South, that Mrs. Roamar Achat-Saney is currently in private practice—has her own Chambers in private practice which I believe she shares with her son as well, so that she works in private practice as an attorney-at-law but having extensive experience in the education sector, in management.

Madam Deputy Speaker, these are the nominees, but might I add that for several reasons, including what I have said before, when one looks collectively at the nominees presented by His Excellency, one would note that their various spheres of expertise, education and experience really align well with some of the challenges we face at the level of service commissions and maybe particularly so at the Police Service Commission. What is required is really extensive

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experience in management, not only in Trinidad and Tobago, but we have now persons with comparative skill managing public officers across the globe. What is also required is that understanding of our own domestic civil service, the rules and regulations governing our public service and particularly persons in the protective sector, and again another nominee brings extensive experience from the public service in addition to her qualification in law.

In terms of the constitutional requirements, Madam Deputy Speaker, you would note that the disciplines provided for by section 122(3) of the Constitution speak to a group of areas. These include: law, finance, sociology, or management. It is very clear that this group of persons of distinguished citizens of Trinidad and Tobago do possess experience and qualifications in the area of law, finance, sociology or management. In fact, what is noteworthy, and I believe commendable, is that for the first time in a long time possibly we have now nominees who bring a breadth of skills across disciplines. For a long time we have had this monolithic approach to disciplines, where when we offer candidates and nominees we provide in a straitjacketed way, in a pigeonhole way the discipline required. So we provide someone with law, but we do not understand the integrated skill set required to manage complex bureaucratic institutions.

We do not take into consideration the breadth of expertise and experience that is required in some cases, not only in the area you are qualified in, but in other areas as well. It is a fact, Madam Deputy Speaker, that persons may be qualified in sociology, but they have considerable experience in management, in finance. Someone may be qualified as a lawyer but they have considerable experience in another field and vice versa. The field that you have your experience and expertise in, you do not have the qualification necessarily in that area. There are many living examples of that—persons who have distinguished themselves in management, finance, but they are not necessarily qualified at the highest level.

We have had in this country very prominent and successful businessmen. I will not call names, but very prominent businessmen who have pioneered Trinidad and Tobago and the Caribbean private sector but they are not qualified in that area of finance and management or business studies. They may not have the certification that goes with it but they certainly have the expertise, experience and achievement record, and these nominees, Madam Deputy Speaker, absolutely no doubt they bring a record of achievement and a record of service.

Madam Deputy Speaker, this is an interpretation that I am sure we will hear more about, but we are convinced that to manage a body like the Police Service

Commission, and others, requires that high-level integrated skill set that you get from multi-disciplinary training and multi-disciplinary experiences.

The Member for Caroni East I understand can boast of his training in medicine but also his distinguished qualifications in management, so that [*Crosstalk*] no, no, trained from the Arthur Lok Jack, I believe, Institute of Business. So, persons have different skill set but their experience may not be the qualified area and vice versa. This is why the Government stands prepared, willing to support the President's nominees.

Madam Deputy Speaker, I would just like to indicate that these nominees arrived to the House via a particular process, to remind Members that His Excellency the President pursuant to the law and the Constitution did have prior consultation with the Prime Minister and the Leader of the Opposition—would have submitted according to the law, the notification to the Parliament and today the Parliament stands ready to vote. The Government is prepared to support this Motion and affirm our confidence in the nominees as recommended by His Excellency the President.

Madam Deputy Speaker, these are the few words I will offer—[*Crosstalk*] anything else?

Mrs. Persad-Bissessar SC: No.

Hon. Dr. R. Moonilal: These are the few words we will offer on this side at this time on those issues related to the résumé of the nominees and also on their qualifications and the proper alignment with the responsibilities of being a member of the Police Service Commission. Madam Deputy Speaker, I beg to move. [*Desk thumping*]

Question proposed.

Madam Deputy Speaker: I want to remind hon. Members—I am to remind this honourable House that leave has been granted for the debate of all four Motions to be taken together. However, the question in each Motion will be put separately to satisfy the procedural requirements. Member for Laventille East/Morvant. [*Desk thumping*]

Miss Donna Cox (Laventille East/Morvant): Thank you very much, Madam Deputy Speaker. Madam Deputy Speaker, it is a pleasure to speak on these important Motions with regard to the appointment of members of the Police

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Service Commission. Madam Deputy Speaker, permit me to quote section 122(3) of the Constitution of Trinidad and Tobago. I quote:

“The President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission.”

I would like to quote number (4) also, please:

“The President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives.”

2.30 p.m.

Madam Deputy Speaker, that is the reason why we are here today. We are here to approve the nomination—the notification of the nomination of Mr. Martin George, Mr. Addison Khan, Mrs. Roamar Achat-Saney and Dr. James Armstrong.

I quoted the Constitution of the Republic of Trinidad and Tobago because I want persons here to remember the word “and”. When we speak about qualification and experience, we are not saying that a person must be qualified or experienced. The Constitution states that the person must be qualified and experienced. That is the reason why I am repeating this.

The Member for Oropouche East went through the résumés of most of the persons—the four persons—who are nominated here and therefore I will not go through all the résumés that I have in my possession, but I would like to start with Mrs. Roamar Achat-Saney. A perusal of her résumé shows that she is indeed qualified in law but cannot be called experienced. September 07, 2012, I see that Mrs. Roamar Saney received her Legal Education Certificate from the Hugh Wooding Law School, which is just a year ago.

The Member for Oropouche East mentioned that Mrs. Saney received a Diploma in Management from the Arthur Lok Jack Institute, but what he omitted was a Diploma in School Management and Leadership from the Lok Jack Institute. It is in School Management, from what I am seeing here.

Madam Deputy Speaker: School Leadership.

Miss D. Cox: School Management and Leadership.

Hon. Member: “Dat eh good?”

Miss D. Cox: So I would like the Member, you know, when he is speaking, let us know the truth; tell us because we have the résumé here and it says “School Management”, not just management. Okay? School Management and management studies are totally different. [*Interruption*]

Hon. Member: How?

Miss D. Cox: Okay? Totally different. [*Interruption*]

Madam Deputy Speaker: Member for D’Abadie/O’Meara, please.

Miss D. Cox: Madam Deputy Speaker, thank you for your protection from the Member for D’Abadie/O’Meara.

Okay. In 1992, Mrs. Saney received a Master of Education from the University of the West Indies; 1980, postgraduate Diploma in Education; 1976, a Bachelor of Arts in English Literature and Social Science. [*Interruption*]

Hon. Member: “Before you was born?”

Miss D. Cox: So I am seeing, having a degree in social science, okay? Now when I checked on the notification—because you see here, we are here to approve the notification, and the notification with regard to Mrs. Roamar Achat-Saney speaks about being qualified in the disciplines of law and sociology. Nowhere in this résumé I see where Mrs. Saney is qualified or experienced in sociology. [*Interruption*]

Hon. Member: That is right.

Miss D. Cox: So that is one out. Concerning law, when is it stated that someone is an experienced lawyer? An experienced lawyer is supposed to have at least, for the minimum, five years of experience. [*Desk thumping*] Mrs. Saney has one year.

Miss Mc Donald: Minimum.

Miss D. Cox: And it is in black and white here; it is in the résumé. Okay? One year. So when we look at this notification where she is supposed to be appointed based on law and sociology, both areas here: the CV, the résumé and the qualification, something is lacking, and we are a bit concerned about this, Madam Deputy Speaker. We are, indeed, concerned because we see here too that, of course, Mrs. Saney is highly qualified and she has spent most of her life as an educator and we thank her for that because we have a colleague here who has also been an educator. [*Interruption*]

Mrs. Gopee-Scoon: That is right. [*Desk thumping and crosstalk*]

Miss D. Cox: And also, yes, we have colleagues actually—also the Members for Moruga/Tableland and La Brea, they have been career educators and, of course, I would say that they do not qualify either, for this position. Okay?

So it is nothing personal here. If we are looking at the Constitution and the requirements of the Constitution—[*Crosstalk*]

Madam Deputy Speaker: Could you—I want to hear the debate.

Miss D. Cox: If we are looking at the requirements of the Constitution—[*Interruption*]

Madam Deputy Speaker: Members, Members, please.

Miss Mc Donald: “Yuh too rude!”

Madam Deputy Speaker: Member for Port of Spain South.

Miss Mc Donald: “Doh forget de licking, eh?”

Madam Deputy Speaker: Continue.

Miss D. Cox: Thank you very much, Madam Deputy Speaker. If we are looking at the qualifications as outlined in the Constitution of the Republic of Trinidad and Tobago, then clearly something is wrong here and therefore—I want it to be clear, though, we hold—there is nothing personal against Mrs. Saney; as I said before, a highly qualified individual. I am actually impressed with her résumé—very, very impressed. [*Desk thumping*] But if we are looking at the requirements of the Constitution for appointment to the Police Service Commission, then something is lacking here. Clearly, when we look at it, it does not fit the bill, Madam Deputy Speaker, and that is the truth. Okay?

Madam Deputy Speaker, we see here—I see that she is supposed to be practising at this time, so I guess this would be within the last year, and the Member for Oropouche East omitted to say exactly where she is practising, and I would like to know exactly where she is practising. In whose chamber is she practising?

Madam Deputy Speaker, I move to Dr. James Armstrong, also a very impressive résumé. I mean, he has worked as an—clearly an urban planner; very, very qualified in his field. But I look again at the notification because this is what we are supposed to approve, and this notification states, Dr. James Armstrong, a person who is qualified and experienced in the disciplines of management and finance, to be appointed as a member of the Police Service Commission.

Again, when I look at his résumé which I have in my hand here, I do not see any formal qualification in management or finance. [*Desk thumping*] Madam Deputy Speaker, there is probable experience in management because of the portfolios he held over the years. He has been a consultant; he has worked with a lot of international bodies and so on, and I am sure he would have had to manage persons. Okay? So I am saying, probable management.

But I want to go back to the Constitution. The Constitution does not say qualifications or experience—experience or qualifications. The Constitution of the Republic of Trinidad and Tobago says: qualifications and experience in four specific disciplines—[*Desk thumping*—four specific disciplines, and there is a reason for it, I am sure. Because if you look at other Acts and other appointments, you would see that there may be either/or; there may be experience or qualifications; there may be words which would say to you that you have some leeway. But, pertaining to the Police Service Commission, there is a reason for that, why four specific disciplines—these are the areas that we must have persons, having not just the qualification, but the experience. Again, I say, we have nothing personal against Dr. Armstrong but we are here to speak against this because of the fact that this is not in keeping with the Constitution of Trinidad and Tobago. [*Desk thumping*]

Madam Deputy Speaker, I just want to give some definitions of “experience”. After having just spoken about the two persons, I want to give a definition. What is experience? One of the definitions is: active participation in events or activities leading to the accumulation of knowledge or skill; also, an event or a series of events participated in or lived through.

When we talk about qualifications, I will give some examples of definitions of qualifications: a pass of an examination or an official completion of a course, especially one conferring status as a recognized practitioner of a profession or activity. I give another definition of qualification: the action or fact of becoming qualified as a recognized practitioner of a profession or activity. A third definition: a quality or accomplishment that makes someone suitable for a particular job or activity. I felt the need to just explain and to give these definitions as I move on.

Madam Deputy Speaker, I would like to give some examples of some other areas that would have appointments and to see the difference in what is said. I go to the Industrial Relations Act, Chap. 88:01. Permit me to read. 88:01, section

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4(3)(c) and we talk about the appointment of the Commissioners of the Industrial—I think this is the Industrial Court:

“such number of...members as may be determined by the President of Trinidad and Tobago from time to time who shall be appointed by the President...from among persons experienced in industrial relations or qualified as economists or accountants, or who are Attorneys-at-law of not less than five years standing.”

So we see here, to be appointed to the Industrial Court, the Industrial Relations Act says experienced persons in industrial relations. And the word is not “and”; the word is “or” qualified as economists or accountants, or who are attorneys-at-law of not less than five years standing.

So we see here, one can be qualified in one area but have experience in another and they will fit the bill because this says: industrial relations experience or you can be an economist and then you can be appointed to the Industrial Court. Okay? So persons like Joe Young, Albert Aberdeen and even the Member of Parliament for Pointe-a-Pierre will fit this bill because of his industrial relations experience. And this, of course, could work here because this is what the law says with regard to the appointment to the Industrial Court.

I want to give another example with regard to the appointment of Independent Senators. And I go to section 40(2)(c) of the Constitution of Trinidad and Tobago.

“nine shall be appointed by the President in his discretion from outstanding persons from economic or social or community organizations and other major fields of endeavour.”

So, clearly, we see in this area, Dr. Armstrong and Mrs. Saney, of course, will qualify because we are seeing here, “outstanding persons from economic or social or community organizations and other major fields of endeavour”. So we see here this is wider, and not as specific as the appointment to the Police Service Commission. So, therefore, the appointment as Independent Senator, it is wider, so therefore, persons can be taken with particular other expertise than maybe law or whatever, and it is clear here in the Constitution.

Madam Deputy Speaker, I want to move to the Judicial and Legal Service Commission. Section 110(2) of the Constitution—this is limited to legal qualification, which we all understand. It is limited to legal qualification. So, therefore, if you have to be appointed, you must be a lawyer for a number of years and so on. Okay, that is understandable.

The Securities Industry Act, Chap. 83:02, section 9(2) which states:

“The Commissioner shall be selected from among persons who appear to the President to have wide experience and ability in legal, financial, business of administrative matters, one of whom shall be an Attorney-at-law of at least ten years standing.”

So we see this Act speaks of wide experience and ability, and this requirement is much wider based on the phrase, “experience and ability”, and it also says who appear to the President to have that kind of experience. So we see here where there is more leeway in the appointment to the securities industry.

2.45 p.m.

I also noted where it says, one of whom shall be:

“an attorney-at-law of at least ten years standing;”

Therefore, there is this stipulation—the Act is the Securities Industry Act, Chap. 83.02—and I am wondering, if this speaks about 10 years standing, then it means that is it tantamount to an experienced attorney-at-law? Because here we are asking for an attorney at law with 10 years standing—this is the Securities Industry Act—and this is probably an example of the definition of an experienced lawyer.

With regard to the Public Service Commission and the Teaching Service Commission, there is no stipulation of qualification and experience, none whatsoever and I will just read one:

“124(2) The members of the Teaching Service Commission shall be appointed by the President after consultation with the Prime Minister and the Leader of the Opposition.”

That is all it states. So therefore, someone could be appointed to both the Teaching Service Commission and the Public Service Commission—but it is wide, no stipulation as to the requirements of law, sociology and so on.

There is an interesting one here. Trinidad and Tobago HDC Act, Member for Oropouche East. The HDC Act, Chap. 33:03, section 7(1) states:

“The business of the Corporation shall be managed by its Board which shall be comprised of no less than five and no more than nine members appointed by the President, who by reason of their qualification and experience are capable of contributing meaningfully to the deliberations of the Board.”

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This one is very interesting because it speaks about capability—being capable of contributing meaningfully. It does not tie down members to specific disciplines; it however has qualification and experience together but not in relation to specific disciplines. So you see, the HDC Act, Chap. 33:03 is wider. At least it has qualifications and experience, but not specific disciplines of law and so on to be appointed to the Board. Okay, Madam Deputy Speaker?

You know, I said all of that to say that we are not sufficiently satisfied that Mrs. Saney and Dr. Armstrong meet the requirements stated in the Constitution to be appointed to the Police Service Commission.

Madam Deputy Speaker, there are other persons out there who may meet these qualifications, I am sure, to be appointed to the Police Service Commission, and I urge this Government to withdraw these Motions and take a second look at the suitability of these two persons in keeping with what is stated in the Constitution of the Republic of Trinidad and Tobago with regard to their appointment. [*Desk thumping*] We need further clarification, you know, because we have not received that. We need further clarification as to their suitability, and it is really not clear to us because if we look at the Constitution, we realize that something is lacking.

Now, Madam Deputy Speaker, the Member for Oropouche East spoke about for the first time the nominees bring integrated skill set and we now have a fresh breadth of expertise required, and it is wide and so on.

Mr. Sharma: Very true.

Miss D. Cox: Okay. Madam Deputy Speaker, I beg to differ on this because the two persons who were on that commission before, one met the requirement for management, the other met the requirement for management and finance. So what the Member for Oropouche East—I mean that is not true at all, because my research has shown that those two individuals were responsible for the appraisal and assessment exercises with regard to the Commissioner of Police and Deputy Commissioners of Police and they were left out. Management and finance expertise is so critical in the Police Service Commission and that is missing. Clearly, there is no management expert—[*Interruption*]

Miss Mc Donald: And what we need is a mix of skills.

Miss D. Cox:—and what we need is a mix of skills. What he is talking about those mix of skills, that is definitely not so, Madam Deputy Speaker.

As I move on, Madam Deputy Speaker, I just would like to alert the Government that the Police Service Appeals Tribunal has not been functioning for the past six months. I am happy that the Minister of National Security is here. It has not been functioning for the past six months and the first reason was no place to function. When the Police Service Commission moved to the east, there was no provision made for the Police Service Appeals Tribunal which is very, very important for the policemen and women. So we would like that looked at, please.

I also would like to remind this honourable House that the Police Service Commission has a very critical role in our society today and actually, I have some information on the role of the Police Service Commission. I hope my assistant will be able to find it for me. [*Laughter*]

Dr. Gopeesingh: All right assistant, deal with it. [*Crosstalk*]

Miss D. Cox: So I am looking for the role of the Police Service Commission because I feel that we need to be reminded how—thank you very much—important this role is. I need my glasses, Madam Deputy Speaker.

Now the role—they are supposed to monitor the efficiency and effectiveness of the performance of the Commissioner and Deputy Commissioner of Police; prepare performance appraisal reports on the work of those executive officers, hearing and determining appeals by police officers, and this has to deal with the police service tribunal; appointing acting Commissioner and Deputy Commissioner of Police as in the judgment of the commission and as the circumstance requires; they can also request special reports and examine documents from Commissioners of Police; receive biannual reports from the Commissioner of Police on his management of the resources made available to him. I also note that they have the responsibility of dismissing the Commissioner of Police and Deputy Commissioners of Police, and I will mention something about that later on.

So, if you think about it, it is indeed a critical role that the Police Service Commission plays, very, very critical role in this country with regard to the Police Service Commission. So therefore, it is very important that we have the right persons as commissioners on that commission with the right skill set, the right experience, the right qualification. I mean, this is not “no dolly house” here. That is a serious commission and we must have the best persons who fit the bill. Not just that you have to be qualified, but you must be qualified in specific fields and there is a reason why this is stated in the Constitution of Trinidad and Tobago. I want to move on.

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Promotions, that is one of the areas that they deal with. The tribunal also deals with problems and complaints. You know, we had an issue recently—I spoke about it in this House—about the promotion of sergeants to inspector. I spoke about that issue. It came up recently with sergeants being bypassed for promotion. It was felt that they were treated unfairly and I spoke about it. All right? There were junior sergeants who were strutting about as inspectors; junior to persons who should have been promoted because there was some problem with the system of marking and so on. I spoke about it in this House and I am pleased to see in last week's newspapers that actually a High Court judge ruled that—Madam Deputy Speaker, permit me to quote the *Express* of October 31:

“A High Court judge yesterday described the decision of acting Commissioner of Police Stephen Williams not to promote 18 sergeants to the rank of inspector as unfair and unreasonable. Justice Ronnie Boodoosingh, presiding in the Port of Spain High Court, ruled Williams erred when he implemented a new promotional system without informing his officers of the change.”

You know, I could go on and on, on this, but I am just saying how important it is for us to have the right people in the right places. For example, if you feel you are unfairly treated, the tribunal must be able to assist you in some way. I spoke about it and I see here the judge picked it up and ruled that the sergeants were unfairly treated.

In doing some research for this debate, I saw where the Deputy Commissioner of Police, Richardson, was called in and questioned by the Police Service Commission based on allegations concerning the new Flying Squad, and I would just like to quote March 24, *Guardian*:

“Deputy Commissioner of Police Mervyn Richardson on Thursday afternoon gave a detailed explanation to members of the Police Service Commission...as to the reports surrounding his alleged involvement in the revamping of the New Flying Squad Investigations Unit...”

Dr. Moonilal: 36(1).

Madam Deputy Speaker: Member, Member, 36(1). I want to ask you to stay within the Motion that is before this House, please.

Miss D. Cox: Madam Deputy Speaker, I am within. I am speaking about the Police Service Commission and I am within what is being said here. I am making a link. [*Crosstalk*] This concerns the role of the Police Service Commission. It

means that I cannot speak about the role of the Police Service Commission? I am speaking about the role and the role is to also—I spoke about the role before and I am speaking about—yes?

Madam Deputy Speaker: Member, please. I ask you to stay within the confinement of the Motion before the House and nothing about the Flying Squad and any other matter other than what is before this House, Member.

Dr. Moonilal: Whether the people qualified or not.

Miss D. Cox: The Police Service Commission is responsible for the appointment of the Commissioner of Police and Deputy Commissioners of Police. [*Desk thumping*] They are responsible for disciplining the Deputy Commissioner of Police and the Commissioner of Police [*Desk thumping*] and I am speaking about the fact that the Police Service Commission called in the Deputy Commissioner of Police concerning allegations with regards to the new Flying Squad. [*Desk thumping*] I am not speaking about the Flying Squad—[*Interruption*]

Mrs. Mc Intosh: Very good. Go ahead.

Miss D. Cox:—and I will move on because I did not come here to speak about the Flying Squad. You all do not want to hear about the Flying Squad.

Mr. Roberts: They have that?

Miss D. Cox: That is the problem.

Dr. Moonilal: Fly by.

Miss D. Cox: Madam Deputy Speaker—because everybody in Trinidad and Tobago knows about this new Flying Squad except the Government and that is their problem. [*Desk thumping*]

Madam Deputy Speaker, if this Government goes through with this Motion, it will be, of course, to the detriment of the people of Trinidad and Tobago. The commission could set about to deal with a matter and one can say, “Well, I do not recognize you because you are not properly constituted”. This could cause a lot of problems because we can open ourselves to judicial review and constitutional Motions to challenge these appointments. At the end of the day, it is taxpayers’ money will be “jumping up” here when persons decide, “Well, I am not taking on what you have to say because of the fact that the appointments to this commission, is unconstitutional”. So, at the end of the day, it is the Attorney General’s gang of five going to benefit again.

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Madam Deputy Speaker, the Police Service Commission must be free from obvious challenges. When making appointments under the Constitution, nothing must be left to chance because we are dealing with the Constitution. Nothing must be left to chance when we are making appointments under the Constitution. [*Desk thumping*]

3.00 p.m.

Every time we have one of those legal challenges, it brings our constitutional arrangements into disrepute. And, Madam Deputy Speaker, I saw where a letter was written to the Attorney General concerning this issue and I believe the person who wrote this letter was a Queen's Counsel, Karl Hudson-Phillips, who was retained by a former head of the public service, Mr. Reginald Dumas. I just want to quote a part of this letter, Madam Deputy Speaker, and I quote the *Guardian* of—yesterday's *Guardian* actually and it states—[*Interruption*]

Mr. Roberts: “That is the truth or yuh read it in the *Guardian*?”

Miss D. Cox: This is the letter—parts of the letter that was written to the Attorney General from Queen's Counsel, Karl Hudson-Phillips. I quote:

“Should these nominations be approved by affirmative resolution of the House of Representatives, my client will take such steps as he may be advised to ensure compliance with section 122 (3) of the Constitution,”

There is another quote I would like to quote from the letter:

“Both Mr Martin George and Mr Addison Khan are qualified attorneys-at-law and practitioners of long standing,...

Hudson-Phillips, in his letter, said Dumas had serious concerns and reservations as a citizen that the nominations of Armstrong and Achat-Saney did not comply with the letter and spirit of the requirements of section 122 (3) of the Constitution.”

End of quote, Madam Deputy Speaker.

I also would like to say that—to remind this House that, you know, we have a serious crime problem in our country. There is spiralling crime. The Government continues to make up as they go along. You know, every day, we have a new crime-fighting strategy. I understand that “Bratton” or “Braxton” or—is the next one.

I would like—the Minister of National Security is here—and I would like to advise that more emphasis need to be placed on the Commissioner of Police and

Deputy of Commissioner of Police and the division commanders. They must be held accountable for the elevated crime in this country. Where it is found that persons are not performing, then they should be removed and that is where the PSC needs to come in, and that is why I am so concerned about the nominees for the Police Service Commission because we must have the right individuals there. [Crosstalk] The police service is the primary agency for dealing with crime prevention and detection in Trinidad and Tobago—[Interruption]

Mr. Hypolite: And not the Flying Squad!

Miss D. Cox:—and there is no substitute for good policing. [Crosstalk] None whatsoever!

Miss Mc Donald: “Buh why yuh eh hush yuh mouth!”

Miss D. Cox: You know, I saw that a soldier Bill came here—“ah soldier police Bill came”. I am happy that that Bill was allowed to lapse—

Mr. Hypolite: Well done! Very well!

Mrs. Gopee-Scoon: Also the Minister of National Security.

Miss D. Cox:—because if it is one time that I agreed with the Minister of National Security—[Interruption]

Mrs. Gopee-Scoon: Exactly!

Miss D. Cox:—is when he stated and I quote—[Interruption]

Mr. Hypolite: He went against the Government!

Miss D. Cox:—from the *Express*, November 7.

Miss Mc Donald: That is right!

Mr. Hypolite: He went against the Government!

Miss D. Cox:—police should be policing—[Interruption]

Miss Mc Donald: And soldiers should be soldiering!

Mrs. Gopee-Scoon: Oh yes!

Miss D. Cox:—and soldiers should do soldiering. [Desk thumping]

Miss Mc Donald: We agree with you!

Miss D. Cox: National Security Minister, Gary Griffith said yesterday.

Miss Mc Donald: We agree with you! [Desk thumping]

Miss D. Cox: I am in total agreement with that because there is no substitute for good policing.

Mrs. Gopee-Scoon: “Take ah drink on that with your Prime Minister.”

Miss Mc Donald: “He will do the right thing, yuh know, give him ah chance”—[*Inaudible*]

Miss D. Cox: Madam Deputy Speaker, the crime detection rate is low. I understand the rate is below 10 per cent. I think that that is something that needs to be dealt with seriously. This rate suggests that many criminals are escaping justice and the Government has to take full responsibility for this and [*Desk thumping*] this is one area where emphasis needs to be placed. Why is the detection rate so low? Why is the rate so low? What mechanism should be put in place to address this? [*Crosstalk*] Is there a serious problem within the management of the police service? What will this new PSC do to assist in this area? [*Crosstalk*] Are these the right persons nominated to assist in bringing about the much-needed change in the police service?

Every morning, we wake up, we see a new Minister of National Security.

Mr. Roberts: Like Martin Joseph!

Dr. Moonilal: Who you see this morning?

Miss D. Cox: Who will be next?

Mr. Roberts: Martin Joseph. [*Laughter*]

Miss D. Cox: And how long will this present Minister of National Security be there?

Mr. Sharma: “Until you ready!” [*Laughter*]

Miss D. Cox: Madam Deputy Speaker, as a responsible—yes, in the next election. [*Desk thumping*] “Geh meh ah year and something.”

Miss Mc Donald: “Dey wanted de powder puff girl! De powder puff girl!”

Mr. Sharma: “Yuh have the hairdo for it!”

Miss D. Cox: Madam Deputy Speaker, as a responsible Opposition, we will support any Bill and we have always said that.

Miss Mc Donald: “Yuh see how dey quiet! De powder puff girl!”

Miss D. Cox: As a responsible Opposition, we will support—[*Interruption*]

Miss Mc Donald: “De drag queen!”

Miss D. Cox:—any Motion or any Bill which will redound to the benefit of the people of Trinidad and Tobago. [*Desk thumping*] Both Mrs. Saney and Dr. Armstrong are highly qualified individuals; regrettably they do not meet the constitutional requirements to be appointed to the Police Service Commission.

We have nothing against them but our objection is based solely on the grounds that they are not qualified for the position, and the provision in the Constitution states—[*Inaudible*]

Mr. Hypolite: Put Ian Alleyne [*Inaudible*].

Miss D. Cox:—that the nominees must be qualified and experienced. There is no “or” there; that is clear! They must be qualified and experienced in four specific disciplines: law, sociology, finance and management.

Hon. Members: Either/or!

Dr. Khan: Or management.

Hon. Member: Either/or.

Miss D. Cox: Look for it! Yes, but the “and”—could I explain that because clearly there is a misunderstanding? [*Crosstalk*] The “and” refers to qualified and experienced in one of those disciplines. Right? Okay? That is what I am saying. The “and” relates to they must be qualified and experienced in a particular discipline—one of the four disciplines.

Mr. Hypolite: That is right!

Miss D. Cox: These persons do not meet these requirements.

Miss Mc Donald: Right!

Miss D. Cox: The management system—the Police Service Commission, it is too serious to not even have a management expert on the commission [*Desk thumping*] and if we are dealing with performance appraisal and exercises and so on, [*Crosstalk*] it is important that you must have a management expert on the Police Service Commission.

Mr. Hypolite: That is right!

Miss D. Cox: Because I believe that the Chairman is a sociologist—okay?—you have two attorneys-at-law, so what are we saying now? That we are going to put two persons. Where is the finance person? Where is the management expert?

Mr. Hypolite: That is right! [*Desk thumping*]

Miss D. Cox: Who is going to suffer here? Who is going to suffer here when the wrong persons are placed on this commission?

Mr. Roberts: Philbert!

Mrs. Mc Intosh: The population!

Miss D. Cox: Okay, and as you talk about Philbert—

Mr. Roberts: The worse! [*Laughter and crosstalk*]

Miss D. Cox: It is so important again that the people on the commission be the right persons so that they will now be qualified and be more professional as they do stuff. Okay? You agree? Perfect!

Mr. Hypolite: So that they will not have a Flying Squad!

Mr. Roberts: “All ha de wrong people. There is no Flying Squad, boy!”

Mr. Hypolite: No Flying Squad?

Miss D. Cox: So therefore, I just mentioned that we have a serious gap in the appointment of the Police Service Commission. There will be a serious gap. There will be a lack in the expertise in finance and management and which is critically needed in the Police Service Commission. I ask this Government again to reconsider these nominees, [*Continuous crosstalk*] provide us with a clearer picture of their suitability or not—Madam Deputy Speaker, could you protect me from the Member for D’Abadie/O’Meara?—[*Interruption*]

Mr. Roberts: Meee?

Miss D. Cox:—who is speaking constantly while I am speaking.

Madam Deputy Speaker: D’Abadie! Continue, hon. Member.

Mr. Roberts: “Yuh like meh ah wah?”

Miss D. Cox: Thank you. Love!

Mr. Roberts: “Aie-yaie-yaie!”

Miss D. Cox: Yes, Madam Deputy Speaker, we would want this Government to reconsider these nominees. Think about it! Provide us with a clearer picture of their suitability to be on the Police Service Commission.

We cannot—because clearly something is wrong. From what we are seeing here, we are not sure that they meet the requirements to be on this

commission—such an important commission. It appears as though the plan is just “regardless of what, we will go through with it.” We cannot support an unconstitutional act of appointing persons who do not meet the qualifications prescribed in the Constitution of Trinidad and Tobago. [*Crosstalk*] The Constitution, the qualifications, experience—clearly something is wrong here.

I said before that, you know, the responsibilities of the Police Service Commission are critical but I want to say that I am aware, and we on this side are aware that the Government can approve this Motion with the majority in this House. They can use their majority and approve this Motion, we are aware of that, but be prepared however for legal challenges which may be initiated because of these appointments, because the framers of our Constitution would have deliberately drafted those specific requirements for a particular reason. Okay? Why must we now attempt to interpret a straightforward specific requirement in the Constitution to suit ourselves?

Madam Deputy Speaker, earlier on, I showed many other laws with regards to the appointment on different boards and commissions which shows where there was, you know, a lot of leeway. It was wide where you can have either qualifications and experience in something else, then there are others that stated that once the President appoints them, there was no particular stipulation with regards to qualification or experience and so on. Some would have told you that, you know, an attorney-at-law for 10 years and so on. But this, with regard to the Police Service Commission, states clearly that you must have qualifications and experience in four—in one out of the four disciplines; very specific. So, Madam Deputy Speaker, we just would like to say on this side that we cannot support an unconstitutional act of putting [*Crosstalk*] persons on a commission when the Constitution of Trinidad and Tobago says otherwise.

So, Madam Deputy Speaker, as I close, I just would like to say, you know, while I was researching this, there was one saying that came into my mind and I am going to close with that, you know: evil prevails when good men stay silent.

Mr. Roberts: “What about women?”

Miss D. Cox: Madam Deputy Speaker, I will not stay silent. I thank you. [*Desk thumping*]

Mr. Roberts: “What about women?”

Mr. Jack Warner (*Chaguanas West*): Thank you, Madam Deputy Speaker. I could easily have sat down here and said nothing because, at the end of the day, a

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simple majority carries, and I have learnt that you could talk until tomorrow, if the decision is to disregard what you are saying, then they will disregard what you are saying. But I felt I should rise today to put this whole debate in perspective if only because two eminent jurists—I am talking about Karl Hudson-Phillips and Dana Seetahal—and also one of our topmost public service officials—I am talking about Reggie Dumas—have raised serious objections to this, and any fourth form student who reads what they are saying will understand the propriety and the seriousness of what they are saying and would understand the attack and affront which have been made unashamedly on our Constitution via the appointment of these two commissioners—Achat-Saney and Dr. Armstrong—on the Police Service Commission.

Madam Deputy Speaker, before we reach even that far, we have to ask ourselves, this commission, these four members, their terms came to an end on July 20, 2013—the Police Service Commission. Crime is the number one issue in the country. The body that manages the police—the Police Service Commission—the four commissioners, their terms expired on July 20. The President, His Excellency President Carmona, on September 3 made his nominations—gave nominations after having consulted with the Prime Minister and the Leader of the Opposition. September 4 to be exact.

Madam Deputy Speaker, from September 4 to today, it took us nine weeks—nine weeks, Madam Deputy Speaker—before we have come to this House to get the requisite approval so as to make the commission functional.

3.15 p.m.

One has to ask oneself therefore, why nine weeks? And why nine weeks for a particular commission which has been so important? And I know, Madam Deputy Speaker, for the past nine weeks they were fighting for their political lives all over the place, and failing, but at the end of the day, the country has to be governed. One has to run the country.

Whether you have elections or not, this country has to be governed and you cannot put the country on autopilot while you, of course, campaign hither, thither and yon aimlessly, some people even say foolishly. Right? Whether you have to campaign with a powder girl or not, that is your business [*Laughter*], that is your business. At the end of the day you have work to do, and one of the things you have to do is to appoint a Police Service Commission to run the police service to help this country. [*Crosstalk*]

The Police Service Commission took nine months, nine weeks, sorry, nine weeks.

Mr. Roberts: With a what?

Hon. Member: A powder girl.

Mr. J. Warner: So the first point is, why so long? Why so long? And for these past nine weeks, Madam Deputy Speaker, the Police Service Commission is in limbo—in limbo since July 20—and you could bring Bratton and Bratton’s sister and Bratton’s aunt, that does not correct the situation. Because the country is getting tired of optics and cosmetics and PR, this country is tired of that and the country is asking for somebody, somewhere, to govern it.

And I am saying therefore when you abdicate your role on the Police Service Commission, you have failed the country. But now having abdicated your role, you come now with two commissioners who just do not “foot the bill”. And I would deliberately put into the *Hansard*, the argument from Mr. Karl Hudson-Phillips QC, and they could laugh if they want and dismiss Karl Hudson-Phillips QC. I would put the argument of Dana Seetahal SC. They could laugh if they want and dismiss her also; and Reggie Dumas. But the time would come, Madam Deputy Speaker, when they would not be able to dismiss all these people all the time.

Madam Deputy Speaker, what did Karl Hudson-Phillips say? The last speaker referred to it briefly, but I want to go into it more deeply because I believe that what that QC said is relevant and germane to the issue today. And what he is saying is that what is being done here is unconstitutional. And while we may have closed our eyes to Resmi—I have it here in the *Sunshine*, let me get it correctly. When we may have closed our eyes to Resmi Ramnarine or while we must close our eyes to Section 34, by mistake, Madam Deputy Speaker, these guys are saying today—I would come to this just now—are saying today that this is unconstitutional, and why.

What is even worse, Madam Deputy Speaker, Karl Hudson-Phillips was one of our former Attorneys General in this country. He was an Attorney General in this country, and nobody could gainsay that he was not better than what we have now. But in any event, Madam Deputy Speaker, one cannot dispute the legal wisdom of Dana Seetahal either. What did they say? “Leh we put it in the record”, Madam Deputy Speaker, because at the end of the day they will vote for it still. They will vote for it still; but let them vote for it knowing full well the objections of these two eminent jurists and the top public servant.

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Madam Deputy Speaker, what did Karl say? Karl Hudson-Phillips. He said, and I quote:

“Should these nominations be approved by affirmative resolution of the House of Representatives, my client...”—that is Reginald Dumas—“...will take such steps as he may be advised to ensure compliance with section 122(3) of the Constitution...”

He warned the AG on September 26 in a letter. Because, Madam Deputy Speaker, while Dumas has endorsed Martin Anthony George—and any blind man would endorse Martin Anthony George—and he had, of course, endorsed Addison Masefield Khan, who were previous members on the commission, he did not endorse Achat-Saney and James Armstrong. The letter continues, Madam Deputy Speaker. I am putting it in the record. Karl Hudson-Phillips writes:

“Both...Martin George and Mr. Addison Khan are qualified attorneys-at-law and practitioners of long standing.”

But he had “serious concerns and reservations” by the nominations of Armstrong and Achat-Saney:

“did not comply with the letter and spirit of the requirements of section 122(3) of the Constitution.”

He went further, Madam Deputy Speaker. I quote him:

“A proper reading of the relevant provisions indicates that nominees must be in a position to show that they are both qualified and...”

I take my last speaker’s word—

“...qualified and experienced in one of the prescribed discrete disciplines of law, finance, sociology or management.”

He goes further, Madam Deputy Speaker. He says:

“Qualification alone in a particular discipline will not be sufficient unless it is reinforced by experience. In addition, experience in one of the disciplines without being qualified...will not satisfy the requirement.”

Madam Deputy Speaker, he went further to say, and I would put this in the *Hansard* because the time will come when we go back to this. This is from Karl Hudson-Phillips QC. He goes further to say:

“I am instructed that the curricula vitae of both Dr. James Kenneth Armstrong and Mrs. Roamar Achat-Saney demonstrate that they do not satisfy the

requirement of section 122(3) of the Constitution and are therefore not eligible for appointment as members of the Police Service Commission.”

He went further to say:

“Their failure to meet these requirements must not be construed as an indication that they do not possess qualifications which may be eminently suited for service elsewhere.”

You know, in the old days, if one had written this about people, it would not have even reached here, they would have resigned already.

Hon. Member: That is right.

Mr. J. Warner: They would have withdrawn their names already.

Hon. Member: Correct.

Mr. J. Warner: “Buh we live in an age where people doh resign from anything, people doh withdraw from anything, and so on, and they try to forge their certificates and all kinds of ting, hoping they could get through for as long as possible, because that is whuh we have reached after three and a half years”, Madam Deputy Speaker.

In the old days, you think anybody would want to hear their name mentioned here in this august body in this House? And being disputed and debated upon and saying “not qualified”? This would never happen in the old days! But today, standards falling left, right and centre, Madam Deputy Speaker.

I continue. Hudson-Phillips said—Armstrong’s curriculum vitae showed that he was a development planner.

“He is highly qualified in urban and regional planning, environmental design and architectural...Design. However, there does not appear to be any evidence that the impressive scholastic record of Dr. Armstrong includes his being qualified and experienced in either of the required disciplines of law, finance, sociology or management.”

If I was Dr. Armstrong, “I gone, I gone”. But in this country, nobody goes, nobody goes. Hudson-Phillips said—I quote:

“...Achat-Saney” was “...until 2011...Principal of the Fyzabad Secondary School. She obtained the Legal Education Certificate on...7th September 2012 and was called to the Bar on the 15th November 2012...”

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When His Excellency appointed her—submitted her name, September 04, she had not even made a year as yet—[*Interruption*].

Hon. Member: That is right.

Mr. J. Warner:—on the Bar. She had not made a year as yet—[*Interruption*]

Hon. Member: That is right.

Mr. J. Warner:—on the Bar. And the Cabinet, of course, then agreed that the name should go up. And he said:

“Practice of the law for less than one year cannot, on the most generous of assessments, be described as her being experienced in the law.”

You could gloss it over as you want, “you could say all kind ah ting about integrated dis and dat—I hear a term just now dey,” they do possess experience, the Government spokesman said, and talked about integrated discipline and so on. “That doh fall here, you cah fool people with that.” It was specific. And as the last speaker said, the framers of our Constitution were specific in why they wanted these four disciplines, and we have come here today to compromise what was said in the Constitution.

Karl Hudson-Phillips continues—I am reading his letter. He says:

“Her curriculum vitae indicates that in 2004 she obtained an Executive Diploma in School Management and Leadership while serving as Principal II at the Fyzabad Secondary School.”

Karl says:

“This no doubt was of assistance to her in the execution of her duties as a principal.”

—he says. And therefore he says, it does not help her on the Police Service Commission.

Madam Deputy Speaker, he says:

“I am therefore instructed by my client that the nominations of Dr. James Kenneth Armstrong and Mrs. Roamar Achat-Saney were made per incuriam by His Excellency the President.”

And “per incuriam”, Madam Deputy Speaker, per incuriam means “without care”. He says it was made without care.

Mr. Imbert: Better known as PP.

Mr. J. Warner: Better known as?

Mr. Imbert: PP.

Mr. J. Warner: “Wait nah, wait nah”. And of course it is unfortunate, it is unfortunate that this had to happen because anybody taking a cursory perusal of the two nominees you are speaking about here, Saney and Armstrong, would have known that while they are eminently qualified for that, they are not qualified for this.

Madam Deputy Speaker, I go further and make the point that the Police Service Commission has, as its function, looking after appeals. When I spent my 10 days as Minister of National Security—as others spent before me and those who would spend after me—when I spent my 10 days there, Madam Deputy Speaker, we had realized that if they go at the rate they are going, it would have taken six years for the Police Service Commission to complete all the hearings on the appeals before them. And we had said, even very early, that the police service commissioners had to be full-time members, very early we said so. Because the fact is, the functions of the commission—what they have to do, their role and so on, especially in management—are so critical for a successful police service, that we felt their role had to be full-time.

Hon. Member: They have no management expert.

Mr. J. Warner: Today now you go further, not only is their role not full-time, but you have no management expert on the team.

Hon. Member: He does not need assistance.

Mr. J. Warner: And we have spent three and a half years quarrelling, as a Government, that the system of selecting a Commissioner of Police and Deputy Commissioner is flawed. We said it has to be corrected. We said that we have to, of course, change the law. And we said, and hopefully I thought we would have come here one day and work right through the night, as we do sometimes, and fix the law that affects the appointment of Police Commissioner and Deputy Commissioner. As we speak today, that has not been touched and therefore even that particular function, Madam Deputy Speaker, has been left untouched.

Madam Deputy Speaker, on September 03, 2013, in The *Trinidad Guardian*, an article by Richard Lord, he says—I quote him:

“The operations of the Police Service Commission, a critical independent body to oversee the efficiency of the Police Service and performance of the

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top brass, have been stalled since July 20...As a result, the Commission has no quorum as Deosaran, who was appointed in 2011, is the only remaining member.”

The article continues.

“In a telephone interview with the...Guardian, yesterday, Deosaran said among the major matters being affected...”—being affected—“...was the Commission’s appeal process. Several appeals have been sent to the Commission for determination, but ‘have been pushed on the back burner until the appointments are made.’”

Madam Deputy Speaker, as we speak here there are over—I am advised—there are over 234 appeals.

3.30 p.m.

Madam Deputy Speaker, last year the Police Service Commission was only able to settle three appeals. At least when I was Minister, that is what they did; three appeals, because the fact is the whole ethos of the service and commission is one of management and if you do not have management you just cannot succeed, you cannot get through. And today, before we give credence to that situation and correct it, we are pushing it down further with these two appointments.

In the same article Deosaran said:

“There were several important matters to be addressed by the commission...”

September 03, he is saying this. November 13 we here now in Parliament.

Mr. Imbert: Too busy losing.

Mr. J. Warner: And all the Government has been doing for the past weeks was losing election after election, after election, after election. [*Desk thumping and laughter*] And while this is happening, the commission is in limbo. So he said:

“There were several important matters to be addressed by the commission, including the appointment of a Commissioner and Deputy Commissioner of Police”—he—“added...there were proposals for the reform of the system for appointing them, but they cannot be addressed without members of the Commission being appointed.”

September 03 he said so. Today, November 13th, we “eh touch dat yet.”

In 15 months many, many of us would not even be here. What is the legacy we would leave for the police service? We came in, we met a dysfunctional system and we left it the same way?

Miss Mc Donald: Worse!

Mr. J. Warner: Is that what we would want to say? And we are doing that now in the glare of public opinion by appointing a dysfunctional Police Service Commission? Is that what we want to say? That is the legacy we are leaving? We have left all kinds of legacies as a Government, as a people, but surely one would have thought that any government with 15 more months to go would have done everything in its power to correct the errors of the past by doing what is right now. Madam Deputy Speaker, you can never be faulted for doing what is right. And the right thing to do is not to appoint Achat-Saney and Dr. James Armstrong.

The article by Lord continues. Deosaran said:

“...those matters can only be addressed ‘efficiently and tactfully when members of the Commission are appointed.’”

A voice crying in the wilderness. Talk to him. He will tell you. His hands are tied. Nothing cannot be done and today now, you are going to say that you would do this.

What did Dana Seetahal say, Madam Deputy Speaker? Let us take a look and see. I discussed Karl Hudson-Phillips and they may say he is a PNM or he is an ILP or he is, of course, a “what again dey have?” a NAR and, therefore, of course, “he ain like dem” for giving them the correct advice.

What can one say about Dana Seetahal? Hear what she said about this very same thing— an eminent jurist. What did she say?

Mr. Imbert: She working for the—

Miss Cox: PP.

Mr. Roberts: “She does work right through.”

Mr. J. Warner: “Former president of the Law Association Dana Seetahal, SC, said she was surprised that such an important body could remain without members for so long, and if the PSC was expected to function effectively it must be properly constituted.”

I want to say it again. She said:

“...if the PSC was expected to function effectively it must be properly constituted.”

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She said:

“...if the members of the Commission have not been in place for several weeks, the Police Service ‘cannot be operating at its optimum.’”

Minister, that is what she is saying and, therefore, not even Bratton could help out this because the fact is Bratton cannot solve this. Bratton has come to tell us here, at tremendous cost, what Sergeant Anand Ramesar has been saying for the past three years—pay the police more. Pay the police more. So who does not know that? But that has nothing to do with this. This has to do with appointing people who are the correct persons on the commission.

In fact, Seetahal said:

“She was surprised that Deosaran had not made the issue public earlier. ‘Clearly he must appreciate that his position, with(out) the other members is untenable.’”

But what did she say? Hear what she says, she says:

“...when the commission is appointed, the composition of its membership must meet the requirements of the Constitution. She said the issue that could arise was whether those requirements were mandatory, which was an arguable matter. Leader of Government Business in the House of Representatives...Dr. Roodal Moonilal said he spoke with President Anthony Carmona about the matter after the story was first published in the...*Guardian*.”

And—

“He said”—that is Dr. Moonilal—“based on communication with the President”—he—“agreed to proceed with the debate on the motions...”

—before us today.

“Seetahal said the Government can approve the motions with its majority in the Parliament but she noted that if that was done someone”—listen—“can initiate a legal challenge to the appointment.”

That is what the last speaker said—the Member for Laventille East/Morvant—someone could challenge it. The Member for Laventille East/Morvant again referred to the gang of five lawyers, hefty briefs again of all kinds of things and so on, and this is what we are saying, it is another way, again where the Treasury, again, would be further milked because the fact is this, you will give five lawyers the case, you would give them hefty briefs and at the end of the day, Ma’am, we will lose. We will lose. That is what she is saying here.

Madam Deputy Speaker, as if to add insult to injury, you had another, of course, top member speaking about these nominations. I am talking here now about a member from the university himself, Professor Theodore Lewis, an *Express* columnist and also professor of education at UWI. September 05, in the *Express*. What did he say? He said the Police Service Commission is in purgatory—neither in heaven nor in hell.

I quote him. He says:

“Ever since Dwayne Gibbs and Jack Ewatski were terminated, we have had administrative silence with respect to who will replace them on full appointments as the head of the police. In the vacuum of that silence, we have had locals Stephen Williams and Mervyn Richardson acting in their stead as Commissioner and acting Commissioner. We are also at our third Minister of National of Security in three years.”

Well, “he really wrong there now, is four.” I am quoting him.

“We are at our third Minister of National of Security in three years. This kind of incoherence when it comes to leadership of the police compounds the problem of crime.”

I say again:

“This kind of incoherence when it comes to leadership of the police compounds the problem of crime.”

Madam Deputy Speaker, I will give you three more lines again. I will tell you again, this is Professor Theodore Lewis, a university professor of education. “Dey cyah say he eh like dem. Dey cyah say, as it has been in some paper, the PNM bias or ILP reject, and so on. Dey cyah say dat.” This is a professor telling them, of course, it is wrong. He says:

“It is beyond me”—Lewis says—“why the authorities cannot see that an important public organisation such as the police must have settled leadership if it is to be governed decisively, and if morale in the organisation is to be high. On this issue”—therefore—“we must call—for the full appointment of—“the Police Service Commission (PSC)...”

Who is listening? And then when you appoint the commission, you come with two commissioners who do not fit the bill constitutionally. Nothing we could say could cosmeticize that. “You cyah be half-prepared or half-ready or half-fill it. It is either you qualified for the position or you are not. You cyah be half-qualified.

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You cyah be half-pregnant” and, therefore, they are not qualified, they are not and they should do us a favour—Mrs. Saney, wherever she is, and Dr. Armstrong—and withdraw their names and say: “we are not qualified.”

I recall some people returned their senior counsel—

Hon. Members: Silk.

Mr. J. Warner: “How yuh call it again?”

Hon. Members: Silk.

Mr. J. Warner: Silk! They had honour. They had dignity. They said: “we erred” and they handed back the silk. They did not want it and what these people have to do is to hand back and say: “we are no longer interested” and save this country the embarrassment and save this Government from taking the gang of five and giving them hefty fees to fight a case which they will lose.

Madam Deputy Speaker, I could go on and on but the point has been made and the point that has been made is whether we agree that they are qualified or not, whether we agree that they are capable of performing the functions of the Police Service Commission, whether they can look at the issues of the day.

I used to work with the old Police Service Commission and I know they were competent. I went to several meetings with them. I held meetings with them both in their old office and in their new office and I could tell you the Chairman, Prof. Deosaran, is committed and serious and wants change. He wants to go one step further but the poor man is knocking his head against a wall and putting these two people here will not help him.

You talk about the issue of promotion. The issue of promotion is a sore issue. Why should police officers have to take their head to court for a judgment which they have won again and again and again? I made the point before that there is low morale and discontentment in the First Division officers. I said again that those officers are unhappy and you could give them how much money you want, they are unhappy and unless the Police Service Commission, through its management skills and its management team, can investigate these matters and see how they can be addressed, that will not help them if even they get more money. They are unhappy and you are putting commissioners there now who would just compound their discomfort, their disquiet.

One of the areas where they are unhappy is the promotion system in both First Division and Second Division. They are unhappy and you cannot tell me that this

will be reviewed shortly. What is shortly? What is shortly in this country? Because in any event, if you have to review it, you have to make amendments to the legislation. It has to come back here, and so on. What is shortly? But the fact is nobody wants to listen.

Miss Naline Seelal, October 06, 2011, in the *Newsday*. She wrote:

“The system used to promote police officers both in the first and second divisions is expected to be reviewed shortly,…”

October 06, 2011, Naline Seelal in the Government’s favourite paper, the *Newsday*. She wrote, I quote—

Mr. Roberts: *Sunshine*.

Mr. J. Warner: *Sunshine*. “Ah coming just now.”

Mr. Roberts: Bring a *Sunshine*.

Mr. J. Warner: “Ah have yours here.” *Sunshine* here. I have yours here. [Interruption] Yes.

I would not answer. Some things you disregard. It is all right.

Dr. Douglas: And some people.

Mr. J. Warner: So I am saying to you, hear what Naline Seelal says—[Interruption] 15 months from now you will know. [Laughter] Wait. Yes, I was saying, Naline Seelal, Thursday, October 06, 2011.

Miss Cox: Fifteen months.

Mr. J. Warner: “The system used to promote police officers both in the first and second divisions is expected to be reviewed shortly, and the revision may require amendments to the legislation governing promotions for police officers.

Sources revealed that at a meeting held recently between Prime Minister Kamla Persad-Bissessar, Attorney General Anand Ramlogan and the Police Service Commission (PSC) it was decided that the system used to promote police officers needed to be reviewed. This was based on several queries and complaints expressed by hundreds of police officers.”

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“The officers believed they were not being given a fair chance of being elevated to the next higher rank.”

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How could Saney help this? How could Armstrong with urban planning at the highest level help this? How could they help to manage this level of anger in the police service? How can they? And when the time comes, right, the time comes—for if we do what is the right thing; we give them two commissioners who can help them.

Madam Deputy Speaker, at the end of the day we can sit here, I know, and talk until tomorrow, because the ayes have it, but it is up to us, and for me in particular having been there and being here and just now anywhere, right, but the fact is I want to put here what we are doing here today is wrong. It is wrong for the police service. It is wrong for the Police Service Commission. It is wrong for Trinidad and Tobago.

Madam Deputy Speaker, I thank you. [*Desk thumping*]

Madam Deputy Speaker: The Minister of National Security. [*Desk thumping*]

The Minister of National Security (Sen. The Hon. Gary Griffith): Madam Deputy Speaker, hon. Members, I thank you for me having the opportunity to debate Motions 1—4 which deal collectively with the appointment of members to the Police Service Commission. We are aware that the three-year tenure of the previous Police Service Commission ended in June 2013. So at present, there is basically no Police Service Commission in existence and hence we need to rectify this matter as quickly as possible.

It is to know that the purpose of this Motion relates to the appointment of members of the Police Service Commission and not the chairmanship. The PSC owes its origin and power to the Constitution and, as such, is required to function within its confines.

Madam Deputy Speaker, I know we have spent a lot of time dealing with the personalities and the persons who were nominated and, as I see here, they were nominated by the President—the four names. But what I want to deal with specifically has to do with the importance of the role and function of the Police Service Commission as I have heard from the previous speakers. The importance of the Police Service Commission as an independent body cannot be overstated. It is imperative that we do not overlook the significance of this impartial body that deals specifically with matters that concern the men and women who have taken an oath to protect and serve this country.

The central function of the commission is to monitor the performance of the police service. And to monitor the performance of the police service, we need to be able to measure the performance of the police service which is where we have faltered. Now, to monitor the performance of the police service, it allows for among other things the capacity to exercise disciplinary control over persons under its jurisdiction.

Madam Deputy Speaker, I would also like to take this opportunity to thank the previous members of the Police Service Commission for their stellar contributions during their tenure. [*Desk thumping*] I wish to say thank you, therefore, to the previous chairman, Prof. Ramesh Deosaran; members: Mr. Martin George, Mr. Addison Khan, Mr. Kenneth Parker and Miss Jacqueline Cheeseman.

It is equally important, Madam Deputy Speaker, to note that the commission's duty is to boost the morale of the officers on whom the country relies, and all of this that I speak about has again to do with the management of the police service, and the importance of the Police Service Commission in that regard.

It is also quite interesting, Madam Deputy Speaker, that when this—we are dealing with this Motion, just 24 hours ago we were fortunate to have someone who has arguably been one of the most successful persons to deal with police management in the world, that being Mr. Bill Bratton. It is indeed unfortunate, however, that there have been comments made over the last 24 hours that the Opposition was not invited to the seminar. I just wish to clarify this matter.

Mr. Imbert: Madam Deputy Speaker, Stand Order 36(1). [*Crosstalk*]

Sen. The Hon. G. Griffith: Madam Deputy Speaker, the importance I think—

Mr. Imbert: “Buh you cyar” be standing. Point of order 36(1). [*Crosstalk*]

Madam Deputy Speaker: Please. Member, Member, you may continue. [*Desk thumping*]

Sen. The Hon. G. Griffith: Thank you. Mr. Bill Bratton has to do—the reason he was here as the Member for Chaguanas West spoke about—

Mr. Imbert: “Whey he hah to do with de commission?”

Sen. The Hon. G. Griffith: It has a lot to do because the importance of the Police Service Commission—[*Crosstalk*] has to do with the management of the police service.

Mr. Sharma: Exactly. [*Desk thumping*]

Sen. The Hon. G. Griffith: How can we deal with the management of the police service unless we get experts to deal with managing the police service. [*Desk thumping and crosstalk*] So to clarify, Madam Deputy Speaker—

Mr. Imbert: Did you hire an expert?

Sen. The Hon. G. Griffith:—the invitations were indeed sent out because I think it was important that the Opposition should understand—

Hon. Members: We got none!

Miss Cox: We got nothing.

Mr. Imbert: What nonsense!

Sen. The Hon. G. Griffith:—I wish to state, however, that because—

Mr. Imbert: We got none!

Madam Deputy Speaker: Members, please allow the Member to speak in silence.

Sen. The Hon. G. Griffith:—that the Opposition—they received the—there were statements that they received the invitation late.

Miss Cox: We got none! [*Continuous crosstalk*]

Sen. The Hon. G. Griffith:—and with that, Madam Deputy Speaker—

Mr. Imbert: Never received it.

Sen. The Hon. G. Griffith:—if that be the case, I wish to humbly apologize for the late invitation. [*Crosstalk*]

Hon. Member: That is not true.

Mr. Imbert: The non-invitation. [*Crosstalk*]

Miss Cox: We got none!

Sen. The Hon. G. Griffith: I can confirm that Sen. Fitzgerald Hinds, he was contacted on Saturday and the message was passed to him—

Mr. Imbert: Is he a Member of this House?

Sen. The Hon. G. Griffith:—and he assured that it would be passed to all Members of the Opposition.

Mr. Imbert: Please! No! [*Crosstalk*]

Sen. The Hon. G. Griffith: Again, this is the importance of professionalism. If it is that the Opposition actually figured that this was an afterthought, again, I wish to humbly apologize. It was not meant in that way.

Again it comes with a question that was asked about the importance of the Opposition in dealing with national security crime initiatives—if there is any relevance. I wish to take this opportunity to say that the answer is definitely yes, which is the reason why I see it important that Members of the Opposition—

Mr. Sharma: Very good point.

Sen. The Hon. G. Griffith:—and all other players/stakeholders should be involved in actually dealing with providing citizens of this country with their right to safety and security. Any major policy to provide security for our citizens, for our country, it is important that we have the input of all parliamentarians. The end result is that if we continue to focus only on Government making the strategies, if the Minister of National Security will change or a Government will change, then the policies usually change.

So it is important that we understand that rather than attacking Bill Bratton and making statements about him being a foreigner, the importance of Mr. Bratton again, has to do with the importance of the Police Service Commission having the proper management and trying to manage the police service through the skill, the expertise and the track record of Mr. Bill Bratton.

Mr. Sharma: Very good.

Hon. Member: Yeah.

Hon. Member: Well linked.

Sen. The Hon. G. Griffith: Madam Deputy Speaker, there was also the concern mentioned about police doing policing, and I stick to that, that police need to do policing and soldiers need to do soldiering. But the reason why at this moment, the police—they are not doing the policing on their own, it is because we are putting the plaster on the sore with the soldiers actually supporting the police service, and this has to go right back to the situation of police management. Because of the shortage in the establishment and the manpower strength of the police service, we are forced to improvise, and this is why I think it is not appropriate and it shows the importance of the Police Service Commission, making sure that we have the right team to ensure better management of the police service.

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If we have better management of the police service, then we will be able to establish the manpower strength of the police service. By doing that, then there would be no need for the soldiers to actually be working hand in hand with the police to such a large extent. That will then ensure that we will be able to have the coastguard dealing with the borders, the army actually dealing with the second line—that echelon which would be the borders, the rough terrain, the coastline, the forested areas—and the police then actually dealing with the urban surroundings, and that again can only happen if we have an efficient Police Service Commission based on four major principles of good governance in management of a police service, which has to do with leadership, management, measurement of performance and accountability.

Madam Deputy Speaker, the Police Service Commission, to ensure that these four principles are adhered to, to ensure that the police service themselves can actually be well managed with good leadership—it involves leadership by example. What juniors see their seniors do, they follow, whether it involves going that extra mile or just sitting and doing very little, shirking their responsibilities. If leaders treat their citizens with contempt, that is what others will do.

So I think it is important even as Members of Parliament, we address this. We understand that it is much more than the Police Service Commission. This involves parliamentarians, this involves us being exemplars to the society and what we do, it goes to the Police Service Commission, it goes to the senior police officers that the Police Service Commission manages, and then it filters down into the Trinidad and Tobago Police Service.

Dealing with management, Madam Deputy Speaker, we have heard the concerns of the flaws in the police management as I have mentioned—that being the reason why it is we have placed the plaster on the sore, with soldiers having to fill the breach. Even though it is part of their role and function as an aid to civil power, it affects them doing their core role and function. By proper management—we have to ensure that—that management could only come about through the Police Service Commission by providing them with the avenue for them to improve.

Again, it goes right back to when it is we speak about Bill Bratton or any anti-crime initiative, this must all be seen as us trying to assist the Police Service Commission in their role and function. Even with the measurement of performance, the Police Service Commission can only measure performance if there is a yardstick. We have seen for the last few years that it is difficult to measure performance because we do not have that yardstick, which allows the

police officer to actually perform above and beyond the call of duty and not be aptly rewarded. We can look at the situation where people see measurement of performance as an avenue only to discipline, only to remove, only to—

Hon. Deyalsingh: Hon. Minister would you give way, please? Hon. Minister, in your debate so far are you, in fact, saying that the nominees in Motions 1—4 fulfil both the spirit and letter of the law and the Constitution? [*Crosstalk*]

Mr. Sharma: The President appointed them.

Sen. The Hon. G. Griffith: Madam Deputy Speaker, what I am saying is that these four nominees, they were nominated by His Excellency the President. So as I move on.

Mr. Imbert: It is to debate here. What is wrong with you?

Sen. The Hon. G. Griffith: Madam Deputy Speaker—

Hon. Member: Well, you debate it “nah”.

Sen. The Hon. G. Griffith:—the way to measure performance again would be an avenue to assist in the weeding-out of rogue elements. And again, as I said, it will also now ensure that the Trinidad and Tobago Police Service can actually use this as an avenue—

Mr. Imbert: Madam Deputy Speaker, Standing Order 36(1), relevance. He is not speaking about the Motion. [*Crosstalk*] He is not talking about the Motion.

Hon. Member: Sit down. [*Crosstalk*]

Madam Deputy Speaker: Members, please! Members! Minister, I want to ask you to stay within the confinement of the Motion before the House. [*Crosstalk*] You may proceed.

Sen. The Hon. G. Griffith: Madam Deputy Speaker, as I proceed to show the importance for us to have an efficient Police Service Commission, we need to have proper management of the police service. [*Continuous crosstalk*] And by doing this—[*Interruption*]—the nominees again as nominated by His Excellency the President—[*Desk thumping*]

Mr. Imbert: Ridiculous!

Mr. Sharma: Well said.

Sen. The Hon. G. Griffith: Madam Deputy Speaker, if I could refer to the virtue of the Constitution which involves monitoring the performance of the

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police service, everything I have spoken about here involves monitoring the performance of the police service.

Mr. Sharma: Excellent!

Sen. The Hon. G. Griffith: Monitoring the performance of the police service as stated—as the Police Service Commission is supposed to do—they can only perform their role and function if it is that they are involved in the four core principles which I spoke about, which involve leadership, management, measurement of performance and accountability. This was actually referred to by speakers before me.

Mr. Sharma: Correct!

Sen. The Hon. G. Griffith: If we look at the mandate as enshrined in the Constitution, it involves monitoring the efficiency and effectiveness of the performance of the Commissioner and Deputy Commissioner of Police. And again I ask, Madam Deputy Speaker, how can this happen unless there is management which is the reason why it is that I am speaking about the importance of the management for the Police Service Commission.

It also involves preparing performance appraisal reports on the work of those executive officers, and receiving bi-annual reports from the Commissioner of Police on his management of the resources made available to him and her.

Now, I can go on and on, but the point being again, it shows that if it is that we do not have proper management, and we do not put the systems in place to assist the Police Service Commission in its role and function, then you could put the four greatest criminologists in the world with all of the principles that we ask for as enshrined in our Constitution, but they would not be able to perform because we have not provided them with the tools to ensure their success—which again I say involves the leadership, management, measurement of performance.

Mr. Sharma: Well said!

Miss Mc Donald: What he said? [*Laughter*]

Mr. Imbert: “Whey he say ’bout de four nominees?” [*Crosstalk*] “Yuh doh even know.”

Sen. The Hon. G. Griffith: Madam Deputy Speaker, the police service is the principal organization with responsibility for law enforcement in Trinidad and Tobago. I wish to assure you, this House and the citizens of Trinidad and Tobago that the Ministry of National Security is committed to doing all that is necessary

to engender a professional, well equipped and responsive police service, and will continue to provide its support to the members of the Police Service Commission in attaining established goals as recommended and nominated by His Excellency the President.

4.00 p.m.

The Police Service Commission has a dynamic, essential and statutory role to play in guaranteeing the effective management of the police service. It should stand to reason therefore that the organization tasked with monitoring efficiency and effectiveness should not ever be called into disrepute. So we need to be very careful as to how we speak about the possible members of the Police Service Commission as nominated by His Excellency the President.

The members must be clear on their role and parameters of operation. Decisions must be seen to be fair and unbiased and taken within the best interest of the police service. In all its activities, members must always uphold the virtues of integrity, ethics, professionalism and discipline. Indeed, we must all keep in mind that ultimately whatever we do is in service to the citizens of Trinidad and Tobago and these four nominees—I believe that they have stepped up to the plate—[*Interruption*]

Mr. Sharma: Correct!

Sen. The Hon. G. Griffith:—and they intend to provide that service to the Republic of Trinidad and Tobago—[*Interruption*]

Mr. Sharma: Well said! Well said!

Sen. The Hon. G. Griffith:—as nominated by His Excellency the President.

Madam Deputy Speaker, I thank you.

Mr. Sharma: Well said!

Madam Deputy Speaker: Member for St. Joseph.

Mr. Terrence Deyalsingh (*St. Joseph*): Thank you, Madam Deputy Speaker, for allowing me to make a contribution in the name of the constituents of St. Joseph. I thank the hon. Leader of Government Business for his warm welcome.

Madam Deputy Speaker, the Constitution enables us to debate this Motion by affirmative resolution, not negative resolution, and I want to alert the public as to why it is affirmative resolution and not negative resolution.

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This statutory instrument we are debating here needs to be affirmed by the House of Representatives as opposed to other statutory instruments which can just be laid and could be passed once no one disagrees with it. It therefore means that this statutory instrument is ripe for scrutiny. It is meant to be scrutinized. It is not meant to be rubber-stamped and the public demands and accepts nothing less from us. We must scrutinize this.

Madam Deputy Speaker, this Motion dovetails with the Constitution (Amdt.) Act, 2006, which states, if you allow me:

“An Act to amend the Constitution to reform the Police Service Commission, confer powers on the Commissioner of Police to control and manage the Police Service, and for other related matters.”

Madam Deputy Speaker, what we are speaking here about is the strengthening of institutions so that the public can have faith in said institutions. It is redundant to state that institutions in recent years have come under a barrage of criticisms and they may not be as strong as the public would like them to be. Therefore, we have to adhere to both the letter and spirit of the law as it relates to qualifications.

We are not here to bend the law to suit individuals. We can only do our jobs as legislators. We are legislators. We have to uphold the law. We cannot bend the law for convenience. If that is the case, then let us change the law; but we have a law in front of us. The issue of qualifications, if we do not adhere to it, sends a very wrong message.

The Police Service Commission is charged with the responsibility of management, operations and high-level recruitment, especially at the First Division levels: Commissioner of Police, Deputy Commissioner of Police. Madam Deputy Speaker, I put it to you today, if we get the top wrong, the entire structure suffers. If we do not pay attention to what we put at the top, what do we expect the other layers to be like? [*Interruption*]

We therefore have a duty, maybe akin to a fiduciary duty, to get it right today; to get it right the first time. We must bequeath onto our children a process and institution that both they and us—we as a legislature—could be proud of. That is what we have to do.

If we go back to the statutory instrument we are here to debate today, it talks about experience. The original piece of legislation, we can probably say it was faulty drafting; it was oversight; it maybe created a lacuna where it did not specify

years of experience. I take you to the Police Complaints Authority Act, 2006, where, in section 7, it says that the director and deputy director must have 10 years' experience. So it is quantified there.

Maybe there is a lacuna where, in this particular instance, there is no quantification of experience; but that is another matter. I have no doubt, Madam Deputy Speaker, that one nominee, if given three to five years' experience in the practice of law may make an excellent commissioner on the Police Service Commission—maybe by 2018. I have no doubt; her résumé is impressive, but her résumé does not fulfil neither the spirit nor the letter of the law. [*Desk thumping*] That is our contention on this side. Bring her back in three to five years. We do not question her sincerity. We do not question her competence in her chosen field, but we do have to question whether she fulfils the criteria when it comes to experience. So bring her back in three to five years; not a problem.

Let her do the work in her chosen field which is law. Let her get experience in jurisprudential thinking. Twelve months in our view is simply not enough. Experience at a professional level normally means about five years. Does she have the necessary analytical, strategic thinking and does she understand the theoretical underpinnings of the law which experience brings?

The person who moved this Motion spoke about cross-experiences. If your wife is having a baby, do you go to the Member for Caroni East, who has years of experience and feel comfortable that he will deliver that baby safely, if there are complications, or do you go to someone straight out of the medical school?

Regardless of my difference in political opinions with the Member for Caroni East, I will go to him. [*Interruption*] Not me. [*Laughter*] I would take someone else for his stated area of expertise and he has the necessary experience. Experience counts for a lot. If we do not do that, we do not infuse and enthuse the Police Service Commission with the necessary credibility. We have to strengthen our institutions. And I want to ask the hon. Minister of National Security: is he confident that we are infusing and enthusing the Police Service Commission with credibility with all four nominees? He can reflect on that in his quiet moments.

But what do we, as a House of Representatives, do? We have public-spirited citizens who want to contribute, but we cannot ignore the voices which are crying out in unison, voices of eminent citizens, voices of eminent jurists, who have served this country well. How do we ignore those voices crying out in unison that maybe two of these nominees may not fit the criteria?

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Do we ignore these eminent citizens? I would say no. [*Interruption*] Do we ignore them as agent provocateurs and noise makers? I say no, Madam Deputy Speaker. Do we consign them to an asylum and say that they are mad? Or do we say, Madam Deputy Speaker, “Hold on. Hold on fella. Maybe these people have a point. Maybe there is something there. Maybe there is some fire behind the smoke.”

Madam Deputy Speaker, this country has been plagued with crisis after crisis, scandal after scandal, election after election, which the Government has lost. Do we need to now bring the Police Service Commission into this cycle of crises? The country needs a period where it can exhale and inhale fresh air. We need to step back from crisis management and go back to governance, sound governance.

Madam Deputy Speaker, the Government has a very easy solution to this thorny problem and I will come to that. The other nominee who has given us some cause for concern has to do with a former Senator. It really is difficult for me to debate this particular Motion because he was a former colleague of mine. The former Senator is an excellent gentleman in all meanings of the word. He is a gentleman. He is a learned gentleman. He is an excellent urban planner. He is an urban planner par excellence and this country needs all hands on deck. A small country like ours with limited human capital cannot afford to take people like former Sen. James Armstrong, Dr. James Armstrong, and lose them. We need them in public service.

However, is this sphere of public service his forte? His talents in planning are to be admired and to be utilized. We require his talents in urban planning as Trinidad and Tobago grows; as Port of Spain outgrows its limits; as Chaguanas outgrows its limits; and Point Fortin outgrows its limits. We need that expertise; but what we are doing, Madam Deputy Speaker, is taking an excellent square peg and trying to pound him into the wrong triangular hole.

I am saying he is an excellent square peg, excellent square peg in his chosen field, which is urban planning. Let us not take him and so tarnish his reputation by putting him into another field where he may not satisfy the criteria as set out by the Constitution, Madam Deputy Speaker. The Constitution! If we start to bend the Constitution today, where does it stop? We need to stick to both the letter and spirit of the law, the letter and spirit of the Constitution.

Let us not lose former Sen. Dr. James Armstrong. Let us keep him close to the bosom of national duty. He needs to be kept, but for heaven’s sake, let us put him where his talents are best utilized because, Madam Deputy Speaker, we are saying that for the Police Service Commission, we need the management.

And what type of management do we need? The issue of management talks about leadership and security matters, conflict resolution—that is the type of executive management experience we are looking for—resource allocation, strategic planning and scenario planning. We need to get the right people in the right positions. We need to put square peg in square holes; round pegs in round holes; triangular pegs in triangular holes.

If we do not get it right again, I am telling this Government we would have another situation with former Commissioner of Police Ewatski [sic] and his deputy—wrong people; wrong people. If we get it wrong at the top, the whole body suffers.

Madam Deputy Speaker, why is this important? The ethos of any organization, in this case the police service, depends on the credibility of those at the top. How do we expect the constables on the beat, who put themselves on the line every day, to look at the top and see people who may not fulfil the criteria? We are hearing about the promotion issue. How do we tell them you cannot be promoted, whatever, yet we are promoting people to the top of the organization who do not have the requisite skills, experience or qualifications? What signals, Madam Deputy Speaker, are we sending to the body of the Trinidad and Tobago Police Service?

4.15 p.m.

So the ethos of the Trinidad and Tobago Police Service will be driven by the nominees that we put, and, Madam Deputy Speaker, we on this side are saying, let us pull back from this situation, let us not unnecessarily put the police service into further disrepute. Let us put good people at the helm, because, Madam Deputy Speaker—[*Interruption*]

Hon. Member: “But she say the man was good.”

Hon. Member: “She say the man was good.”

Mr. T. Deyalsingh:—let us put qualified persons at the helm.

Hon. Member: With relevant qualifications.

Mr. T. Deyalsingh: With relevant qualifications. Thank you. Because as the Member for Chaguanas West said, crime is still the number one issue in Trinidad and Tobago. After three years and four commissioners—not four commissioners, four Ministers of National Security, after all these plans, after the anti-gang legislation, after a state of emergency, gang warfare is still an issue, and this has

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been brought home quite clearly by the Council on Hemispheric Affairs, where they are saying we have a hundred gangs in operation. Where is the leadership to deal with that? So Trinidad and Tobago is still a haven for gangs, but if we do not enthuse the police service with a can-do attitude, born out of proper positions, born out of proper appointments, then we are not addressing the issues, we are not addressing the issues.

Madam Deputy Speaker, I said earlier that part of the remit of the Police Service Commission is to enthuse and infuse the TTPS with the necessary skills, whether it is resource allocation, and to have a body of policemen who want to go out there and do their work.

Madam Deputy Speaker, I had the opportunity last week to visit the St. Joseph Police Station in my capacity as the Member of Parliament for St. Joseph. They are housed in a temporary building, which has become a permanent building, and to see the conditions—because I got a little tour—to see the conditions under which these policemen and women are expected to operate, it was sad. They have to be making their way between filing cabinets, the place is just too small, it is cramped, there is one entrance for two offices. So, if you want to see the man, the officer in the far office, you have to pass through the first office. The conditions are just not suitable to policing, just not suitable, just not suitable.

So, therefore, the Police Service Commission has a serious role to play, not only in enthusing and infusing the ethos of the organization, but in directing the allocation of resources. So we need to insulate the Trinidad and Tobago Police Service from factors which may not be in their best interest.

Madam Deputy Speaker, the other issue I want to raise today has to do with the reversal of the position on the army and police patrols, and it was raised by the hon. Minister of National Security. I had no intention of raising it, but he raised it.

This Government spent an inordinate amount of time and parliamentary time debating a failed piece of legislation, which called for giving the personnel of the defence force police powers. Now we are hearing from this Minister of National Security that police should do police work and army should do army work, and that the army should be in the forest. It speaks to a confused, “confuffled” state of mind of a Government that has absolutely no clue, none, no clue as to what they are doing, absolutely none. It reminds me of the flip-flopping on the Caribbean Court of Justice issue, but that is another time. [*Crosstalk*]

Madam Deputy Speaker, we need to also pay attention to our traffic situation, highway patrols. Again, as the Member of Parliament for St. Joseph, I had the

unpleasant experience of visiting the home of one of the accident victims of last weekend, the Sooknanan family, and yesterday we had the unfortunate incident of a woman being impaled by steel falling off a truck. Where are the highway patrols? We need to get a grip on these things. So, Madam Deputy Speaker, the solution to the conundrum we now find ourselves with, Motions 1 to 4, the solution is simple, the solution is simple. There are two possible solutions: one, the Government could do the honourable thing and withdraw these four Motions: 1, 2, 3, 4.

Mr. Warner: That and God face you would not see.

Mr. T. Deyalsingh: Do the honourable thing my friends. Do the honourable thing. Save this country from the threat of litigation because if we have to go to litigation, it means, hon. Minister of National Security, you will not have a functioning Police Service Commission. Please, I ask the Leader of Government Business, do the right thing by Trinidad and Tobago: withdraw Motions 1 to 4. [*Desk thumping*]

We are not doing the country any favours. 2013 has been a traumatic year for Trinidad and Tobago in terms of scandals, [*Crosstalk*] in terms of by-elections, in terms of local government elections and accusations of bribery in terms of THA. This Government now has lost its moral authority to govern.

Hon. Member: What!

Mr. T. Deyalsingh: Totally lost its moral authority. [*Crosstalk*] Please, hon. Leader of Government Business, Motions 1, 2, 3, 4, withdraw them, or at least withdraw the two that are causing a certain degree of consternation. Trinidad is not that devoid of qualified people who fit the bill, let us find two more.

There should be, Madam Deputy Speaker, a mature realization that this is not the way to go. As far as an independent body is concerned, it should not be called into question. Let there be mature reflection, a mature realization that the country, leading up to this Christmas season, needs to have a period of sober reflection and a settling-down period after a traumatic year, where Government was put on autopilot, where you had Ministers of Cabinet scurrying in Chaguanas West and scurrying in St. Joseph, fighting by-elections, which they lost. Scurrying here, scurrying there; lurking in shadows. We need to stop lurking, we need to stop scurrying and we need to govern. Let us govern. [*Crosstalk*]

You have Cabinet Ministers posted in all different parts pulling out voters while the country is burning: posted in Valsayn, posted in Bamboo, posted in Aranguez. Let us settle down and run the country.

Dr. Moonilal: “You win by five per cent and geching on so?” [*Crosstalk*]

Mr. T. Deyalsingh: Let us settle down and run the country. [*Crosstalk*]

Madam Deputy Speaker, with the limited time I have left—so I have suggested one honourable solution: withdraw two nominations. I would also echo another possible solution, that honourable people behave honourably, and I want to say that I do not want to see honourable people, former colleagues, honourable people, become a lightning rod for controversy. It does not stand us in good stead. We need these people. One, as I said, would make an excellent commissioner in three years, the other one is an excellent planner. We need these people, but I do not want to see these honourable people become a lightning rod for controversy and to have their good reputations tarnished.

I want to see Trinidad and Tobago avoid litigation. I want to see a Police Service Commission established with the right people that fit the criteria as set out in the Constitution. That is what I want to see, and I think that is our whole reason for being here today. The Constitution is not something that you bend to suit an individual. We do not do that. If that is the case, change the Constitution, but, please, if we start to do that today, where does it end? If we start to bend the Constitution today for this, what do we bend it tomorrow for?

Finally, Madam Deputy Speaker, I just want to send a very clear simple message to the nominees who are causing this debate today, and it is simply this, and it goes to all of us: holding public office means little or nothing if the public does not have trust in that office. Madam Deputy Speaker, let me repeat—holding public office means little or nothing if the public does not have trust. Madam Deputy Speaker, with those few words, I thank you very much. [*Desk thumping*]

Madam Deputy Speaker: Member for St. Joseph, I wish to commend and to congratulate you on your maiden contribution in this House. [*Desk thumping*] Members, at this time it is an appropriate time for us to have some tea. This House is now suspended until 4.55 p.m.

4.26 p.m.: *Sitting suspended.*

4.55 p.m.: *Sitting resumed.*

Madam Deputy Speaker: Member for Diego Martin North/East. [*Crosstalk*]

Hon. Member: God help us!

Mr. Colm Imbert (*Diego Martin North/East*): Thank you, Madam Deputy Speaker. I could have taken the extra five minutes myself, but since seven or eight

Government Members have decided to come into the Chamber [*Interruption*] to help us all out—

We are here today to debate four Motions, which we kindly consented to be heard together. They could have been heard separately, but we decided to ease up the Government and allow all four to be debated together.

Mr. Roberts: Thank you, Sir.

Mr. C. Imbert: Just for the record, as long as there is one dissenting voice, you have to deal with them separately. It is not a question of putting it to the vote. [*Laughter*] I just thought you should know that, and I thank you for your appreciation. So we could have been here to hear 75 minutes from every speaker on each one of the four.

The Motions that we have decided to put together are all similar. They flow from section 122 of the Constitution and they deal with the nomination of persons to be appointed as members of the Police Service Commission. Those are the Motions before the House and that is the matter that should have been the subject of this debate. One of the previous speakers got a bit lost and did not at any time refer to the four nominees. [*Interruption*] I was talking about the Minister of National Security, who at no time dealt with the matter before the House; wandered off on a frolic of his own.

I have in my possession a letter from the secretary to the President of Trinidad and Tobago, dated September 04, 2013.

Dr. Gopeesingh: You cannot bring the President into debate. Be careful.

Mr. C. Imbert: You be careful.

This letter is headed:

Section 122(3) of the Constitution of the Republic of Trinidad and Tobago

I am directed by His Excellency the President to forward herewith for presentation to the House of Representatives four notifications issued by His Excellency under section 122(3) of the Constitution of the Republic of Trinidad and Tobago in respect of the following persons: Mr. Martin George, Mr. Addison Khan, Mrs. Roamar Achat-Saney, Dr. James Armstrong.

Attached to this letter from the secretary to the President were four CVs with respect to these four persons.

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In order to bring this debate back on track, it is necessary to take a look at the Constitution (Amdt.) Act No. 6 of 2006, which is the genesis of these Motions before the House. Act No. 6 of 2006 was assented to on April 13, 2006 after debates in the House of Representatives, and in the Senate in March of 2006 with respect to three Bills which were taken together: the Police Service Bill, 2006, the Constitution (Amdt.) Bill, 2006 and the Police Complaints Authority Bill, 2006.

Dr. Gopeesingh: Well said. You remember yourself.

Mr. C. Imbert: I must remember.

So the one that is of relevance today is the Constitution (Amdt.) Act, 2006. This Act amended the Constitution in section 122 by repealing subsections (2), (3) and (4) and substituting the following:

- “(2) The members of the Police Service Commission shall be appointed by the President in accordance with this section.
- (3) The President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;
- (4) The President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;
- (5) The President shall make an appointment under this section only after the House of Representatives has approved the Notification in respect of the relevant person.”

And as an aside:

- “(6) The President may in his own discretion appoint a Chairman of the Police Service Commission...”

The Chairman of the Police Service Commission is already appointed. So what we are about today is looking at the appointment of the other members.

To establish how many members there should be, if we go to section 122(1) of the Constitution it states:

- “There shall be a Police Service Commission for Trinidad and Tobago which shall consist of a Chairman and four other members.”

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The Chairman is already there—that is Prof. Deosaran—so what we are looking at is the four other members. What the President has done is send four notifications to fill the four vacant positions—

Dr. Moonilal: We know all of that. Get to the point. [*Laughter*]

Mr. C. Imbert: There is a lot you do not know—to fill the four vacant positions for the Police Service Commission.

Hon. Member: Deyalsingh should have continued; he made some good points.

Mr. C. Imbert: Madam Deputy Speaker, we had the Minister of National Security, who as I said did not deal with the Motions at all. He was afraid—you could see fear—afraid to go into the suitability or otherwise of the nominees. Deadly scared of it.

The person who piloted the Motions, the Leader of Government Business himself, did not in any way question any of the qualifications of the persons, and just went straight into it and just gave us a regurgitated or written speech—something written by someone else, and just tried to convince us that everything was in order.

Mr. Roberts: That was unkind.

Mr. C. Imbert: That is what he was doing. He was trying to convince us that everything was in order.

Madam Deputy Speaker, let us deal with the substantive issue. Yes, let us deal with the substantive issue. The Constitution (Amdt.) Act—[*Interruption*]

Mr. Roberts: “Where you practised?” [*Laughter*]

Mr. C. Imbert: You mean like Saney? [*Laughter*] I am not attached to a law firm. [*Crosstalk*]

Mr. Sharma: Balisier House!

Mr. Roberts: The distinguished Balisier House!

Mr. C. Imbert: The Constitution (Amdt.) Act has a form of words—[*Interruption*]

Madam Deputy Speaker, really. It is so childish.

Madam Deputy Speaker: Address the Chair.

Mr. C. Imbert: No, but Madam Deputy Speaker, I would like you to speak to them.

Madam Deputy Speaker: Address the Chair.

Mr. C. Imbert: You will speak to them I assume?

Let us look at the words:

“The President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission.”

What does this mean in terms of legislative drafting? What is the meaning of the word “and” and what is the meaning of the word “or”?

5.10 p.m.

I would start with the easiest one, the meaning of the word “or”.

Mr. Roberts: The easier.

Mr. C. Imbert: The easiest one.

Mr. Roberts: It is out of two, it has two lists.

Mr. C. Imbert: Two is a list?

Mr. Roberts: Easier.

Mr. C. Imbert: Two is a list?

Mr. Roberts: You went to UWI primary school under Marguerite Giuseppe, please.

Mr. C. Imbert: Now, Madam Deputy Speaker—[*Interruption*]

Mr. Roberts: He is my colleague.

Mr. C. Imbert:—simply put, Madam Deputy Speaker, “or” means any one or more of a list of items. So it means any one in the list or all of them. So that putting aside the intention of the Legislature for the time being, when the law was drafted, what this means is that it could be four lawyers, four persons with qualifications and experience in finance, four persons with qualifications and experience in sociology, or four persons with qualifications in management. It does not mean that you have to have a lawyer, a financial expert, a sociologist or a management expert. It means it could be any one of these. So that is the easiest part of the problem that we are faced with today.

The hardest part of the problem that faces us today is what is the meaning of the word “and” in the sentence “who are qualified and experienced in the disciplines of law...”? [*Interruption*] Now, it certainly does not mean—[*Interruption*]

Mr. Roberts: Principles of interpretation.

Mr. C. Imbert: Yes, it certainly does not mean “or”, and “and” means all of a list of items.

Mr. Roberts: You are the best textbook lawyer I ever seen here.

Mr. C. Imbert: “No, but ah telling yuh.” Yes, it means all. [*Interruption*] So, when the law requires that the persons must be both qualified and experienced in law, finance, sociology or management, [*Interruption*] in dealing with the Motion before the House, we have to look closely at the nominations themselves.

Now, let us take a look very briefly at the nomination of Mr. George. The President tells us that Mr. George is qualified and experienced in the disciplines of law and management.

Mr. Roberts: Agreed.

Mr. C. Imbert: Well, I would say he is experienced in the discipline of law and he is qualified in that discipline as well. So let us put aside Mr. George.

Mr. Roberts: Next.

Mr. C. Imbert: Let us look at Mr. Addison Khan. The President tells us that Mr. Addison Khan is experienced in the disciplines of law and management. I would again say he is experienced in the discipline of law and he is qualified in the discipline of law. And since the word “or” was used in terms of the specializations, it could be any one of them. [*Interruption*] So he does not have to be qualified and experienced in both law and management. Either one will do and both Mr. George and Mr. Khan are qualified and experienced in law, so that is the end of that.

Mr. Roberts: That is good.

Mr. Sharma: “Yuh talking like ah lawyer.”

Mr. C. Imbert: Let us go now to the third nominee. We are told in this notification from His Excellency—[*Interruption*]

Hon. Member: The President.

Mr. C. Imbert: His Excellency. There is only one Excellency in our system.

Mr. Roberts: Really?

Mr. C. Imbert: Yes. There is one Excellency in our system, His Excellency the President, in our parliamentary system.

Mr. Roberts: “Wha bout Sando East?” [*Laughter*]

Mr. C. Imbert: And we are told by the President that Mrs. Roamar Achat-Saney is qualified and experienced in the disciplines of law and sociology. Let us take a look. Let us take a look. [*Interruption*] Let us take a look. [*Interruption*] Let us see whether the lady is qualified in law.

Mr. Sharma: The President says that. That is enough.

Mr. C. Imbert: “Madam Deputy Speaker, there is ah—Fyzabad just cyar help himself.” Would you quelled that noise coming from over there, Madam Deputy Speaker?

Hon. Member: Quell, quell.

Madam Deputy Speaker: You may continue, hon. Member. Address the Chair.

Mr. C. Imbert: Yes. But, Madam Deputy Speaker, “yuh saying that but the noise still coming eh”. [*Laughter*]

So let us take a look at Roamar Achat-Saney’s curriculum vitae. The lady achieved a Bachelor of Laws in 2010 and the CV states that from November 2012, one year ago, the lady became an attorney-at-law after completing the Legal Education Certificate. So, Mrs. Achat-Saney is qualified in law. No two ways about it. Experienced? I would defer to eminent counsels such as Hudson-Phillips and Seetahal in terms of what is the meaning of “experienced” when it comes to law, especially someone holding a very senior position such as a commissioner in the Police Service Commission. [*Interruption*]

I would think—you look at any advertisement in the newspapers for legal officers in Ministries, even a Ministry as disorganized as the Ministry of Sport—[*Laughter*—if you looked and you saw—the present Ministry of Sport—an advertisement for a senior legal officer in the Ministry of Sport, you would see as a minimum requirement the person should have about five years’ experience.

Mr. Roberts: So you would not qualify.

Mr. C. Imbert: Certainly not. The person should have at least five years' experience after being called to the Bar. To become a judge, you need 10 years' experience, and as you go through the system in the public service, the minimum is five, six, seven years in order to get a senior position.

So if this particular individual is being nominated because of her experience in the discipline of law, I would think, on a general understanding of what that means, that she does not have the requisite experience. So, perhaps she is qualified and experienced in sociology, and in order to understand what that means, we will have to establish what is the meaning of the discipline sociology—[*Laughter*—and, Madam Deputy Speaker, sociology is the study of human social behaviour.

Hon. Member: Is there a definition for that?

Mr. C. Imbert: Well, it is replete in all the texts. In the legal dictionaries, in the Oxford Dictionary, Merriam-Webster Dictionary. It is right through.

Mr. Sharma: Proceed, proceed.

Mr. C. Imbert: Sociology is the study of human social behaviour, especially the study of the origins, organization, institutions and development of human society.

Mr. Roberts: Right!

Mr. C. Imbert: That is sociology.

Mr. Roberts: Google that.

Mr. C. Imbert: Now, let us—[*Interruption*—no, I have gone through the various dictionaries. Let us look and see what is this lady's qualifications: she has a Legal Education Certificate.

Mr. Roberts: No.

Mr. C. Imbert: That is not sociology. She has a Bachelor of Laws, that is not sociology; Executive Diploma in School Management.

Mr. Roberts: Aaah.

Mr. C. Imbert: That is not sociology.

Mr. Roberts: Elements of that.

Mr. C. Imbert: Oh, be serious! Madam Deputy Speaker, this is a serious place.

Mr. Roberts: But it is serious.

Mr. C. Imbert: This is a serious place. If you look at the chairman of the Police Service Commission for example, he calls himself a criminologist these days, but he is certainly a qualified sociologist.

Hon. Member: Yes.

Mr. C. Imbert: With degrees, accredited degrees and widely recognized experience in sociology.

Mr. Roberts: Psychology.

Mr. C. Imbert: Yes, but psychology is a subset of sociology. [*Crosstalk*] Madam Deputy Speaker, you know, if Members opposite want to argue, sociology is the study of human social behaviour.

Dr. Moonilal: What is psychology?

Mr. C. Imbert: That is a subset of sociology.

Dr. Moonilal: So, he is a psychologist or a sociologist?

Mr. C. Imbert: Sociologist is the wider rubric. [*Interruption*]

So, let us move on: Master of Education, that is not sociology; Post Graduate Diploma in Education, that is not sociology.

Mr. Roberts: There is an element of sociology in that.

Mr. C. Imbert: It is not a qualification. Madam Deputy Speaker, we are talking about academic qualifications. You see, we need to get very serious in this country.

Mr. Roberts: Semantics.

Mr. C. Imbert: You have to go back—I will go back into the *Hansard* in a while and look at the intent of the legislators, when they framed the legislation. But when we come into this House and we interpret legislation and we look at qualifications, we are talking about academic qualifications; and when we talk about experience, we are talking about practical experience, so let us move on.

Bachelor of Arts in English Literature, General Cambridge Examination, advanced levels. That is it! So I do not see any degree, or advanced diploma, or associate degree, or any academic qualification in the field of sociology.

Let us move now to professional experience. [*Interruption*] Let us move now to professional experience: principal of Fyzabad Secondary School; head of English department; teacher in English language; examiner, Caribbean Examinations Council—

Mr. Roberts: Human behaviour.

Mr. C. Imbert:—lecturer, primary school and so on. There is nothing in here, Madam Deputy Speaker, that deals with experience in sociology. The lady is a highly qualified and experienced educator. [*Interruption*] Nobody could take that away from her.

Hon. Member: Which deals with sociology.

Mr. C. Imbert: Madam Deputy Speaker, I am asking you, please, could you quell the hon. Member?

Madam Deputy Speaker: Yes, I am—[*Interruption*]

Miss Mc Donald: “Madam Deputy Speaker, yeah man. Yeah man.”

Mr. C. Imbert: It is ridiculous! Absolutely ridiculous, please!

Madam Deputy Speaker: Could you allow the Member to speak in silence because I want to hear what he is saying, so please. Member, you may continue.

Mr. C. Imbert: You see, Madam Deputy Speaker, we have to deal with facts, you know. Not what they think. Not what random thought that just came into their mind.

Let me read over again the notification. The notification is as follows: the President nominates Mrs. Roamar Achat-Saney, a person who is qualified and experienced in the disciplines of law and sociology. There is nothing here about management. This person was not nominated as somebody who is qualified or experienced in management. This person was nominated as somebody qualified and experienced in law and sociology. The fact of the matter is, the distinguished educator, this person with this vast educational experience, has a law degree. It is true.

Mr. Roberts: Wow!.

Mr. C. Imbert: Has only been called to the bar one year ago—which does not put her in the realm of substantial experience in law—and has no qualifications and experience in sociology.

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But let us move to the one that is even more obvious, and that is the next notification, and that is the notification of Dr. Armstrong, and if hon. Members opposite had bothered to read their papers, then you would understand the context in which this debate must be set. Dr. Armstrong is nominated as a person who is qualified and experienced in the disciplines of management and finance. Now, let us deal with the last one first. Finance! Let us go to Dr. Armstrong's academic qualifications.

Miss Cox: There is nothing there.

Mr. C. Imbert: And let us see if he is an accountant, an economist, a banker, a financial expert or has any qualification in finance that we can find and let us see.

He has a Doctor of Philosophy in Urban and Regional Planning, that is not finance; he has a short course in Urban Settlements, that is not finance; he has a Master of Science Degree in Urban Planning, that is not finance; and he has a Bachelor's Degree in Environmental Design, also not finance; and he has a Diploma in Architectural Design, also not finance. In fact none of these qualifications are even remotely, remotely, Madam Deputy Speaker, associated with finance.

Let us now look at the second aspect of the notification that came from the President with respect to Dr. Armstrong. It is said that he is qualified in the disciplines of management and finance. I have pointed out that he has no academic qualification in finance whatsoever. Let us see if he has any academic qualifications in management: PhD Urban Planning, MSc Urban Planning, BSc Environmental Design and Diploma in Architectural Design. None of those degrees are in management.

Dr. Gopeesingh: None is, not none are.

Mr. C. Imbert: Whatever!

Mr. Roberts: [*Inaudible*]

Mr. C. Imbert: It does not matter. So, the fact of the matter is, Dr. Armstrong has no academic qualifications in management or finance. None whatsoever!

Mr. Sharma: I feel Donna Cox—[*Inaudible*]

Mr. C. Imbert: He has no experience in the field of finance. What is finance, Madam Deputy Speaker? The management, creation and study of money, banking, credit, investments, assets and liabilities—[*Interruption*—so, Madam

Deputy Speaker, since the law requires that the hon. gentleman must be both qualified and experienced in one of the four disciplines and since he has been nominated as being qualified and experienced in the disciplines of management and finance, and he has no qualifications whatsoever in finance or management, then why should this honourable House accept this without question.

And let me go back into the *Hansard* now into the origins of the Constitution (Amdt.) Act and go back into the reasons given by the Parliament as to why they were in agreement with the legislation, and, Madam Deputy Speaker, the persons who contributed to the debate on the Constitution (Amdt.) Bill in March 2006 in the other place included the now Speaker of the House, Sen. Mark; included the current Member for Caroni East who was then Sen. Gopeesingh—[*Interruption*]

Dr. Gopeesingh: That had to be a brilliant man. [*Laughter*]

Mr. C. Imbert:—included Independent Sen. Prof. Ramchand—[*Interruption*]—included former Sen. Ali; Sen. Seetahal SC; Sen. Prof. Deosaran—[*Interruption*]—the current chairman of the commission and so on.

But, Madam Deputy Speaker, what we have to look at is, why was there this change? You see, in the past, the Constitution read as follows, very simply at section 122 of the Constitution:

“The members of the Police Service Commission shall be appointed by the President, after consultation with the Prime Minister and the Leader of the Opposition.”

That is how it read before.

This was changed to the current situation where the President, after consultation with the Prime Minister and the Leader of the Opposition, nominates persons who are qualified and experienced in the disciplines of law, finance, sociology or management. So, if we go back to the previous law, there was no requirement for qualifications and experience. Let me just read that again. Previously, it read as follows:

“The members of the Police Service Commission shall be appointed by the President, after consultation with the Prime Minister and the Leader of the Opposition.”

So, it could have been four housing Ministers that could have been appointed. There was no qualification and no experience.

5.25 p.m.

Mr. Roberts: “Yuh did’n do so good in the TV debate, yuh doin’ better now.”

Mr. C. Imbert: “Doh worry.” Now, we need to have law, finance, sociology or management. We need to have qualification and experience, and the notification comes here. Now, why is the notification coming here? What was the concern of the legislature? Because for those who do not know, the Police Service Bills—the Constitution (Amdt.) Bill, the Police Service Bill and the Police Complaints Authority Bill—came as a result of a bipartisan collaboration, a joint approach by the Opposition and the then PNM Government, and the then Opposition UNC came together in a bipartisan manner, very, very collaborative and cooperative I must say, and agreed on a new procedure—[*Crosstalk*] yes, it was well done, agreed on a new procedure—for the appointment of the Police Service Commission. And the question was, why? Because in the past there was a prime-ministerial veto.

So even though the President wanted to—could have appointed these people there was no requirement for qualifications or experience. There was a prime-ministerial veto. What the new legislation did is take away the prime-ministerial veto and bring it to the Parliament for the Parliament to vote on.

Now, there was a lot of debate as to all you are really doing is replacing the prime ministerial veto with the Government’s veto, because the Government will use its majority in the Parliament and decide what is going to happen, whether the notifications sent by the President were to be accepted or not accepted as the case may be. But Members of the Opposition surprisingly did not hold that view.

The view was, that, because you are for the first time sending the names and the CVs of the persons to the Parliament for debate, that the President will be very circumspect in terms of the process of consultation. So that the consultation between the President and the Leader of the Opposition and the Prime Minister would now be far more meaningful than it might have been in the past, because after that the names come here for Members of Parliament to critique the nominations as to whether they fit within the confines of the law and whether the persons are suitable or not.

So every Opposition speaker that spoke, and that included the Member for Siparia, the current Prime Minister, the then Sen. Gopeesingh who is now the Minister of Education, the former Leader of the Opposition and former Prime Minister, Mr. Panday, everyone who spoke, spoke about the fact that a debate will

ensue and therefore the President will be very careful and very, very circumspect in the consultation process and also the selection of the person—[*Crosstalk*] sure.

Mr. Roberts: Thank you for giving way. Am I to believe from your argument, and I thank you for giving the historical perspective, that the Opposition now has a problem with the consultative process that occurred between the Leader of the Opposition—the present Leader of the Opposition—and President, that the Leader of the Opposition shared concerns about this and the President ignored those concerns?

Hon. Members: Very good point.

Mr. C. Imbert: I was not a fly on the wall in the room, so I am afraid I cannot answer that.

Dr. Moonilal: Your leader did not consult you?

Mr. C. Imbert: Well, I am certainly not the Leader of the Opposition.

Hon. Members: Ohhh! He ignored you!

Mr. C. Imbert: So the fact of the matter is I cannot answer the question, that is a private meeting, I cannot answer that question. I do not know what was discussed, what was the nature of the consultation and so on.

Dr. Moonilal: So he did not report to the caucus?

Mr. C. Imbert: But I would read from the *Hansard* of the other place, Madam Deputy Speaker, Tuesday March 28, 2006 with respect to the contribution of Sen. Gopeesingh.

Dr. Gopeesingh: Tell me what I say now.

Mr. C. Imbert: Well, what you said is so different from the posture and the approach of the hon. Minister of National Security. He was so timid, afraid to even talk about the nominees, afraid to even mention the words of the Motion, lest he be struck down in his chair. Let me read what Sen. Gopeesingh said.

“What is fundamentally different in the proposed legislation is that the Commissioners of the Police Service Commission would be appointed based on public scrutiny”.

Dr. Gopeesingh: Good.

Mr. C. Imbert: “In other words, they have to come to Parliament and their names would be proposed to Parliament and...Parliament would look at their creditability and have to discuss it.”

Dr. Moonilal: Yes. He is brilliant.

Mr. C. Imbert: “It is the same manner in which the Congressional Committees of the United States operate...”

A little different, but similar.

“...the question of public scrutiny will come into play. Therefore, we believe that we may have some of the better people coming forward who are unafraid to serve at a high level...”

Mr. Roberts: Well said, yeah. [*Desk thumping*]

Miss Cox: That is Gopeesingh? [*Crosstalk*]

Dr. Gopeesingh: Seven years ago.

Mr. C. Imbert: “And we may be getting—not that the present members of the Police Service Commission, that we are questioning their integrity but the method of public scrutiny is a good one where when these members are selected the public will have confidence in these members who have undergone public scrutiny in the Parliament.”

So that is the contribution of Dr. Gopeesingh.

Hon. Member: Brilliant. [*Crosstalk*]

Hon. Member: Sterling!

Mr. C. Imbert: But—well, he just scratched the surface. If you go to the contribution of the hon. Kamla Persad-Bissessar—[*Interruption*]

Mr. Roberts: Yes.

Dr. Moonilal: Wisdom we have here.

Mr. C. Imbert: She went into great detail, raised a number of issues that I think need to be—[*Interruption*]

Dr. Moonilal: She was in the Senate as well?

Mr. C. Imbert: No, this is in the House. I just picked him out of the Senate because he is here with us today. So I wanted to remind the Parliament what he said—that this process opens up these nominees to public scrutiny.

Now, before I go to what the current Prime Minister said, you know, in her capacity as the Member for Siparia as she was then, as she is now, but she was in the Opposition, let me deal with a contribution from the then Member—I am not

sure, he is always moving around you know—Mr. Dookeran, I am not sure which constituency it was, maybe Tunapuna in 2006? I am not sure, or St. Augustine, wherever he was. Where was he?

Dr. Moonilal: Not Diego Martin North.

Hon. Members: Yeah.

Mr. C. Imbert:—St. Augustine? But anyway, this is what Mr. Dookeran had to say. [*Crosstalk*]

“Mr. Speaker, I would like to emphasize...that it is a fundamental departure in two ways. The President in the discharge of his function really is not accountable in the system to any incentive to ensure that consultation takes place in a meaningful sense. One of the problems we have been facing is that consultation for the appointment that is within the authority of the President has been done in a manner that has not inspired that confidence. One of the reasons for that is that the President...is not forced by an incentive system that forces him to have consultation that would build the consensus, and in so doing, be able to advance the cause of managing the social and political tensions in the country, because more often than not, the President's prerogative is relegated to those independent office holders, which really ought to be above local political considerations. So, the main objective of this scrutiny is to...provide an incentive”—to the President—“and to be able to provide a check to force the consultation procedure to arrive at a consensus, or at least provide an incentive for that.

Secondly, it is also to provide the force of public opinion. In addition to the incentive, it would provide to the President to find a common ground that is acceptable to the Prime Minister and the Leader of the Opposition. It...brings into play the force of public opinion, which now does not necessarily have to come into play...after the decision is taken. So the force of public opinion is an important one, and the best representative...of public opinion...is the Parliament itself and the elected Members of Parliament.”

And this brings me to the points made by the hon. Member for Laventille East/Morvant and also by the Member for Chaguanas West that prominent public personalities have expressed reservation with respect to the qualifications of the last two nominees. And this is public opinion coming into play. We have heard the names, I do not need to repeat—[*Interruption*]

Dr. Moonilal: Who is that?

Mr. C. Imbert: You have Karl Hudson-Phillips and you have Dana Seetahal. Both senior—[*Interruption*]

Dr. Moonilal: Is that the only two prominent people in the country?

Mr. C. Imbert: No, no, Madam Deputy Speaker, through you—I am not going to get into any tit-for-tat exchange with the Member for Oropouche East who wants to derail me. The fact of the matter is, Madam Deputy Speaker, that when hon. Members opposite were in the Opposition they recognized the importance of public opinion and the importance of consultation, and they felt that with the new legislation these would be sufficient incentives to the President to engage in meaningful consultation and arrive at consensus with respect to the nominees.

But let us go now to the contribution of Mrs. Kamla Persad-Bissessar. And she was speaking after the Member for—again these fellas moved around. I do not know if he was St. Joseph or St. Augustine, at the time Mr. Yetming who had left the UNC by this time and was in the rebell COP at the time—and Mr. Yetming, was not in complete agreement with what had been agreed to by the UNC and the PNM in the bipartisan approach. And in speaking about Mr. Yetming's contribution, Mrs. Persad-Bissessar had this to say—this is March 15, 2006, House of Representatives:

“The Member spoke about stripping the President of power and the discretion. The Member does not understand that the fundamental basic principle was that the President was accountable to no one. The Member for Couva North has already explained the manner in which a President is appointed. We all know the President is appointed through the Electoral College. The President is the nominee of the Government and because of the way in which that appointment takes place he is indeed the creature of the Government. When he gets into office, however many governments will tell you, he does not necessarily remain the creature of the Government. He may very well have his own...”—ideas.

But going on now—continuing with the Member's contribution:

“...the point”—being—“made by the Member for Couva North...”

This is some—she was referring to something said by Mr. Panday:

“...is very clear, which is to say that the persons...”

These are persons picked for service commissions—

“...tend to come from the same group, clique, club and circle. It does not pick the whole composition, geographic or otherwise, of the nation. If we read the appointments, I will not do that because I do not wish to go through the list of names, but anyone wishing to have access can have access. We can go through every commission appointed by the President and everybody, where the members were selected by the President...are persons from one group or clique.”

This is what Mrs. Persad-Bissessar had to say back in 2006.

“When we had the...talks, we had to find a way that would make consultation meaningful. The President consults with the Prime Minister and Leader of the Opposition but, in effect, what happens...he goes and does his own thing. He does not necessarily have to follow any one or both of them because ‘consultation’ in legal language means that we talk. Consultation does not mean I am going to do what we talked about. The President was not accountable to anyone.

The Member for Couva North”—made the point that—“we cannot take the President to court. There are limited exceptions, but that ouster clause is there. When the President acts and makes these appointments...you can do nothing. He talks with the Leader of the Opposition and the Prime Minister and goes off on his own; as the lawyer says: ‘He goes off on a frolic of his own’ and he decides: ‘Them fellas’”—

Now these are not my words, “eh”. These are the words of the hon. Kamla Persad-Bissessar. I am simply repeating them so that one would understand the sentiments of the UNC when they were in Opposition.

Mr. Ramlogan SC: For a moment there you sounded impressive. [*Laughter*]

Mr. C. Imbert: “‘Them fellas you named I do not want any of them.’ I do not know if the Member understood that there is the possibility...”

Now this is interesting—

“...that when the President brings the names of those nominees, the Government may not even agree to them. Why do you feel that it is only the Opposition? The Government may not, as well, agree to them.”

And then it goes on to talk—so the President is really going to have meaningful consultation now.

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“When the President sends those names, do you think the President wants his name impugned in the Parliament that there was consultation on X and Y and this has happened? I respectfully disagree with the comments put forward by”—my—“colleague, the Member for St. Joseph...”

So he was St. Joseph.

“I wonder why we are afraid of elected representatives...? Why is it we are afraid of those who want to hold big ‘wuk’, to take a big job to come before the scrutiny of Parliament? Why are you afraid of that? What is wrong with that?

When you go to the United States and you see the system there”—the—“nominee for high public office has to go through Senate hearings.”

Hon. Member: We debating.

Mr. C. Imbert: Yeah, but the whole point is it would appear, on the face of it, that at least one of the nominees is not qualified in the disciplines that are on the nomination paper.

Mr. Roberts: Maybe the consultative process was not good.

Mr. C. Imbert: I would not speak to the third person because that is debatable. The person has a degree in law, has one year experience—if you want to push the envelope and you want to stretch the rubber band—I mean, I do not think that the hon. Attorney General would have applied for silk with one year’s experience. [*Crosstalk*] I do not think so. [*Crosstalk*]

5.40 p.m.

So, you want to stretch “de rubber band; yuh want to push de”—[*Interruption*]

Hon. Member: Use Hooke’s law.

Mr. C. Imbert: Yes, Hooke’s law. “Yuh want tuh use de—push de envelope.” Someone could say that—[*Interruption*]

Hon. Member: Sociology.

Mr. C. Imbert: No, no sociology there at all. Someone could say that this person has a qualification in law and some experience in law. One would expect at least five years, six years, seven years and so on, but you could argue a fine point and say, well, they have—[*Interruption*] No, but you see, Madam Deputy

Speaker, I have asked the Members opposite to read. We could only go on what is sent to us. Let me deal with Armstrong and I will come back to Saney.

Dr. Armstrong, it is said, is qualified in finance and management. He has no such qualification. I had gone through the man's CV. He has no management degree; he has no finance degree—*[Interruption]*

Hon. Member: What about experience?

Mr. C. Imbert: It has to be both. I told you about the legal meaning of the word “and”. We are not dealing with “or”. Let me go back. It could be any one of the four. It is law, sociology, finance or management. That means it could be four lawyers, four sociologists, four finance experts, four management experts—*[Interruption]*

Hon. Member: No need to stomp on the President.

Mr. C. Imbert: Nobody is stomping on anybody here. The whole point is *[Crosstalk]* nobody is stomping on anybody here. The point is that the Opposition—*[Interruption]*

Mr. Sharma: “Yuh say all ah dat already.”

Mr. C. Imbert: Madam Deputy Speaker, I asked you to quell the Member for Fyzabad but it is not happening.

Madam Deputy Speaker: Continue, Member.

Mr. C. Imbert: But, Madam Deputy Speaker, you have to stop him.

Madam Deputy Speaker: I did not hear him.

Mr. C. Imbert: You did not hear him?

Madam Deputy Speaker: You continue.

Dr. Moonilal: You are hearing things.

Mr. C. Imbert: *[Sighs]* Yes, the present Prime Minister, when in Opposition, made the point that:

“If it is that a person is unwilling, is it because there may be reasons why they are unwilling to put themselves through that scrutiny? If it is that you feel that there are things that may come out during that scrutiny, then do not put your name forward, because you do not belong in that position. Those who can withstand...scrutiny—people may cast aspersions but they do not have to be

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true. I have had many things said about me...Many of it is not true, but that does not stop me from coming into the Parliament and doing my job..."

Madam Deputy Speaker: Hon. Member—

Hon. Member: Thank God.

Madam Deputy Speaker: Hon. Members, the speaking time for the Member for Diego Martin North/East has expired.

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

Question put and agreed to.

Mr. C. Imbert: [*Desk thumping*] Thank you very much, Madam Deputy Speaker. Let me thank the Member for D'Abadie/O'Meara—

Mr. Roberts: You are welcome.

Mr. C. Imbert:—let me thank all my colleagues on this side and all Members opposite.

Dr. Gopeesingh: It is an honourable House.

Mr. C. Imbert: Yes.

"For those persons, if you cannot stand up to the scrutiny or you are afraid of bad talk, then you may not put your name forward."

This is Mrs. Persad-Bissessar:

"I am of the view that this mechanism that we have developed is going to give us one that will allow us a greater transparency, openness and appointments. Most important, it is going to give us meaningful consultation with the President."

And she went on to say, after an intervention from the Prime Minister:

"If you want to hold high, public office, then you must be able to withstand public scrutiny...You want high, public office, but that is one of the highest offices in the land."

So the Member for Caroni East made the point that the new system would allow greater consultation, would allow the nominees to be exposed to public scrutiny. The current Member for Tunapuna reinforced that point and said that this is going to force public opinion to be taken into consideration in making the nominees.

The fact of the matter is, Madam Deputy Speaker, there were reasons why the Parliament decided on those four disciplines: law, sociology, finance, management. And it was the intention of the Legislature that these people be experts in their field. We want highly qualified, highly recognized lawyers, highly qualified, highly recognized sociologists, management experts and financial experts. And you cannot tell me that somebody that has no qualifications in finance could be proposed as the nominee that has qualifications in finance. You cannot tell me that because it is not true.

And, Madam Deputy Speaker, nobody is casting aspersions at anybody here. This is a process. The reason why these nominations come here is so that we can examine them as a Parliament and determine whether they fit the criteria and whether these people are suitable to run the Police Service Commission. The reason for the sociologist is that you are dealing with a body of men under arms. I do not know what the current strength of the police force is. It is 6,000?

Hon. Member: About 7,000—

Mr. C. Imbert: No, that is the establishment. I am talking about the actual numbers of men—*[Interruption]*

Dr. Gopeesingh: Fifty-nine hundred.

Mr. C. Imbert: “So ah right den?” Okay. “But doh argue wit me.” *[Interruption]* So we have about 6,000 people in the force at this point in time. They have all sorts of problems. They “ha” issues in terms of interaction with their colleagues, in terms of working conditions, in terms of the hazards of the job. You put your life on the line every time you go out as a police officer to deal with a report of crime and so on. And, therefore, the reason why the sociologist was selected—and one would expect this is somebody with at least a postgraduate degree in sociology and years of experience in the field of sociology—was because you are dealing with people who are under stress and you need to understand human behaviour from the scientific point of view in order to look at the behaviour of these men.

Because the other thing that the Police Service Commission is responsible for, which people are not dwelling on, apart from appointing the Commissioner of Police and the Deputy Commissioner of Police—apart from that—the Police Service Commission acts as an appeals body. Now this was very briefly touched on by the Member for Chaguanas West who spoke about the backlog and so on. But one of the functions of the Police Service Commission—one of the new

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functions of the Police Service Commission is to act as an appeals tribunal with respect to decisions made by the Police Commissioner.

So decisions—because what we did, we changed the whole system. We gave the Commissioner of Police the responsibility for promotion and discipline for all ranks below Deputy Commissioner. And if you want to know what the ranks are, it is constable—obviously it is the lowest rank; then corporal, then sergeant, then inspector, then superintendent, then I think you have senior superintendent, and then you have Assistant Commissioner of Police and Deputy Commissioner of Police and so on. So all of the ranks, from Assistant Commissioner of Police down, are now subject to promotion and discipline by the Commissioner of Police.

Now, since there are only two Deputy Commissioners and one Commissioner, you are talking about approximately 6,000 people who are under the jurisdiction of the Commissioner of Police with respect to promotion and discipline.

Dr. Gopeesingh: I think there are three Deputy Commissioners.

Mr. C. Imbert: All right. Still 6,000, give or take. Within the margin of error it is still 6,000 people you are talking about.

So in recognition that it is six—because the establishment is seven, so it could be 7,000 people at any given time that you are dealing with. In recognition of the fact that one man now had responsibility for promotion and discipline of 7,000 police officers, the Police Service Commission was given the responsibility to handle appeals. There was an appeals tribunal before. That was abolished and you now give the Police Service Commission the responsibility to handle appeals.

So it is not just to go through the process. And I dare say they have not been doing a good job. We have to say these things when they are self-evident. Mr. Gibbs resigned. I took notes. Mr. Gibbs, the last Commissioner of Police who was appointed, resigned in August of 2012. That is what my notes tell me. So Mr. Gibbs left these shores—yes—August 2012. That is more than a year ago. What has the Police Service Commission done between August 2012 and now, in terms of advancing the process for the selection of a new permanent Police Commissioner?

Hon. Ramlogan SC: [*Inaudible*]

Mr. C. Imbert: That is okay. I said that that one is borderline. I am not going to fight that one.

Hon. Member: Armstrong could—

Mr. C. Imbert: Yeah, with all his degrees in finance.

Hon. Ramlogan SC: No, he will be very strong, “yuh know. Dah why dey call him Armstrong.”

Mr. C. Imbert: So the whole point is: what has the Police Service Commission done between August of 2012 and now in terms of advancing the process of appointing a permanent Commissioner of Police? Have they even advertised the position? I do not think so.

Hon. Ramlogan SC: You would not meet the minimum—

Mr. C. Imbert: No, but the fact of the matter is, has the Police Service Commission—can the Government tell us—because there must be somebody on that side—somebody on that side must know where we are in the process of selecting a new Commissioner of Police. Has an advertisement even been published with respect to inviting persons to apply for the post of commissioner?

Hon. Member: No.

Mr. C. Imbert: Has anybody been—have any applications been received? Have any interviews been held? How far—now, my memory of this process is if, with the best will in the world and the most efficient organization, it takes 12 months. From the time you put out the ads to the time you could make a selection, with the best will in the world—*[Interruption]*

Mr. Sharma: What you did to Williams?

Mr. C. Imbert: Madam Deputy Speaker, “doh tell meh yuh didn’ hear dat.” Would you kindly control the hon. Members, Madam Deputy Speaker?

Madam Deputy Speaker: Member for Fyzabad, please allow the Member to speak in silence.

Mr. C. Imbert: I know your instructions will fall on deaf ears, Madam Deputy Speaker. “He cyar help it.” But the fact of the matter is, from August 2012 to now, what have we had? We have had acting appointments of the position of Police Commissioner—*[Interruption]*

Hon. Member: Like Philbert.

Mr. C. Imbert: Yes, exactly what you complained about! *[Interruption]*

Mr. Sharma: And Stephen Williams.

Mr. C. Imbert: Exactly what the then Opposition, UNC, complained about, Madam Deputy Speaker, we have had acting appointment after acting appointment after acting appointment of the Commissioner of Police. And the state we are at now in terms of selecting a new Commissioner of Police, I dare say that this could take us towards the end of 2014 before we get recommendations coming to this House—because it still has to come here—in terms of the selection of a new Commissioner of Police. So we would have had an acting Commissioner of Police for more than two years.

That is why it is so important that the persons who are selected for this Commission have the requisite human resource experience, the requisite experience in the recruitment of personnel, in the evaluation of applicants for the position of Commissioner of Police, and more so, in the whole question of acting as an appeals tribunal, Madam Deputy Speaker. This is why the emphasis has been on the discipline of law in terms of the appeals process—the appeals function of the Police Service Commission.

So when these names come here, Madam Deputy Speaker, the fact is that the Opposition, when in opposition—the UNC when in opposition—recognized that this was not a rubber-stamp process; that the members of the Legislature had every right and had a duty, as it were, to question the nominees if they found that there is something that did not look quite right, and in this particular case, there are some strange things.

The Government, in introducing this Motion, has not dealt with any of these issues at all; has not even looked at the actual notifications and looked at the disciplines that it is said that these people are qualified and experienced in, and, as I said, with respect to the last two, there are questions, and we would like the Government to tell us what are your views on all of this. Do you feel that the last two nominees—*[Interruption]*

Dr. Moonilal: “Gih dem ah chance. Jus gih dem ah chance.”

Mr. C. Imbert: Well, you see, you could adopt that approach if you want, you know. If you were in opposition you would be shouting and screaming.

But, I would like the Government to tell us whether they truly believe that Mrs. Saney is qualified and experienced in the disciplines of law and sociology, and whether Dr. Armstrong is qualified and experienced in the disciplines of management and finance, Madam Deputy Speaker, because I have seen no academic qualifications in management, no academic qualifications in finance,

very little experience in finance, very little experience in management with respect to Dr. Armstrong. He is a very distinguished planner; a well-known urban and regional planner.

5.55 p.m.

When you look at his record in terms of being a planner, I dare say there are very few people in Trinidad and Tobago, maybe even in the world, who have as much experience and are as qualified as Dr. Armstrong is in urban and regional planning. I dare say he obviously stands out in the field of urban and regional planning as a highly distinguished recognized planner, Madam Deputy Speaker, but I do not see any qualifications in finance or management. With respect to the lady, she is a highly distinguished educator, a teacher, but I do not see any significant experience in law and I see no qualifications in sociology.

So this is the purpose of this debate, Madam Deputy Speaker, to look at these things, to ask questions and to ask the Government whether in the process of consultation—some one of you all could tell us whether the Prime Minister has shared with you in the process of consultation—whether these issues arose and what is the Government's response to these issues because these are very, very serious issues that should not be trivialized, brushed under the carpet, or approached with the timidity that was demonstrated by the Minister of National Security, because this Police Service Commission is going to pick the next Commissioner of Police.

The persons that are going to be approved are going to select the next Commissioner of Police, and the Commissioner of Police has a very vital role in ensuring the fabric of Trinidad and Tobago, Madam Deputy Speaker—very vital role, especially since the Commissioner of Police is now responsible for a force of 6,000 men almost exclusively and we have not been lucky in this country. We have not been lucky. You know, we have had many different people occupying top positions within the Police Service Commission and within the police service itself over the last several years, and we have not been lucky.

Just before I take my seat, I looked at the murder total as of today, I think it is 315.

Mr. Hypolite: Three hundred and thirty-six.

Mr. C. Imbert: Three hundred and thirty-six? Wow! I was looking at old figures. When one considers that last year was 370, or something like that, we are getting very close to last year's figure, Madam Deputy Speaker. It is not a good

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thing to hear senior police officers tell us that serious crimes are down. Tell that to the murder victims and their families. Well, you cannot tell it to the murder victims because they are dead, but tell that to the families of the victims of murder that crime is down.

This is not what we want to hear. We do not want people telling us that crime is down when they are killing people, black is white, in Trinidad and Tobago, Madam Deputy Speaker. That is not what we want to hear. What we want to see and what we want to feel is that something is being done and that serious people are addressing these serious problems in a proper manner, and that we have the right people heading the service commission, who will select the right person to be the Commissioner of Police, who has this awesome responsibility to deal with all of these men and to deal with the problem of crime in Trinidad and Tobago. So I urge the Government not to brush off these concerns, look at them very closely, tell us whether they were raised at all in any consultation, what are your views, and do you honestly believe that these people meet the legal qualifications as set out in the Constitution.

I thank you, Madam Deputy Speaker. [*Desk thumping*]

Madam Deputy Speaker: The hon. Attorney General. [*Desk thumping*]

The Attorney General (Sen. The Hon. Anand Ramlogan SC): Thank you very much, Madam Deputy Speaker. As I rise to contribute to this debate, I come after a very enriching and lively discussion on a very important matter concerning the appointment of commissioners to the Police Service Commission.

Madam Deputy Speaker, I would like to perhaps start by revisiting the history of the Police Service Commission as a constitutional institution and to remind us that at the Marlborough House Constitutional Conference, it was Dr. Rudranath Capildeo who, in negotiating a new Constitution as the way forward, insisted that the police service come under an independent service commission, having regards to its important and critical role and function in our society. That led to paragraphs 55 and 56 of the report of Trinidad and Tobago Independence Conference in 1962, where at paragraph 55 it is said under the rubric Police Service Commission:

“The Police Service Commission will consist of a Chairman and four other members appointed by the Governor-General acting on the advice of the Prime Minister.”

I make that point because at that time there was no role for the Opposition in the original draft of that provision. It was done on the advice of the Prime Minister alone.

“No person will be eligible for membership of the Commission if he is a member of either House of Parliament or holds or is acting in any public office other than the Office of member of Judicial and Legal Service Commission or the Public Service Commission”—and, of course, there was a power of veto in the Prime Minister.

The early signal sent from this provision was that they wanted to depoliticize the appointments in the police service and keep it as an independent institution. Hence the reason for the imposition of a disqualification if someone held political office and, that is, being a serving Member of Parliament either in the Upper or Lower House.

In 1961 in the independence Constitution, we find this enshrined in section 81(3) of the Constitution which provides that:

“No person shall be qualified to be appointed as a member of the Police Service Commission...if he is a Senator or a member of the House of Representatives...”

In 1974, the Sir Hugh Wooding Constitution Review Commission treated with this matter and they reinforced and underscored the need for the independence of the commission. They found, however, that the police, fire and prison service, having regard to the character and nature of the functions they perform, ought properly to come under the jurisdiction and ambit of the Police Service Commission. They felt that was the convenient and logical place for those particular services because they touch and concern law enforcement in some manner.

In the 1976 Constitution, the position remained unchanged, in that, anyone who held the public office for three years preceding their proposed appointment was disqualified from being a commissioner. So it went beyond simply Members of Parliament, to holding public office in the last three years.

In 1987 after Sir Hugh Wooding Constitution Review Commission, we had the Hyatali Commission and they equally looked at the matter. The present law that we are discussing came in Act 6 of 2006, and chief among the changes over two decades was that the Chairman of the Police Service Commission no longer needed to be the Chairman or Deputy Chairman of the Public Service

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Commission, but rather that the President would choose a Chairman in his own discretion from amongst the members of the commission who were now given some expanded powers.

Now, Madam Deputy Speaker, this is the first time that there was a requirement for qualifications that was introduced for the selection of commissioners. It was in the 2006 amendment. Prior to that, the law did not refer to or require any specific qualifications, and I take the point made by the Member for Diego Martin North/East that the Parliament deliberately set forth certain qualifications.

It is in section 123(1) of the Constitution that the jurisdiction of the Police Service Commission is set out and they are: to appoint persons to hold or act in the office of Commissioner of Police or Deputy Commissioner of Police, exercise disciplinary control, monitor the efficiency and effectiveness of the discharge of their function, and, of course, to prepare their annual performance appraisal reports. They are also to hear appeals in relation to any decisions of the Commissioner of Police as it relates to either delegated powers for appointments and promotion, or even disciplinary proceedings and I will come to that in due course.

Madam Deputy Speaker, in a case I did in the Privy Council, in a case of Cooper and Balbosa, the judicial committee reinforced the need for the separation and the independence of the Police Service Commission. In that case, since independence, the Cabinet was selecting the examination's board that would set and mark the promotion examination scripts for the police service and, that had been the case since independence and it had not been the subject of legal challenge. I had challenge it on behalf of two police officers, Cooper and Balbosa, and although we lost in the Court of Appeal, in the Privy Council they overturned the Court of Appeal, and by unanimous decision they held that that practice and convention, although it was in existence for many decades it was wrong and unconstitutional, and that the Police Service Commission should, in fact, exercise an independent power and discretion in these matters.

I say that, Madam Vice-President, simply to emphasize that the whole—*[Interruption]*

Hon. Senator: Madam Deputy Speaker.

Sen. The Hon. A. Ramlogan SC: Madam Deputy Speaker—the whole idea of depoliticizing the Police Service Commission is reinforced by the role of His Excellency the President, the Head of State. The role of the President in this

requires careful scrutiny and examination. It was to prevent headlines such as these from the *Newsday* newspaper on July 16, 2004, “Manning to Williams: Our plans do not include you”, with a front page story stating that the then person chosen by the commission was simply brushed aside and flippantly discarded by the then administration.

I pause to make the point, Madam Deputy Speaker, that not every country has a Police Service Commission. There are many countries that do not. In our own backyard, Guyana and Jamaica, they have a Police Service Commission. Countries such as Kenya and Nigeria, they also do. St. Kitts and Nevis does, but St. Lucia, for example, incidentally does not. Appointments to the police service are dealt with under their Public Service Commission. Countries such as Hong Kong, New Zealand, Australia and South Africa, they have no Police Service Commission. So that, the creation and institutionalization in our Constitution of the Police Service Commission is a very important and significant milestone in our constitutional democracy.

I now come to the relevant provision and the source of all the contention in this debate and it is section 122(3) of the Constitution. It reads that:

“...the President shall”—and I want to pause there.

Those three words, “the President shall”, are to be taken against the context and the backdrop of all that I have alluded to before in terms of what transpired at the Marlborough House Constitutional Conference, when we were crafting and constructing the template for a new constitutional democracy in the former colony that was gaining independence, where we wanted to have an independent Police Service Commission, repeated and confirmed and enshrined in the republican Constitution, but always it was the Governor General or the President that makes the appointment, and that is retained in the 2006 amendment when it says, “the President shall”.

“...the President shall, after consultation with the Prime Minister and the Leader of the Opposition nominate persons...”

I pause there again. So the first three words tell us that these nominations are nominations made by the Head of State, His Excellency the President, and he makes these nominations in law after he follows a consultative process involving the Leader of the Opposition and the Prime Minister, but they remain the nominations of His Excellency the President, Mr. Anthony Carmona. I make that

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point because some of what has fallen from the lips of my learned friends on the other side gives the impression, quite wrongly, that these are nominations or nominees from the Government.

Miss Cox: No, no, no. I never said that.

Sen. The Hon. A. Ramlogan SC: Let us get it clear and for avoidance of any doubt, let us make it abundantly clear these are nominations that emanate from His Excellency the President of the country and the Office of the President, the highest office in the land.

6.10 p.m.

So, I say that because, as my Leader of Government Business quite rightly points out, we have to scrutinize it very carefully and the Parliament must tread with some degree of caution before the Parliament can reject nominations [*Crosstalk*] made by His Excellency to the Parliament for its consideration after consultation with both the Leader of the Opposition and hon. Prime Minister. The Parliament cannot operate in “ah willy-nilly” manner—[*Interruption*]

Miss Hospedales: What!

Sen. The Hon. A. Ramlogan SC:—and there must be proof beyond all reasonable doubt, if I may use that term. There must be clear, cogent and compelling arguments [*Crosstalk*] beyond any reasonable doubt for us to reject nominees put forward by the President. [*Crosstalk*] And I will come now and I will come to the law. You see, Madam Deputy Speaker, it says the President shall, after consultation with the Prime Minister and Leader of the Opposition, nominate persons who are qualified and experienced in the disciplines of law, finance, sociology, or management to be appointed members.

Now, the most important distinction in the wording here that has caused the sharp divergence of legal opinion that has attended this matter is [*Crosstalk*] the use of the words “qualified and experienced in the disciplines of”.

Dr. Moonilal: [*Inaudible*]

Sen. The Hon. A. Ramlogan SC: “...qualified and experienced in the disciplines of” is quite different from saying you must be qualified and experienced in one of the disciplines of so and so—[*Interruption*]

Miss Cox: That is not the issue.

Sen. The Hon. A. Ramlogan SC:—and that is quite frankly the crux of the issue. Because when you say someone has to be “qualified and experienced in the

disciplines of law, finance, sociology or management” as opposed to saying that the person must be qualified and experienced in one of the disciplines—and I say this because the Member for Diego Martin North/East made the point that you could have four lawyers. He says you could have four lawyers—they must be qualified and experienced in the disciplines of—and he says one of. I respectfully disagree.

Mr. Imbert: What is the use of the word “or” there?

Sen. The Hon. A. Ramlogan SC: I respectfully disagree.

Mr. Imbert: What does “or” mean?

Sen. The Hon. A. Ramlogan SC: You must be “qualified and experienced in the disciplines of law, finance, sociology or management”. The reason that language is there is because what the 2006 amendment did is to create a basket of expertise to try to give the commission the right blend of expertise, and these are the relevant elements to which you can have regard. It does not mean you can have four lawyers, four accountants, four sociologists and four management experts. It does not mean that!

Mr. Imbert: What does it mean?

Sen. The Hon. A. Ramlogan SC: It means that you can have persons who may be qualified in one area but experienced in another.

Mr. Imbert: No way, no way!

Miss Cox: It is not saying that. It is not saying that!

Mr. Imbert: No way, no way!

Miss Cox: Read it! It is not saying that!

Mr. Imbert: “Yuh stretchin the”—[*Inaudible*]

Sen. The Hon. A. Ramlogan SC: And I want to say, Madam Deputy Speaker, that my learned friends must not arrogate on to themselves the right to intellectual discovery [*Desk thumping*] as though it is of some novelty and innovation, [*Laughter*] because these questions have already exercised, no doubt—

Mr. Imbert: You are stretching it.

Sen. The Hon. A. Ramlogan SC: The questions raised by my learned friends opposite have no doubt exercised the minds of people before. Are we to dare to presume that His Excellency did not see this and consider it? [*Crosstalk*] Let me

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say as a matter of public record what the process is in these matters. [*Continuous crosstalk*] You see, the procedure that one would follow in a matter like this—[*Continuous crosstalk and interruption*]

Hon. Member: Oropouche East [*Inaudible*]

Madam Deputy Speaker: Continue, Senator.

Sen. The Hon. A. Ramlogan SC: Yes, Madam. The procedure that His Excellency, the Head of State, would follow in a matter such as this, Madam Deputy Speaker, is that the President, when dealing with a matter like this, if there is an issue that has arisen, he would seek independent legal advice on the matter. [*Crosstalk*] That independent legal advice, I want to stress, is not advice that comes from the Office of the Attorney General nor does it come from any government functionary.

Mr. Imbert: AG—

Sen. The Hon. A. Ramlogan SC: That is legal advice that His Excellency would seek independently to guide the exercise of his own discretion because, in the law, he must nominate.

Mr. Imbert: Would you give way?

Sen. The Hon. A. Ramlogan SC: Sure.

Mr. Imbert: Madam Deputy Speaker, I thank the Attorney General for giving way. Assuming for the sake of argument that his argument is correct, which I do not, could you tell me which one—since it could be qualification in any one and experience in any one—which one of the disciplines is Dr. Armstrong qualified in?

Sen. The Hon. A. Ramlogan SC: Yeah, sure.

Mr. Imbert: Come to point.

Sen. The Hon. A. Ramlogan SC: I will come to that.

Mr. Imbert: Which one of the five?

Sen. The Hon. A. Ramlogan SC: I will come to the résumés and I will deal with that. But, Madam Deputy Speaker, the point I am making is we must not shift the language of the statute and the Constitution in particular where it does

not say you must be qualified and experienced in one of those disciplines. It says: “qualified and experienced in the disciplines of” and it gives the option to His Excellency when making that nomination to consider the basket of expertise and skills that the Constitution envisaged.

Now, an individual may be qualified in one or several of the stated disciplines and be experienced in another or several other disciplines not necessarily related to the specific qualification that they have academically. I draw reference to the point: the newly elected Member of Parliament for St. Joseph, for example, he is, by training, a pharmacist.

Dr. Moonilal: What?

Sen. The Hon. A. Ramlogan SC: But, although he is, by training, a pharmacist, he has experience in other matters.

Hon. Member: In politics!

Sen. The Hon. A. Ramlogan SC: He has experience in politics, he has experience in public service.

Hon. Member: “I ent see no law.”

Hon. Member: “He not qualified.”

Sen. The Hon. A. Ramlogan SC: I will come to the law part of it. Because, you see—[*Interruption*]

Dr. Moonilal: He could be on the Police Service Commission too.

Sen. The Hon. A. Ramlogan SC: That is the—well, I was about to say, you know, he may make an excellent candidate for the Police Service Commission. Why not?

Dr. Moonilal: Better than [*Inaudible*]

Sen. The Hon. A. Ramlogan SC: But the Constitution envisaged that persons who are in that position, such as the Member for St. Joseph, they will be rendered ineligible for consideration.

So, Madam Deputy Speaker, the approach to construing the statute, the Constitution, is one that must be purposive and one that must have regard to the intention of the Constitution. Bearing in mind, of course, there was no

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requirement in law for any particular academic qualification or experience before, so that when you are going to put some down, you would want to have flexibility [*Crosstalk*] in determining the basket of core competencies that the Police Service Commission should have.

Now, my learned friend mentioned, for example, that there are many appeals pending and so forth. Now, Madam Deputy Speaker, if it is, for example, that the commission by virtue of the interpretation put on by the Member for Diego Martin North/East is the be-all and end-all to get the people, the right blend and so on, one may ask rhetorically, “Well, how come you end up with 234 appeals?” If that blend was the right blend and the approach taken and alluded to by them is the correct one, then, perhaps, that should not be.

But permit me to say, Madam Deputy Speaker, this is not the first time that we are confronting this approach taken by the President, or indeed, other persons who have to appoint persons to serve in public office. I recollect a case I did against the—to challenge the membership of the board of governors for the Central Bank of Trinidad and Tobago. We were in Opposition at the time. The case is the case of the Maha Sabha v Prof. Selwyn Cudjoe. In that case, I had challenged the appointment of Prof. Cudjoe by the PNM administration to the board of the Central Bank to be a governor.

Hon. Member: Yes, yes.

Dr. Douglas: I remember that one.

Sen. The Hon. A. Ramlogan SC: And I made that challenge because when I looked—[*Interruption*]

Miss Cox: “Yuh was there?” [*Laughter*]

Sen. The Hon. A. Ramlogan SC:—at the law, this is what the law says:

“The Governor and Deputy Governors”—of the Central Bank, section 8—“shall be men of proven financial experience...”

Section 8 (2):

“The ordinary directors shall be selected from amongst persons drawn from diverse occupations appearing to the President to be qualified by reason of their experience and capacity in matters relating to finance, economics, accountancy, industry, commerce, law”—and—“administration.”

Dr. Rambachan: I did not see literature there.

Hon. Member: Politics.

Sen. The Hon. A. Ramlogan SC: Madam Deputy Speaker, let me repeat that:

“...experience and capacity in matters relating to finance, economics, accountancy, industry, commerce, law or administration.”

The former administration, the PNM administration, appointed Prof. Selwyn Cudjoe. Let me read what his qualifications were to be a governor of the Central Bank.

Dr. Moonilal: What!

Hon. Member: Shame!

Sen. The Hon. A. Ramlogan SC: And I read now his bio from the Wellesley College website:

“Selwyn R. Cudjoe is Professor of Africana Studies...Professor in Comparative Literature...He teaches courses on the African American literary tradition, African literature, black women writers, and Caribbean literature.

A graduate of Fordham University...in English...and”—a Masters—“in American Literature...”—he—“earned”—his—“Ph.D. in American Literature from Cornell University”—in—“(1976).”

Mr. Imbert: “Yuh win de case?”

Mr. Sharma: “Dat was before he was born.”

Sen. The Hon. A. Ramlogan SC: So a literature professor [*Crosstalk*] is appointed by the PNM—[*Interruption*]

Mr. Imbert: “Yuh win de case!”

Sen. The Hon. A. Ramlogan SC:—to serve as a governor on the Central Bank board, and the requirements there—and the President made that appointment. The then President made the appointment against a constitutional, a statutory requirement for persons who are versed in finance, economics, accountancy, industry, commerce, law and administration.

Dr. Moonilal: Public outcry; I remember.

Sen. The Hon. A. Ramlogan SC: There was a huge public outcry.

Dr. Moonilal: Hudson-Phillips and Dana Seetahal.

Sen. The Hon. A. Ramlogan SC: I do not know if Mr. Hudson-Phillips and Miss Dana Seetahal commented but we will have to go back and check. But I am

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sure that there are many people who commented and objected that they perhaps felt that he was being appointed by—he was being appointed based on open party political affiliation. [*Continuous crosstalk*]

But the point I am making—[*Interruption*]

Miss Cox: Who win the case?

Sen. The Hon. A. Ramlogan SC:—that was a case on point.

Mr. Imbert: You win the case.

Sen. The Hon. A. Ramlogan SC: I am coming to that. The court ruled in that matter that notwithstanding the fact that he did not in fact fit any of these specific requirements for finance, economics, accountancy, industry, commerce or law, that by virtue of him being a dean or being a professor—[*Interruption*]

Mr. Imbert: Administrator! Administrator!

Sen. The Hon. A. Ramlogan SC:—he will have some experience in administration. [*Desk thumping and continuous crosstalk*] He will have some experience in administration. [*Crosstalk*] No, no, no, do not get all riled up.

So we have two things: qualification and experience, which is what we have in this instant situation.

Mr. Imbert: It is not the same!

Miss Cox: The words different.

Mr. Imbert: The words are different.

Sen. The Hon. A. Ramlogan SC: His qualification was in literature and he was a professor of African literature.

Mr. Imbert: He is an administrator.

Sen. The Hon. A. Ramlogan SC: But they said by virtue of him being a professor and by virtue of him being a faculty member, he will have some indirect experience in administration and he could pass.

Miss Cox: The wording is different.

Dr. Douglas: “Is how yuh lost!” [*Laughter*]

Sen. The Hon. A. Ramlogan SC: So, you see, Madam Deputy Speaker, it is by analogy, by parity of reasoning—[*Interruption*]

Mr. Imbert: It is not the same thing!

Sen. The Hon. A. Ramlogan SC:—it is the same exact, precise situation we are dealing with. [*Desk thumping*] I say today, Saney is in no different a position than Cudjoe and Dr. Armstrong is in no different a position to Dr. Cudjoe. [*Desk thumping*]

Dr. Moonilal: Case dismissed!

Sen. The Hon. A. Ramlogan SC: The requirements, by analogy, are the same and it would be purely a matter of semantics.

Mr. Roberts: Yes.

Sen. The Hon. A. Ramlogan SC: Pure semantics.

Mr. Roberts: Pure semantics.

Sen. The Hon. A. Ramlogan SC:—and disingenuous intellectual gymnastics for them to—[*Interruption*]

Hon. Members: “Ohhhhh!” [*Desk thumping*]

Sen. The Hon. A. Ramlogan SC:—for anyone to come here with a kind of clever, fancy footwork to say—[*Interruption*]

Mr. Roberts: Yeah!

Hon. Member: Shame!

Sen. The Hon. A. Ramlogan SC:—that this is distinguishable from what they did when they appointed Prof. Cudjoe—[*Interruption*]

Mr. Imbert: Totally different! Totally different!

Sen. The Hon. A. Ramlogan SC:—a literary professor to serve on the Central Bank board.

Mr. Imbert: Administrator!

Sen. The Hon. A. Ramlogan SC: You know, the Member for Diego Martin North/East keeps interrupting saying that he is an administrator. “I doh know, but I read de man’s entire bio and the word ‘administrator’ eh appear nowhere from the top to the bottom”.

Hon. Members: “Ahhhh!” [*Desk thumping*]

Sen. The Hon. A. Ramlogan SC: I want to challenge him to go on the website—[*Interruption*]

Mr. Imbert: The judge was wrong?

Sen. The Hon. A. Ramlogan SC: “He is ah man who used to be on the blogs very regularly.”

Dr. Moonilal: “He is ah googler!”

Sen. The Hon. A. Ramlogan SC: I want to challenge the “goog”—[*Laughter*] I want to challenge my learned friend from Diego Martin North/East to google Prof. Selwyn Cudjoe and if you could find anywhere a résumé, a curriculum vitae or a bio that has him referred—reference as an administrator or that professes that he has any experience in that regard, then, by all means, you tell us. You tell us! [*Continuous crosstalk and interruption*]

6.25 p.m.

But you see, this is a case, this is a classic political case of “do so eh like so”. That is what this is. You see—and Madam Deputy Speaker, we have to understand when Parliament enacts laws, we must understand that the Constitution is supreme and it has to have a liberal interpretation because you cannot interpret it in a very restrictive manner.

You see, Madam Deputy Speaker, my friend from Diego Martin North/East is talking about that administration experience. Not only did they appoint Prof. Cudjoe to the board, you know, but they paid his passage first class to attend every single board meeting.

Hon. Member: “Oh gorm.”

Sen. The Hon. A. Ramlogan SC: Taxpayers paid for that.

Hon. Member: Shame.

Sen. The Hon. A. Ramlogan SC: They could not find somebody—Prof. Ken Ramchand, Prof. Brinsley Samaroo, LeRoy Clarke—“they couldn find no Trinidadian right here to put on the board, they couldn find no one with administration”, no one in the whole of Trinidad and Tobago, with administration experience, to put as a governor. They import it and taxpayers, for that long five years, paid first class tickets for Prof. Cudjoe to come to attend board meetings.

Hon. Member: “Wow!” [*Crosstalk*]

Sen. The Hon. A. Ramlogan SC: Shame, a shameful, wanton waste and abuse of taxpayers’ money. [*Crosstalk*] I could understand, you know, Madam Deputy Speaker, I could understand if they had appointed an economist of international standing, and it was on that basis—[*Interruption*]

Madam Deputy Speaker: Member for Port of Spain South. Members. Members please, please. Members, I know you are all getting excited. I know that. I know we are coming to the end of the debate and I know that everybody is becoming excited, and I want to ask you to allow the hon. Attorney General to speak in silence so I can hear him. You may continue Attorney General.

Sen. The Hon. A. Ramlogan SC: Yeah, thank you very much. You see, the point I am making, Madam Deputy Speaker, is that if for example they had appointed, to the Board of Governors of the Central Bank, an international economist, one can well understand taxpayers' money being spent to fly that person first class over—[*Interruption*]

Mr. Roberts: Like “ah” Dookeran”.

Sen. The Hon. A. Ramlogan SC:—for meetings of the Central Bank, to serve on the board. But this was a person they said they appointed based on his experience in administration and I—[*Interruption*]

Mr. Hypolite: 36(1), what is the relevance? [*Crosstalk*]

Madam Deputy Speaker: Overruled. You may continue Member.

Sen. The Hon. A. Ramlogan SC: Yes. You see, the point, by way of illustration, Madam Deputy Speaker, is that when you are interpreting the constitutional provision that we are discussing here, one must bear in mind that there are other provisions in the law, that by way of analogy—[*Interruption*]

Mr. Roberts: Yes.

Sen. The Hon. A. Ramlogan SC:—and illustration—[*Interruption*]

Mr. Roberts: Correct.

Sen. The Hon. A. Ramlogan SC:—one must have regard to, to shed light on how you are to approach this present section. And we also have the practical administration in government and politics to follow. Take for example, Madam Deputy Speaker, the Member of Parliament for La Brea. I checked the Parliament website. The Member of Parliament for La Brea was appointed Minister of State in the Ministry of Science, Tech—[*Interruption*]

Miss Mc Donald: Madam Deputy Speaker, that has nothing to do with what we are talking about. 36(1). Madam Deputy Speaker, that has nothing to do with what is before you. Let him stick to the text.

Sen. The Hon. A. Ramlogan SC: “Buh I eh” make the point.

Miss Mc Donald: 36(1).

Sen. The Hon. A. Ramlogan SC: “Buh I eh” make the point. [*Crosstalk*]

Miss Mc Donald: 36(1). 36(1).

Miss Cox: 36(1).

Madam Deputy Speaker: Member. Members, please. Members. Tie it in.

Sen. The Hon. A. Ramlogan SC: Yeah, sure, sure.

Madam Deputy Speaker: You may continue.

Sen. The Hon. A. Ramlogan SC: Thank you, Madam Deputy Speaker. The point I am trying to make, Madam Deputy Speaker, is that given the political and constitutional context of our country, there is a basis and a convention that drives our interpretation as being a liberal one that avoids the austerity of tabulated legalism.

Mr. Roberts: “Wow”.

Hon. Members: Ooh. [*Desk thumping and crosstalk*]

Hon. Member: Nonsense, nonsense, nonsense.

Sen. The Hon. A. Ramlogan SC: You see.

Hon. Member: I agree.

Sen. The Hon. A. Ramlogan SC: And therefore one must have regard to our own culture and our own political and constitutional democracy and the approaches we have taken. And I said, my distinguished learned friend, the Member for La Brea, he was appointed a Minister of State—[*Interruption*]

Miss Cox: Madam Deputy Speaker—[*Interruption*]

Sen. The Hon. A. Ramlogan SC:—in the Ministry of Science, Technology and Tertiary Education—[*Interruption*]

Miss Cox: 36(1) please; what is the relevance? Speak about the persons on your side.

Hon. Member: Put it in context.

Sen. The Hon. A. Ramlogan SC: No, no, no, I will come to that.

Hon. Member: Put it in the context, the cycle of the context.

Sen. The Hon. A. Ramlogan SC: Yes.

Madam Deputy Speaker: Continue.

Sen. The Hon. A. Ramlogan SC: And this is to show the societal context in which we must locate the Constitution. So having been appointed a Minister of State in Science, Technology and Tertiary Education, his qualification is a Bachelor of Arts in Geography.

Miss Cox: “What you calling out people qualifications for?”

Sen. The Hon. A. Ramlogan SC: Because I am proud of it.

Miss Mc Donald: Madam Deputy Speaker, I stand on 36(1). Member for Fyzabad is Minister of Tourism, what are his qualifications? [*Crosstalk*]

Sen. The Hon. A. Ramlogan SC: I will come to it. [*Crosstalk*]

Madam Deputy Speaker: Members, please, please, this does not call for—please, please. I am asking for some order in the House. I am asking for some order in the House. Senator, tie it with the relevance to the Motion.

Sen. The Hon. A. Ramlogan SC: Yes, certainly.

Madam Deputy Speaker: You may continue.

Sen. The Hon. A. Ramlogan SC: Yes, thank you. So in locating the Constitution for its proper interpretation in the fertile soil of our own social and political experience, Madam Deputy Speaker, one must have regard to the approaches that have been taken to governance of the country because the Constitution deals with it.

So a Bachelor of Arts in Geography and we are told, according to the website, the Member worked in the field of education because he taught in a secondary school and was the vice-principal of a school and a principal for six years.

Hon. Member: A good teacher.

Hon. Member: A good principal. [*Desk thumping*]

Sen. The Hon. A. Ramlogan SC: And the country had no qualms having him as a Minister in the Ministry of Science, Technology and Tertiary Education. My learned friend for Port of Spain South said the Minister of Tourism. The Minister of Tourism, quite rightly you refer to him. The Minister of Tourism has over 25 years in public life as an experienced administrator and a legislator [*Interruption*] and therefore he is a distinguished Minister in the Ministry of Tourism.

Miss Cox: Put forward his name.

Sen. The Hon. A. Ramlogan SC: And Madam Deputy Speaker, I see the Member for—“meh” learned friend, the Member for Laventille East/Morvant, making a lot of noise about this matter, but to be fair to her—[*Interruption*]

Hon. Member: “Wha is de point?”

Sen. The Hon. A. Ramlogan SC: The Member was a Minister of State in the Ministry of Community Development, Culture and Gender Affairs—[*Interruption*]

Mr. Roberts: Yeah.

Sen. The Hon. A. Ramlogan SC: But the Parliament website tells us that she is a communications professional.

Mr. Roberts: Yes.

Sen. The Hon. A. Ramlogan SC: That is your qualification. But you may have experience—[*Interruption*]

Mr. Roberts: And skill.

Sen. The Hon. A. Ramlogan SC:—in other areas.

Mr. Roberts: She was skilful.

Sen. The Hon. A. Ramlogan SC: The Member for Point Fortin. [*Crosstalk*] The Member for Point Fortin—[*Interruption*]

Miss Cox: Madam Deputy Speaker, 36(1). What is the relevance of all of this?

Sen. The Hon. A. Ramlogan SC: But I have made the relevance.

Miss Cox: We would like to hear about the Government’s side, if that is the case. What is the relevance to this Motion?

Miss Mc Donald: “They wasting time.”

Madam Deputy Speaker: Member, please contain yourself. Attorney General, you may continue.

Sen. The Hon. A. Ramlogan SC: Madam Deputy Speaker, the short point is, I am making the distinction by practical examples between qualification and experience and administration. And you see, the Member for Point Fortin, for example, she has an LLB—[*Interruption*]

Miss Mc Donald: “Nah, nah, nah.” Madam Deputy Speaker, no, no, no, we—*[Interruption]*

Sen. The Hon. A. Ramlogan SC: But she does not have an LLB?

Miss Mc Donald: 36(1). No, 36(1), what is relevance of that, with respect—*[Interruption]*

Hon. Member: Yes. *[Crosstalk]*

Miss Mc Donald: So what is it? He is going to go through, meticulously, everyone on this bench?

Madam Deputy Speaker: Port of Spain South, please.

Sen. The Hon. A. Ramlogan SC: All right, all right.

Miss Cox: He is not making any sense. *[Crosstalk]*

Miss Mc Donald: Everyone on this Bench?

Madam Deputy Speaker: Members of this honourable House, please. I am pleading with you to contain yourselves. Attorney General, you may continue.

Sen. The Hon. A. Ramlogan SC: Thank you very much, Madam Deputy Speaker. “I doh know why this is causing all of this.” I am simply trying to illustrate, for the proper statutory construction of a legal provision in the Constitution pursuant to which we are about to consider the presidential nominees, how you are to approach it and I am making the illustration.

So the Member for Point Fortin has an LLB—*[Interruption]*

Mr. Hypolite: Madam Deputy Speaker—*[Interruption]*

Mr. Roberts: Oh gosh.

Sen. The Hon. A. Ramlogan SC:—and she was the Minister of Foreign—*[Interruption]*

Mr. Hypolite:—36(1). We are supposed to be debating—*[Interruption and crosstalk]*

Sen. The Hon. A. Ramlogan SC: Yes, of course.

Miss Cox: He is wasting our time.

Mr. Hypolite:—we are supposed to be debating—*[Interruption]*

Mr. Sharma: 36(1), and “yuh” sit down.

Miss Cox:—the Motion.

Mr. Hypolite: Shut up! Why do you not shut up at times my dear friend? [*Crosstalk*] 36(1), Madam Deputy Speaker.

Hon. Member: “Nah, nah, you hah to get put out boy.”

Madam Deputy Speaker: Have your seat. Have your seat. Have your seat, please.

Mr. Indarsingh: “You and your wajang behaviour.”

Madam Deputy Speaker: Hon. Attorney General, I am asking you to tie it into the Motion before the House, and you may continue. [*Crosstalk*]

Sen. The Hon. A. Ramlogan SC: Madam Deputy Speaker, this is very simple. The issue here is, what is the correct approach to interpreting that provision? There are two approaches, there are two approaches. And the liberal approach which I am advocating, which obviously would have exercised His Excellency’s mind in making these nominations, is one that I am trying to explore by way of practical illustration and examples.

There are two requirements—experience and qualification. And I am illustrating that there are people in our own Chamber, and outside, who serve in high public office appointed by various bodies who, by virtue of their academic qualification, may not be considered qualified but by virtue of their experience, they may be considered.

Mr. Roberts: And this was done in consultation.

Sen. The Hon. A. Ramlogan SC: And you see, I was making the point therefore that by reference even to the Member for Point Fortin, she holds an LLB but was the Minister of Foreign Affairs.

Hon. Member: Yeah.

Sen. The Hon. A. Ramlogan SC: It is not that she is an international relations expert.

Mrs. Gopee-Scoon: May I? May I?

Hon. Members: No, no, no, no.

Sen. The Hon. A. Ramlogan SC: No, no, no, no, no.

Mrs. Gopee-Scoon: Hon. AG, may I?

Sen. The Hon. A. Ramlogan SC: No, no, no. You see, and that distinction, Madam Deputy Speaker, between experience and qualifications, is at the heart and crux of the matter.

Mr. Roberts: Yes.

Sen. The Hon. A. Ramlogan SC: It is the lynchpin of this debate. Madam Deputy Speaker, when one comes to the actual two persons in contention, and we look at them, we see Dr. James Armstrong, a PhD candidate—just like Prof. Selwyn Cudjoe—a distinguished academic, who has served in offices in the United Nations; in the University of Nairobi in the Faculty of Agriculture; in a Faculty of Architectural Design and Development; University of Sussex; Institute of Development Studies; Columbia University Graduate School of Architecture and Planning—*[Interruption]*

Mr. Roberts: “He bright boy.”

Sen. The Hon. A. Ramlogan SC:—Madam Deputy Speaker—*[Interruption]*

Mr. Roberts: “Da man bright boy”.

Sen. The Hon. A. Ramlogan SC:—you know—*[Interruption]*

Hon. Member: Excellent.

Sen. The Hon. A. Ramlogan SC:—when one looks at the curriculum vitae—*[Interruption]*

Mr. Roberts: Ivy League, you know.

Sen. The Hon. A. Ramlogan SC:—this is a very—made the Dean’s List. Vice-President of the Common—let us take one example—the Vice-President of the Commonwealth Association of Planners. To be the Vice-President of the Commonwealth Association of Planners—*[Interruption]*

Mr. De Coteau: You “hah” to be good.

Sen. The Hon. A. Ramlogan SC:—you necessarily have to have administration experience.

Hon. Member: Yes.

Sen. The Hon. A. Ramlogan SC: You will get it there. In the same way, Prof. Cudjoe got administration experience by virtue of being a dean of a faculty.

Miss Cox: Could the Member give way please?

Sen. The Hon. A. Ramlogan SC: No!

Hon. Members: No, no.

Sen. The Hon. A. Ramlogan SC: The United Nations Centre for Human Settlements, Nairobi, Kenya.

Hon. Member: Wow!

Sen. The Hon. A. Ramlogan SC: United Nations Centre for Human Settlements; Caribbean Programme Coordinator; Chief Technical Advisor.

Hon. Member: Experience.

Sen. The Hon. A. Ramlogan SC: Policy and Programme Officer; United Nations Habitat and Human Settlements Foundation. And the list goes on and on. Madam Deputy Speaker, I want to say that His Excellency has done this country proud in putting forward [*Desk thumping*] a candidate like Dr. James Armstrong whose international experience, qualifications and undoubted ability will be an asset to the Police Service Commission. And he meets the requirement.

And as far as Mrs. Roamar Achat-Saney goes, I want to make one important legal point.

Hon. Member: What is your qualification in “billing” walls?

Sen. The Hon. A. Ramlogan SC: Madam Deputy Speaker, you will see, in our laws, when the law requires an attorney-at-law, the law says that. It says, for example, an attorney-at-law of five years’ experience, of at least five years’ experience. The law says that when it requires an attorney-at-law. This section does not say that. That is why “meh” learned friends for Diego Martin North/East and Laventille East/Morvant, they went off course completely when they cited examples about lawyers and senior counsels and so on. You see, it says who are qualified—[*Interruption*]

Hon. Member:—and experienced.

Sen. The Hon. A. Ramlogan SC:—and experienced in the disciplines of law, et cetera.

You know, the Member for St. Joseph has an LLB. He is qualified in law. And he has experience as a pharmacist. This section is not drafted in the way other sections are; when you are doing board appointments and so on, you will see it says an attorney-at-law of not less than seven years’ experience. This does not say that. Why is it in drafting the section, Parliament knowing all of that, did not select that kind of language? They said someone who is qualified and experienced in the disciplines of law, finance, et cetera.

So when one looks at Mrs. Saney, it is not the qualification in terms of being an attorney-at-law—and they beating up about one year’s call to the Bar—you have to take the holistic approach to the CV of the person and you will see that this person is eminently qualified in law and many other areas—education, sociology. Her work experience has spanned a very wide spectrum of experience that makes her a relevant asset to the Police Service Commission.

So that, Madam Deputy Speaker, in closing, I want to say that I am not persuaded that the difference of legal opinion is so clear that this Parliament should reject the nominees of His Excellency the President. And the Parliament must consider it very carefully and maturely, and I am not persuaded that there is clear, cogent and compelling—beyond all reasonable doubt—arguments put forward that we can disregard the nominees of His Excellency, and with those few words, I thank you. [*Desk thumping*]

Madam Deputy Speaker: Leader of the House.

6.40 p.m.

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much. Madam Deputy Speaker, thank you very much for the opportunity to wind up on this Motion before us and to indicate that we are extremely gratified that Members of Parliament on both sides undertook with such vigour and interest such a debate. Personally I felt that the debate would have been much shorter, but consistent with what the Member for Diego Martin North/East, if he would ever listen to us and pay attention. The Member for Diego Martin North/East—if he would listen and pay attention—[*Interruption*]

Mr. Roberts: “He still not listening.”

Hon. Dr. R. Moonilal:—would know that the intention of the drafters of this provision was to ensure that those persons to be selected to serve in such an important institution as the Police Service Commission would come before Parliament and, in a process akin to the United States congressional system, as the Member for Caroni East had pointed out in the other place, their career, their education, their expertise, would be subject to public scrutiny. And, because this Parliament is telecast live, it is also on radio and repeated several times, those persons have consented to allow their record, their education, their expertise to be in the public domain and for critical comments to be raised on their résumés.

Dr. Gopeesingh: Because they are confident.

Hon. Dr. R. Moonilal: Madam Deputy Speaker, the intent of the provision has been satisfied today, that the Parliament and the public have been able to scrutinize those persons so nominated.

Just a couple points I wish to make in closing. The Attorney General, of course, did us a great service—[*Interruption*]

Miss Cox: You find?

Hon. Dr. R. Moonilal:—by his contribution and by clarifying those issues related to the elements of statutory interpretation surrounding the word “and” and the “qualified and experienced in disciplines of.” And the Attorney General made the point that this is not restrictive in any sense of the imagination.

Madam Deputy Speaker, I want to say that, while I have great respect for my friends opposite, and so on, there are many technical and legal issues that one could raise, and really we could spend whole day and night debating all these legal issues and concepts and elements, and so on, and all of that is nice, but at the end of the day, we have a Police Service Commission to appoint and we have work to do.

The Member for Chaguanas West, as is his style, gave us an appearance earlier and then took off, as he is wont to do. So he is never around when someone gets up to respond to his—well I would not use that word—contribution. The Member for Chaguanas West noted we took a long time to bring this matter, not knowing that he himself was the cause of this delay by electoral tomfoolery and engaged the Government and he also—while noting that this body is needed to attend to the problems in the police service and so on—questioned why we took so long and then when we brought it, said we should have waited.

Madam Deputy Speaker—[*Interruption*]

Mrs. Persad-Bissessar SC: Oxymoron.

Hon. Dr. R. Moonilal:—yes this is the oxymoron we get from the Member for Chaguanas West and others. You know, and to hear the—I will tell you something, and I would put it on record, I am sure he can read it later, I am becoming extremely sick when I listen to the Member for Chaguanas West, extremely sick. It is medical now, I think, to listen to the Member for Chaguanas West talk about integrity—[*Interruption*]

Mrs. Persad-Bissessar SC: Oxymoron.

Hon. Dr. R. Moonilal:—and proper behaviour and conduct and so on. Then the Member for Chaguanas West comes and reads out this advice from Karl Hudson-Phillips and Dana Seetahal, but never read the advice from Sir David Simmons. Never reads the advice from anybody else and speaks about proper behaviour and these CVs are not proper and so on. While, when the Member for Chaguanas West was part of this Government, he presided over the introduction of fraudsters in the public service.

Dr. Rambachan: Jadoonanan.

Hon. Dr. R. Moonilal: Yeah, these Jadoonanan and somebody else I think and had his fingerprints all over those fraud documents and to hear the Member come today and talk about this and people creating degrees and inventing training and so on, really. This is no longer amusing Madam Deputy Speaker. I am really sorry I have to say this and he is not here. But he will never be here. That is the issue and I must say it.

And then, threatens, again the Government that we would have to go to court and go to court, as if he is scared of court. I will have some more to say about him but really I prefer to say that in front of his face.

The issue arose very early, concerning the training and management expertise. I think the Attorney General did very well in raising that issue of Professor Selwyn Cudjoe, and so on. But it must be said that one of our nominees, Mrs. Saney, who has training and experience in management—and my friends opposite made the point, well school management, as opposed, I imagine, to police management. But what this candidate brings is a lot of experience in the public service in management in the public sector, in understanding rules and regulations in the public sector.

Sometimes you take people who have not had involvement in the public service. They come from the private sector or the international private sector. You put them into positions in government and because you do not have that exposure to the public service, you are unable to contribute fully and I think that, whether it is school management, police management, what other type of management specialization, bringing management from the public sector is a very important skill.

When you hear our friends opposite again, we went off on this tangent, you now, raising the sociology, the difference between the sociologist, the psychologist, the psychiatrist, the other. All of that, again, is good but when you have persons with qualifications, a Bachelor of Arts. To begin with, do you know

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in a Bachelor of Arts degree almost all, you would undertake basic studies in sociology, economics, political science? You would do one, you may do more. When you do a Master of Education, a Masters of Education deals with organizational development, with leadership, with sociology—[*Interruption*]

Mr. Roberts: Organizational behaviour.

Hon. Dr. R. Moonilal:—organizational behaviour, which is an offshoot from a parent discipline. I mean I really—I did not want, at the beginning, to give a lecture on the parent disciplines of the social sciences and the branch disciplines.

I did also a BSc degree in social sciences—[*Interruption*]

Mr. Imbert: Sociology?

Hon. Dr. R. Moonilal:—and law and sociology and psychology. We have Hosay to attend later. I do not want to keep you back. But I—there are root disciplines of law, sociology, political science, and they move forward those disciplines. You can study industrial sociology, industrial organization. So that someone with this qualification—let us get back to Mrs. Saney. This is not about Dr. Moonilal.

Mrs. Persad-Bissessar SC: The Member for Diego Martin North/East conceded that point in your contribution.

Hon. Dr. R. Moonilal: With enormous experience and education—[*Interruption*]

Mrs. Persad-Bissessar SC: He conceded in his contribution. He said yes.

Hon. Dr. R. Moonilal: Well, the Member for Diego Martin North/East, to his credit, he had no difficulty with Mrs. Achat-Saney.

Mr. Roberts: “A honest fella.”

Hon. Dr. R. Moonilal: Now, he having no difficulty, we should think we are probably wrong. Madam Deputy Speaker, Dr. James Armstrong—we asked this qualification in finance. This gentleman has been project director of programmes in the Caribbean. When you are—[*Interruption*] listen—a project director. Could I speak? Hello? could I indicate that I have also had some experience in project management, project director of academic programmes and research programmes. When you are involved as project director of these types of programmes, your budget could be bigger than the police service. When you are involved in these

types of programmes, the budget, you are involved in management. You are involved in organizational development. You are involved in accounting. You are involved in financial management. [*Crosstalk*]

Mrs. Persad-Bissessar SC: I want to listen to the Member, please.

Hon. Dr. R. Moonilal: I cannot hear myself now.

Mrs. Persad-Bissessar SC: It is annoying.

Hon. Dr. R. Moonilal: The breadth of experience that Dr. Armstrong brings will suggest to anyone looking on, that this distinguished gentleman would have considerable experience in financial management accounting.

When the UN gives you €5 million or so for a project, what do you think just—you go and spend wild all over Southern Africa? You have to account for every dollar. In fact, their accounting systems are so rigid you have to account if you are a project director or a chief technical advisor. You have to account for every cent, how you are spending. You have to keep your financial business in order and in this type of work you are paid for what you do. You are paid. Your organization receives money on a periodic basis and you account for every cent when you work in the international system like this.

So that we are convinced, and we do not want to spend too much time, that Dr. Armstrong fits the bill. We are convinced he is qualified.

Mr. Imbert: What is his degree in?

Mrs. Persad-Bissessar SC: And experienced.

Hon. Dr. R. Moonilal: And experienced. Listen, they will get a chance, if they want, go and address the Appeal Court on these matters, and so on. I want to tell you, I will put on record, all these people who are talking, nobody “eh going to court, eh.” Take it from me, nobody going to court but they want to prevent us from doing our work.

Madam Deputy Speaker, the President, in his wisdom, has consulted the Leader of the Opposition and the Prime Minister. Friends opposite, the Member for Diego Martin North/East told us on the record that he had no information. He has not been briefed and the Leader of the Opposition is not here and the Leader of the Opposition apparently did not bother to share the nature of that consultation with his caucus, so they are in the dark. They do not know whether the leader agreed or did not agree, and so on. [*Interruption*] But we are in agreement. We are here to approve.

Mrs. Persad-Bissessar SC: Your own leader is not here.

Hon. Dr. R. Moonilal: You concentrate on your leader.

Mrs. Persad-Bissessar SC: Worry about your leader.

Hon. Dr. R. Moonilal: You leave ours. You concentrate on yours. Right?
[*Desk thumping*]

Mr. Imbert: Was she awake?

Mr. Jeffrey: “Yuh looking fuh a leader.”

Mr. Roberts: “In March all yuh go decide who is all yuh leader; in March.”

Hon. Dr. R. Moonilal: Madam Deputy Speaker, I just want to indicate that—[*Interruption*]

Mr. Roberts: “A penny fuh yuh thoughts.”

Hon. Dr. R. Moonilal:—in Trinidad and Tobago, we are moving speedily to ensure that the Police Service Commission is properly constituted. We are moving speedily to ensure that other institutions are properly constituted. This also reflects to us and this also must be taken in the context, with the attempt by the Government, to ensure that we satisfy and fulfil all our democratic requirements, whether it is filling the public service, Police Service Commission, whether it is the recently concluded elections.

This country, we have had four elections in last year or so—[*Interruption*]

Mr. Roberts: A commission of enquiry.

Hon. Dr. R. Moonilal: Madam Deputy Speaker, I want for the record to state that it is the Prime Minister of Trinidad and Tobago, the Member for Siparia, unlike her predecessor, who held local government elections when they were due. [*Desk thumping*] When others postponed that—[*Interruption*]

Mrs. Persad-Bissessar SC: Four times.

Hon. Dr. R. Moonilal:—four times and created a situation where someone was effectively serving two terms of office without being elected. The current Prime Minister ensured that the local government elections were held.

When a matter arose involving the former Member for St. Joseph and the constitutional provision was there to be implemented, the Member for Siparia had the courage to implement the Constitution of Trinidad and Tobago. [*Desk thumping*] That is why we were not surprised at all that just over a day or two ago,

I believe, in the last couple of days, the hon. Prime Minister, Member of Parliament for Siparia, the hon. Kamla Persad-Bissessar, received and was awarded the 2013 Democracy Medal by the 46th World Conference of the International Association—[*Desk thumping*]

Madam Deputy Speaker—[*Interruption*]

Mr. Roberts: “What award Rowley get?”

Hon. Dr. R. Moonilal:—from the International Association of Political Consultants, and this medal is not something to sneeze at. It is the Democracy Medal presented to leaders across the globe for their contribution towards democratic processes and deepening the participation of citizens in the political structure across the world. Other very distinguished recipients of this award included Nelson Mandela, former President of the Republic of South Africa, [*Desk thumping*] Viktor Yushchenko, former President of Ukraine, [*Desk thumping*] Lech Walesa former trade union leader, [*Desk thumping*] and President of Poland.

6.55 p.m.

Mr. Roberts: “Now yuh know who it is.”

Hon. Member: Uthara Rao! [*Laughter*]

Hon. Dr. R. Moonilal: Is it Clinton as well? [*Laughter*] Clinton? Bill Clinton? [*Crosstalk and laughter*]

Mr. Roberts: The Balisier Award.

Hon. Dr. R. Moonilal: Former Prime Minister of the United Kingdom, Margaret Thatcher, Baroness Thatcher. [*Desk thumping*] Madam Deputy Speaker, I just wanted to place on record the chairman of this particular conference, Matthew McMillan said, and I quote:

“Mrs. Persad-Bissessar is a true trail-blazer in the Caribbean region.” The organization—“IAPC believes that her rise to power in Trinidad and Tobago is a testament to the progress of women both here in the region and around the world. Her policy initiatives have been revolutionizing and her commitment to the development of her country and the Caribbean has been uncompromising.”

These are the commendations—[*Desk thumping*]

Miss Cox: Where is that gentleman from?

Hon. Dr. R. Moonilal: It is from the International Association of Political Consultants. You can google it and check it.

Hon. Member: “He from Woodbrook.”

Hon. Dr. R. Moonilal: Madam Deputy Speaker, may I add that in the year 2013—

Mr. Roberts: “Allyuh doh know nutten”—[*Inaudible*]

Hon. Dr. R. Moonilal:—this watershed year in the history of Trinidad and Tobago, unlike any other period in our history has shown the strength and resilience of the democracy of Trinidad and Tobago and of a Government committed to democratic principles, [*Desk thumping*] and led by the Member for Siparia who has stated again and again that regardless of what the naysayers, the political pundits and the pollsters say, she is committed to democracy, to elections, to the rule of law and to the participation of all citizens of Trinidad and Tobago. [*Desk thumping*]

So on behalf of the Government and all Members, I would like to congratulate the Member for Siparia on the award of the Democracy Medal. [*Desk thumping*] “Eh?”

Mrs. Persad-Bissessar SC: You have to beg to move. [*Laughter*]

Hon. Dr. R. Moonilal: Madam Deputy Speaker, I began also by congratulating my friend from St. Joseph.

Mr. Cadiz: The other side—[*Inaudible*]

Hon. Dr. R. Moonilal: I just wanted to say for the record in passing, that regrettably my friend from St. Joseph was not properly tutored by his colleagues, [*Laughter*] and particularly the Member for Diego Martin North/East who should be aware that usually in the first maiden presentation you are allowed to read first, but also it is a presentation when the speaker, by convention, will not engage in confrontational politics or adversarial statements in your first speech, and part of that convention is that the opposing side, in this case the Government—it works the other way as well—will not interrupt or, you know, picong or heckle or anything like that. The convention of a maiden speech is really a maiden, but clearly my friend came here, he was not a maiden—

Mr. Roberts: “Buh doh worry, he will geh de promotion.”

Hon. Dr. R. Moonilal:—on arrival, politically, not a maiden—

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Hon. Member: Eighteen months long.

Mr. Roberts: “Ah corbeau sweat.”

Hon. Dr. R. Moonilal: So my friend from D'Abadie/O'Meara said it was ah—what you said it was?

Mr. Roberts: “He will have ah corbeau sweat.”

Hon. Dr. R. Moonilal: “It was ah corbeau sweat.” [*Laughter*]

Mrs. Persad-Bissessar SC: But you should not say that.

Hon. Dr. R. Moonilal: But I would not say that, but my friend from St. Joseph, I must also remind him [*Laughter*] that it is only today, upon taking the oath of office, that he became the Member of Parliament for St. Joseph. So on those visits—I congratulated him earlier—but on those visits to the police station you would have been trespassing, and the police may have well arrested you for trespassing and posing as the Member of Parliament. [*Laughter*] But we want to again congratulate you, to wish you all the best in your endeavours both in the Parliament and in the constituency and to wish you well. But as I said, we do not blame you for the initial maiden address, we really blame the Member for Diego Martin North/East—

Hon. Member: Yeah.

Mr. Imbert: Me?

Hon. Dr. R. Moonilal:—who did not—[*Crosstalk*] who understood that—

Mr. Imbert: How?

Hon. Dr. R. Moonilal:—convention but did not pass on the wisdom of knowing the character of a maiden address, nevertheless. [*Continuous crosstalk*]

So Madam Deputy Speaker, with those few words on this Motion before us, I beg to move.

Hon. Member: “Yeah, man.” [*Desk thumping*]

Nomination of Mr. Martin Anthony George

Question put.

[*Crosstalk*]

Miss Mc Donald: Division!

The House voted: Ayes 29

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AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar, Hon. K.

Sharma, Hon. C.

Ramadhhar, Hon. P.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seemungal, Hon. J.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, . C.

Mc Donald, Miss M.

Cox, Miss D.

Hypolite, N.

Imbert, C.

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Deyalsingh, T.

Hospedales, Miss A.

Gopee-Scoon, Mrs. P.

[Continuous crosstalk]

Resolved:

That the notification of the nomination of Mr. Martin Anthony George is approved.

Nomination of Mr. Addison Masefield Khan

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move Motion No. 2 standing in my name:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission; and

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

Whereas the President has nominated Mr. Addison Masefield Khan to be appointed as a member of the Police Service Commission; and

Whereas the President has on the 4th day of September, 2013 made a Notification in respect of the nomination; and

Whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Mr. Addison Masefield Khan be approved.

Madam Deputy Speaker, I beg to move.

Question proposed.

Question put.

Miss Mc Donald: Division.

Mr. Roberts: “Yuh jus want to see yuhself on TV.” [*Laughter*]

The House voted: Ayes 30

AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar, Hon. K.

Sharma, Hon. C.

Ramadhar, Hon. P.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seemungal, Hon. J.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

Mc Donald, Miss M.

Nomination of Mr. Addison M. Khan

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Cox, Miss D.

Hypolite, N.

Imbert, C.

Jeffrey, F.

Deyalsingh, T.

Hospedales, Miss A.

Gopee-Scoon, Mrs. P.

Resolved:

That the Notification of the nomination of Mr. Addison Masefield Khan be approved.

Nomination of Mrs. Roamar Achat-Saney

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move Motion No. 3 standing in my name:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission; and

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

Whereas the President has nominated Mrs. Roamar Achat-Saney to be appointed as a member of the Police Service Commission; and

Whereas the President has on the 4th day of September, 2013 made a Notification in respect of the nomination; and

Whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Mrs. Roamar Achat-Saney be approved.

Madam Deputy Speaker, I beg to move.

Nomination of Mrs. Roamar Achat-Saney

Wednesday, November 13, 2013

Question proposed.

Question put.

Hon. Members: No!

Miss Mc Donald: Division.

The House divided: Ayes 21

AYES

Moonilal, Hon. Dr. R.

Sharma, Hon. C.

Ramadhar, Hon. P.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seemungal, Hon. J.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

Nomination of Mrs. Roamar Achat-Saney

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The following Members abstained:

Miss M. Mc Donald, Miss D. Cox, N. Hypolite, C. Imbert, F. Jeffrey, T. Deyalsingh, Miss A. Hospedales, Mrs. P. Gopee-Scoon

Resolved:

That the Notification of the nomination of Mrs. Roamar Achat-Saney be approved.

Nomination of Dr. James Kenneth Armstrong

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I wish to move Motion No. 4 standing in my name.

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission; and

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

Whereas the President has nominated Dr. James Kenneth Armstrong to be appointed as a member of the Police Service Commission; and

Whereas the President has on the 4th day of September, 2013 made a Notification in respect of the nomination; and

Whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Dr. James Kenneth Armstrong be approved.

Question proposed.

Question put.

Hon Members: No!

Miss Cox: Division.

Nomination of Dr. James K. Armstrong

Wednesday, November 13, 2013

7.10 p.m.

The House divided: Ayes 21

AYES

Moonilal, Hon. Dr. R.

Sharma, Hon. C.

Ramadhar, Hon. P.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seemungal, Hon. J.

Roberts, Hon. A

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

The following Members abstained: Miss M. Mc Donald, Miss D. Cox, N. Hypolite, C. Imbert, F. Jeffrey, T. Deyalsingh, Miss A. Hospedales, Mrs. P. Gopee-Scoon.

Question agreed to.

Resolved:

That the notification of the nomination of Dr. James Kenneth Armstrong be approved.

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Madam Deputy Speaker, I beg to move that this House do now adjourn to Friday, November 22, 2013 at 1.30 p.m. and to serve notice that on that day, it is the intention of the Government to debate Motions Nos. 6, 7 and 8 on the Order Paper.

**Member for St. Joseph
(Maiden Contribution)**

Madam Deputy Speaker: Hon. Members, before I put the question on the adjournment, permit me, on behalf of the Speaker of the House of Representatives and myself, to welcome our newest Member and to congratulate him on his election to a seat in this House. [*Desk thumping*]

Member for St. Joseph, our profession is a noble one of service and commitment to the people of this great nation whom we represent in this honourable place. I am sure that I speak on behalf of all Members here when I say that we consider it a privilege to serve despite the sacrifices, not only of ourselves but that of our families.

Welcome again to this House. We wish you every success. Despite the cut and thrust of our politics, you will find many friends here, men and women who, like you, have sworn to serve all the people of Trinidad and Tobago.

Once again, welcome to this House.

Question put and agreed.

House adjourned accordingly.

Adjourned at 7.16 p.m.