

Condolences

Tuesday, October 12, 2010

SENATE

Tuesday, October 12, 2010

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

CONDOLENCES

(Mr. Doddridge Alleyne)

Mr. President: Senators, before we proceed, it has come to my attention, the passing of Mr. Doddridge Alleyne so I would like us to stand in a moment of silence to honour his memory.

The Senate stood.

The Minister in the Ministry of National Security (Sen. The Hon. Subhas Panday): Mr. President, I am deeply grateful to you. We mourn the passing of a distinguished citizen who rose from humble circumstances in Tobago to the highest offices of the public service and went on to be respected internationally.

Mr. Alleyne was educated at Queen's Royal College and at Oxford University where he read economics, politics and philosophy. He went on to be made a fellow of Balliol College, Oxford University.

As a public servant he served as the first Permanent Secretary in the Ministry of Petroleum and Mines which was established following the recommendations of the Mostofi Commission of Enquiry. He later led this country's negotiations for the acquisition of assets from various multinational corporations.

Mr. Alleyne also served as the Permanent Secretary in the Office of the Prime Minister which meant that he was head of the public service.

In the early 1980s, Mr. Alleyne was appointed Trinidad and Tobago's Permanent Representative to the United Nations. Following his career in the public service he served as Chairman of the State owned company, Trintoc.

In 2010, Mr. Alleyne was conferred with an honorary doctorate from the University of the West Indies at St. Augustine. His contribution to the country was also recognized by the award of the Chaconia Medal Gold for long and meritorious service to Trinidad and Tobago. In the year 2009, Mr. Alleyne was honoured by the Ministry of Energy as one of the pioneers of this country's energy sector.

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Mr. President, on behalf of the Government and the people of Trinidad and Tobago, I extend our most profound condolences to his family and loved ones.

Thank you very much, Mr. President.

Sen. Penelope Beckles-Robinson: Mr. President, I join with my colleague, the hon. Minister in the Ministry of National Security in acknowledging the work of a son of the soil, a person whose name was synonymous with commitment to public service, to quality and standards of work in the public service and someone who was acknowledged by the University of the West Indies, by the Ministry of Energy and by the public service generally for his contribution in pioneering standards and quality in the public service and one who worked tirelessly to ensure that these standards spread across the public service, not just nationally but internationally. We knew that he also worked at the United Nations and had a long and distinguished career as a permanent secretary and as a public servant.

Today I join with Members of the Government, the Opposition and certainly the Independent Benches, in extending condolences to his family on his passing.

Sen. Corinne Baptiste-McKnight: Mr. President, on behalf of the Members of the Independent Bench, I rise with a heavy heart to pay homage to someone who is not only an icon in the true sense of the word but someone who was a personal mentor of mine. Mr. Alleyne was the civil servant par excellence. Every ministry he served in he did so with integrity and distinction and, to his credit, always left a cadre of officers to ensure the continuity of his work. Mr. Alleyne served not only nationally but internationally to the benefit of the people of Trinidad and Tobago. Today I can only say that the legacy that he left us, sadly, is being dissipated and it is my fond hope that the result of his passing would be to reenergize those of us whom he nurtured in the service to bring back those glory days that he and so many of his generation toiled for.

I join with my colleagues in offering condolences from the Independent Bench and wish to assure his family, which was his passion, his love and whom he served with as much passion, in fact, more than he did the country, our deepest condolences.

Thank you.

**JOINT SELECT COMMITTEES
(APPOINTMENT OF)**

Mr. President: Hon. Senators, I have received the following correspondence from the Speaker of the House of Representatives:

JSC (Appointment of)

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“October 12, 2010

Honourable President,

Appointment of a Joint Select Committee

At a sitting held on Friday October 08, 2010, the House of Representatives agreed to the following resolutions.

‘Be it resolved that this House consider the Legislative Proposal to provide for public procurement and disposal of public property together with Legislative Proposal to repeal and replace the Central Tenders Board Act which were laid in the House of Representatives on Friday, June 25, 2010’

And be it further resolved that a Joint Select Committee be established to:

- (a) examine the Legislative Proposals;
- (b) consult with stakeholders and interested persons;
- (c) send for papers, records and other documents;
- (d) recommend amendments to the proposals with a view to improving the drafts;
- (e) submit a report to Parliament within three (3) months from the date of appointment.’

Accordingly, I respectfully request that you cause this matter to be placed before the Senate at the earliest convenience.

Respectfully,

Hon. Wade Mark, MP.

Speaker of the House”

The other piece of correspondence is dated October 11, 2010 as well:

“Appointment of a Joint Select Committee

At the sitting held on Friday October 08, 2010, the House of Representatives agreed to the following resolution.

Be it resolved that a Joint Select Committee on Parliamentary Accommodation be established;

And be it further resolved that this Committee be mandated to consider essential guiding policies related to member and staff accommodation during the Restoration of the Red House Project and report to both Houses from time to time.’

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Accordingly, I respectfully request that you cause this matter to be placed before the Senate at the earliest convenience.

Respectfully,

Hon. Wade Mark, MP

Speaker of the House”

PETROLEUM PENSIONS (NO. 2) BILL

Bill to restructure the pension arrangements of the Petroleum Company of Trinidad and Tobago, brought from the House of Representatives [*The Minister of Energy and Energy Affairs*]; read the first time.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Arima Corporation for the year ended September 30, 2002. [*The Minister in the Ministry of National Security (Sen. The Hon. Subhas Panday)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Arima Corporation for the year ended September 30, 2003. [*Sen. The Hon. S. Panday*]
3. Annual audited financial statements of the Point Lisas Industrial Port Development Corporation Limited (PLIPDECO) for the year ended December 31, 2009. [*Sen. The Hon. S. Panday*]
4. Administrative report of the National Entrepreneurship Development Company Limited (NEDCO) for the period October 01, 2005 to September 30, 2008. [*Sen. The Hon. S. Panday*]
5. Administrative report of the Minimum Wages Board for the period February 2008 to December 2008. [*Sen. The Hon. S. Panday*]
6. Administrative report of the Advisory Friendly Societies Council for the period October 2005 to September 2008. [*Sen. The Hon. S. Panday*]
7. Administrative report of the Cipriani College of Labour and Co-operative Studies for the period October 2005 to September 2008. [*Sen. The Hon. S. Panday*]
8. Administrative report of the Boiler Examiners Board for the period October 2005 to September 2008. [*Sen. The Hon. S. Panday*]

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9. Administrative report of the Registration Recognition and Certification Board (RRCB) for the year 2007. [*Sen. The Hon. S. Panday*]
10. Annual report of the Housing Development Corporation (HDC) for the period 2006 to 2007. [*Sen. The Hon. S. Panday*]

1.45 p.m.

**PUBLIC ACCOUNTS COMMITTEES
(APPOINTMENT OF)**

The Minister in the Ministry of National Security (Sen. The Hon. Subhas Panday): I beg to move that the following five Members be appointed to serve with an equal number from the House of Representatives on the Public Accounts Committee:

Mr. Anand Ramlogan
 Mr. Vasant Bharath
 Mr. Danny Maharaj
 Mr. Ted Roopnarine
 Mrs. Corinne Baptiste-Mc Knight

Question put and agreed to.

Sen. The Hon. S. Panday: Mr. President, I beg to move that the following five Members be appointed to serve with an equal number from the House of Representatives on the Public Accounts (Enterprises) Committee:

Mr. Subhas Panday
 Mr. Fazal Karim
 Mr. Embau Moheni
 Mr. Fitzgerald Hinds
 Mr. Basharat Ali

Question put and agreed to.

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

The Minister in the Ministry of National Security (Sen. The Hon. Subhas Panday): Mr. President, I beg to move that the following six Members be appointed to serve with an equal number from the House of Representatives on

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the Joint Select Committee established to enquire into and report to Parliament on the Municipal Corporations Service Commission with the exception of the Judicial and Legal Service Commission on the administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

Brig. John Sandy

Mrs. Therese Baptiste-Cornelis

Mr. David Abdulah

Miss Shamfa Cudjoe

Mr. Subhas Ramkhelawan

Mr. Elton Prescott SC

Question put and agreed to.

Sen. The Hon. S. Panday: Mr. President, I beg to move that the following six Members be appointed to serve with an equal number from the House of Representatives on the Joint Select Committee established to enquire into and report to Parliament on the ministries with responsibility for the business set out in the schedule as Group I, and on the statutory authorities and state enterprises falling under their purview with regard to the administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

Mr. Emmanuel George

Mrs. Rudrawatee Nan Ramgoolam

Mr. Danny Maharaj

Mr. Faris Al-Rawi

Mrs. Corinne Baptiste-Mc Knight

Prof. Harold Ramkissoon

Question put and agreed to.

Sen. The Hon. S. Panday: Mr. President, I beg to move that the following six persons be appointed to serve with an equal number from the House of Representatives on the joint select committee established to enquire into and to

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report to Parliament on the ministries with responsibility for the business set out in the schedule as Group II, and on the statutory authorities and state enterprises falling under their purview with regard to their administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

Mrs. Mary King

Mrs. Lyndira Oudit

Mr. Kevin Ramnarine

Dr. Lester Henry

Dr. Victor Wheeler

Dr. James Armstrong

Question put and agreed to.

**EVALUATION OF EFFICIENCY AND EFFECTIVENESS
(PARLIAMENT)**

[Second Day]

Order read for resuming adjourned debate on question [August 03, 2010]:

Be it resolved that Parliament take steps to evaluate its efficiency and effectiveness;

And be it further resolved that arising from the evaluation, Parliament take the necessary action within its control to maximize its efficiency and effectiveness. [*Sen. S. Ramkhelawan*]

Question again proposed.

Mr. President: Hon Senators, the debate on the following Motion which was in progress when the Senate adjourned on Tuesday, August 03, 2010, will be resumed. Those who spoke were: Sen. S. Ramkhelawan who moved the Motion; Sen. E. George; and Sen. P. Beckles-Robinson. Sen. Beckles-Robinson spoke for 45 minutes on that occasion and her speaking time was up. At this stage, any Member wishing to contribute may do so.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. S. Panday*]

Question put and agreed to.

Sen. P. Beckles-Robinson: Thank you very much, Mr. President, and I would like to thank my colleague and other Members of the Senate for extending my time. I have 15 minutes and I am going to try my best to ensure that the points that I would like to make, I will do so in that time.

Mr. President, in continuing where I left off, I would like to say that one of the areas I discussed on the last occasion was the whole issue of the parliamentary committees and how they could assist in terms of improved governance and the effectiveness of Parliament. Having regard to one of the areas that has been in the public domain—the whole issue of the matter relating to Clico—I am sure you would have followed the bailout that took place in the United States in 2008, where Congress passed a particular Bill to allow for a bail out in the sum of approximately US \$800 million if I am not mistaken. What was interesting about that process is that there was a congressional committee—what we would call a parliamentary committee—that was established in the United States of America, and that committee allowed for the summoning of various persons from Lehman Brothers and AIG. Those persons who came before the committee and some of us who had the time or the luxury would have been able to look at that live debate and realized that during that debate we saw that the Members of Congress actually cross-examined or examined various directors and persons who in some way were responsible for the collapse of Lehman Brothers.

Now, I draw attention to a similar experience because I think that there is much comfort for the stakeholders of Clico and the credit union movement that the Government has set up an inter-ministerial committee that is certainly listening to the stakeholders. I think that would give some comfort to the general public that the Government is in some way listening to the pleas of the stakeholders, and, at the end of the day, may or may not revisit the existing proposal that is before the public. But the reason I am comparing that situation, there it is they used the Congress and they used the powers to ensure that a lot of persons who were accountable and responsible, those persons had to come to Congress, and at the end of the day, the public was much wiser as to exactly what had transpired.

One of the interesting things that came out from that particular hearing was that members of the public realized that in 2007, notwithstanding the challenges that were faced in relation to Lehman Brothers, that some US \$7 billion in bonuses was paid and the CEO of that company got an additional US \$35 million in stocks, notwithstanding the fact that the company was going through a crisis.

2.00 p.m.

They used that congressional committee to bring to the attention of members of the public—at least to allow persons involved in activities that caused that global downturn in the economy of the United States and affected the entire world to be made accountable.

What we have in Trinidad and Tobago as it relates to Clico—and one must commend the Government for setting up that inter-ministerial committee, but at the end of the day we must also be aware that the Parliament with its Standing Orders and its existing committees—I see today that several of those committees have been established—can also exercise its powers to attempt to find some mechanism to have persons come before Parliament, if the Parliament so sees fit, to account for a lot of the activities that have caused the Clico fiasco.

At the end of the day, this entire situation with Clico, we may deal with it in some form or fashion, but we may be none the wiser about many of the activities that have taken place that may have caused that fiasco. This is something we may consider and, having regard to this Motion, it is something we can entertain.

There is a similar situation that took place in Britain and there was a House of Commons Foreign Affairs Committee which was investigating whether there were deliberate lies by the government of Britain or any distortions in relation to the Iraqi war. You would recall that they were able to expose lies that were told by certain members of the government who were justifying war as it relates to Iraq, claiming that there were weapons of mass destruction.

The Standing Orders, as I understand them, provide for a foreign affairs committee of Parliament. I do not recall whether that committee has ever met. I am just saying that the House of Commons of Britain used that committee for the purposes of summoning various members of Cabinet and members of the protective services. We know that that issue was such an important issue that, at the end of the day, it caused the demise of the labour government because the people of Britain felt so strongly about that issue. The information that came out of that committee caused the government later on to change its whole attitude and approach in terms of some of the decisions that were taken.

Mr. President, there is that situation of the committee in Britain and the \$700 billion bailout in relation to the United States. That situation in the United States after the bailout resulted in several things. You might recall that there was one of the directors who took a private jet to attend the hearing of Congress and, Sen. King, you would remember that people were saying: “Here you are filing for

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bankruptcy; you are asking the government for \$700 billion and you would still take a private jet?" On the second occasion, Mr. President, no need to tell you that he drove from whatever part of the United States where he lived to attend Congress.

Sometimes that is the kind of change in attitude that we can force on people by having these committees that bring to the attention of the public that even at that stage, when things were rough and the country was going through a crisis when people were losing their houses and banks and everybody was in trouble, people could not entertain the thought that you could take a different approach. The Parliament has a golden opportunity to consider, when we talk about benefits to people and what the Parliament can do, that is one of the areas we can seriously consider.

There are just two areas I want to talk about, probably because of my interest in sports and football, which is passionate for Trinidad and Tobago. Following World Cup football this year, the French Parliament set up a parliamentary committee to investigate the poor performance of France. FIFA was not too happy about that because it is a body that does not allow political interference. You will see that Nigeria has been banned recently for a similar action. The French government set up this parliamentary committee. FIFA objected, but the government of France's position was that all the moneys that was paid for their French team was paid by the government of France and if their players had a mutiny and decided not to attend training, they had a right as a Parliament; and a few days after World Cup, the Parliament set up that committee and had an investigation. We know it is history that several of the players were banned for a couple games; and that is the extent to which they are passionate about football.

We say we are passionate, but when we think about West Indies Cricket—and Sen. Prof. Watson, Sen. Panday and my good colleague, Sen. Hinds, I know are fans—West Indies cricket has reached an all-time low. That is one of the interesting areas we may consider to be dealt with sometime in Parliament.

You will see that in the recent International Cricket Council (ICC) Award, West Indies was not even nominated for one position. That is the stage at which we have reached. We do not have anybody in the first 10 in bowling, batting or the best cricketer. We talk about a lot of things in the Parliament, but the Parliament is very powerful if we want to utilize some of the powers that exist.

The last two areas have to do with the Contractor General established in Jamaica. The Contractor General is an independent anti-corruption commission of Parliament established in 1986. That person is given a seven-year appointment to

ensure that they cannot easily be removed. He is appointed by the Governor General and can only be removed by a parliamentary committee; only for areas of misbehaviour or trading with the government without parliamentary approval. The process of his removal requires both Houses of Parliament agreeing on a particular process.

That Contractor General deals with all contracts of the government. He is given all the resources; has special criteria; but any contract of the government he has the power to investigate and the authority and wherewithal to determine whether it has followed the appropriate procedures be it by Ministers or statutory boards. That is something that this Parliament could look at. I have a copy of it if anybody is interested. Some of the recent activities of the airport, for example, could have been dealt with properly by the Contractor General.

In my last two minutes, the area of negative resolution that has caused a lot of conflict from time to time, depending on who is in government, and would come up again, is also a matter of great interest. In my research, I realize that in Britain they tend to use negative resolution mainly for technical matters. We tend to use it for virtually any type of legislation. It has caused some concern and as the then Minister of the Environment there was one particular area in relation to quarrying where that matter was raised. People felt that very often it could be like a “thief in the night” and it is not an area where people get enough notice. At the end of the day, it is a matter that Parliament has to discuss—Government and Opposition—and whatever decision we make has to be in the best interest of the people of Trinidad and Tobago

As I close, I congratulate Sen. Ramkhelawan for piloting this Motion. I hope it will not be one that falls by the wayside. It is an important enough Motion for us to give it due consideration and take the appropriate decisions to ensure that Parliament operates effectively in the interest of the people of Trinidad and Tobago.

Thank you.

Sen. Corinne Baptiste-Mc Knight: I thank you, Mr. President. Let me start by thanking my colleague, Sen. Ramkhelawan, for bringing this very timely Motion. Virtually at the beginning of this Parliament, I think it is right, seeing the number of new faces that we have here and given the fact that some of the old

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ones really are not that versed in what goes on in this Senate, it is timely that we should have this space for introspection; to look at ourselves and see whether we know what we are supposed to be doing. Are the guidelines really sufficient? Do we know what they are? Do we follow them to the extent that we know what they are? How can we improve our performance?

This does not require setting up a mechanism to evaluate our performance because that is done on a regular basis. The public and the media: to the extent that our contributions are clear, the media should be able to represent what goes on in this place in a clear and accurate manner. To the extent they do not, the public has continuous access via TV and radio to what goes on in both Houses.

So the public evaluate us and I do not think we are getting passing marks. As the mover of the Motion reminded us, their verdict of our politicians is that we are “kicksin”. There is a Trinidad dictionary, English to creole, which defines “kicksin” very politely as not dealing seriously with matters. I guess if we were Brazilian it would be dealt with in another manner. We would put up a clown as a candidate and have him get the most votes with a campaign that says: “I cannot do it worse”. These are serious comments on our behaviour to date and I do not think that anything has changed in the recent past.

2.15 p.m.

Be that as it may, I want to look at the same three pillars that have been discussed by previous speakers because the purpose of the Parliament is:

- (i) representation of the people;
- (ii) law-making; and
- (iii) scrutiny of the Executive.

What happens in representation of the people? As Sen. Beckles-Robinson pointed out, the primary purpose of a Member of Parliament in the Lower House is to represent a constituency. The people of that constituency, the majority of them, have voted for him or her, hence a requirement, not only to represent them, but to be seen to be representing them. Of course, this has to be done to a certain extent, by their demeanour and the fashion in which they intervene in debates, the content and, to a certain extent, the regularity with which they intervene in these debates, on behalf of their constituencies.

Representation also has another function. Where people are current or former Prime Ministers or Ministers, they have a responsibility to represent to the entire

country, the policies that they adopt and approve in their various portfolios. They have a responsibility to inform, justify and clarify. It is in Parliament that they are able to do this for the entire country.

I do not think that I am unique in thinking that this is a role that is very important, whether one sits on the Government Benches or the Opposition Bench. This is why, like quite a few of the people I know, we are very upset that accusations are made in the House about expenditure of funds and Members of the former Executive who are in the House, have no comment. This clearly is not good enough, because, if a measure that was taken by you, that was implemented by you in a previous time, is now under scrutiny and is now being criticized, I think you owe it to the public, on whose behalf you did it at a prior time, to explain to them, to correct the record, to say why it was done.

This is why I would still hope to hear emanating from that place, some explanation as to why OPVs were necessary then and are no longer necessary now. I do not read the papers on a regular basis because I am just tired of the mayhem and the bad English, but I am aware that our fishermen in the Gulf and all around are constantly under attack by pirates. If somebody gets beaten up and has to go to hospital, this is not an illusion, so it is happening. I am asking myself: If the fishermen are under attack in the Gulf, do we have some serious economic assets in the Gulf, on the east coast and the north coast that, perhaps, might need some protection? Is it vaguely possible that these OPVs were meant to be part of that protection? What happens when we do not get them? If the coast guard was enough to do it, if the coast guard had enough resources to do it, why were you thinking about OPVs? Why does somebody who was in the Executive before, sitting on the Benches here on a Friday, not think that it is part of their representational duty to tell the people who voted for them then, to tell the people who entrusted them with their welfare, why the OPVs were necessary? That, I think, is a part of the representational function that we are falling down on.

Now, one can say same similarly, that any of us on these Benches can ask a question and it will have to be answered. Two years' experience in this Senate tells me: Ask a question but do not hold your breath for an answer. You get a response that is not necessarily an answer to the question that you asked. The next suggestion is: Well, a Motion on the Adjournment. You cannot solve these problems in 15-minute sound bites. We get back to the point of saying: people who are chosen to represent us must be aware of the fact that once you get into this place you are on national service, service to the whole nation, which requires you to justify your actions, past and present.

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Let me move on to the matter of law-making, which one might say is the primary function of this place, because it is the laws that we make that give teeth to the policies. What is my experience of law-making in this place? I think that I would like to suggest that we have a serious look at our process and the procedure, to the extent that we keep being promised a legislative agenda. We are into October and we have no legislative agenda. It means that some of us who have time to spare, you might say time to waste, and use it to prepare for these sessions, find it extremely difficult to deal with Bills adequately with two weeks, if you get lucky, three weeks.

Like the majority of people here, I am not a lawyer and I have realized that at least with our laws, when you read them, a good knowledge of English is not enough to make you understand what it says. You have to get a little advice. Mr. President, you would be aware that legal advice, per se, is an expensive thing. If you are asking a friend to help you out, you have to stand in the queue or stand in line and hope for a little moment over a drink, where you can get a little free advice. You read the law and some of the subsections you cannot understand, because they are not in standard English. On account of some typos and funny verbs, you are not sure which is the subject, because the verb is agreeing with the noun nearest to it.

Be that as it may, I find that in a day and age, where each of us is provided with a laptop—let me tell you something it is not the laptop the children are getting at school; this one is fancy—why can we not have a screen or two screens, in the Parliament, that would allow us to follow along, in committee stage, with the Bill, as it is being amended, so that at least, at the end of the process, those of us who are still awake have a chance of knowing exactly what we have voted for? Right now, I am positive that there are very few people who have passed through these hallowed halls who can say, with a fair measure of truth, that at the end of consideration of each Bill, they knew exactly what the finished product looked like. To me, since I believe in collective responsibility, and I have to say to people outside there: “Yes, I agreed with that”, it sits heavily on my conscience, because you see things that are wrong and you say: “Look at this.” “No, at the end of the process, we have it edited and everything comes out right.” It does not. There are at least two Bills that we passed in the last Parliament where there are subsections that cannot be implemented, because they do not make sense. Those are serious Bills.

I would also like to suggest, for the benefit, particularly of the non-lawyers again, that when a Bill comes with amendments and it says: “section 6(2)(b) will be repealed and replaced by whatever”, I might like what this new amendment

says, but I have not got a clue how it fits into the entire Act that is being amended. You might say: “Why have you no idea, because you have been given a complete set of the laws?” Mr. President, you know and I know that the last set of laws in the red book, there are some of them that have been amended between the publication of that red book and today. When I go to the red book and I check the amendment against the red book, and I am not aware that there was an amendment in 2006, or 2007, “I spinning top in mud.” I still “doh” know what is going on. My suggestion is, bring the small Bill of amendments but, in addition, give us a complete Act, with the amendments in bold, so that we can follow and see exactly what is being suggested. In other words, put the onus of doing the homework clearly on us. We have no excuse for passing bad laws, unless we do not do the homework.

Another suggestion; let me spend a little time on the matter of scrutiny. Parliament is supposed to scrutinize what the Executive does, but the Executive represents the majority in Parliament.

2.30 p.m.

With respect to the committees, you have the Executive always having the majority on the committees, which means that anything that is important—I do not care what is the political complexion of the Executive—they arrive in full force and vote to stymie you with the best intention in the world, if it is something that does not emanate from or is not liked by the current Executive, it goes nowhere.

Now, Sen. Beckles-Robinson spoke at length about the committees. I am sorry that she probably did not get an opportunity to mention the impact of a certain subsection of the Constitution—I think it is section 66A(2). I have been worried and wondering how does this affect what is supposed to be done by the committees mentioned in section 66A(1), because it says very clearly—I really should get it, but let us not go there. In other words, it says that you cannot enquire into the validity of a policy. It says:

“A joint Select Committee in exercising its powers under subsection (1) shall not enquire into the validity of the exercise of the functions of a body referred to...”

Now, if you cannot enquire into the validity, not being a legal person, I do not understand exactly how that limits the work of the committee, but I guess it is just me being weird again, trying to figure it out.

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I have a particular interest in the Public Accounts Committee, because that is the one I have been sitting on. I find it very amazing in this day and age—is anybody aware that the Public Accounts Committee cannot evaluate any report that it has on the basis of “value for money”? Are we getting value for all of these millions that each Ministry spends? We cannot do it, because it states quite categorically that you are limited to the report of the Auditor General. The Auditor General reports on the extent to which money appropriated is spent on the items for which they were appropriated and nothing else. So, the whole aspect of value for money does not exist. What is even worse is that it is constrained to the Consolidated Fund.

Now, are we aware that section 112 of the Constitution allows the establishment of special funds and accounts which are outside of the Consolidated Fund? So these funds bypass parliamentary scrutiny. In addition to that, you have contingent liabilities outside of parliamentary scrutiny, because they do not come to account until the debt is due and then you have letters of comfort. All of these involve serious sums of money, but Parliament has no jurisdiction over them, and then we come to the most recent capital works, employing BOLT and BOOT; and Parliament cannot do anything because they cannot interfere with those since they are not part of the Consolidated Fund.

This means that Parliament needs to have a committee that is in charge of overseeing the legal framework that would review the laws to see which are still timely; which need to be repealed; and which need to be totally revised, and under that would come the Exchequer and Audit Act. What we need is a proper financial management system that allows the Parliament to evaluate and scrutinize all Government's expenditure, not just the Consolidated Fund as it stands at the moment.

The committee system itself: again, speakers before me have mentioned its shortcomings, but how much can we accomplish in two and a half to three hours per month per committee? How much relevance does what we do have when in 2010 we are looking at the Auditor General's reports from 1997, 1998 and sometimes 1992—1994? Very often, the people who come to defend these reports are like babes in the woods. Some of them were hardly born during the time and they are trying to justify expenditure they know nothing about. That is making a mockery of the whole system. It makes no sense.

The Auditor General has to do the reports. I am sure that over the years various committees have recommended that the Auditor General be given the resources; that is the staff. Now, nowadays you cannot get staff because you

cannot pay staff. According to the Constitution, the Auditor General's staff has to be appointed by the service commission, so the Auditor General cannot have contract staff like everywhere else. So it is a chicken and egg situation. You do not have enough staff and you cannot get staff because you cannot pay them. So the Auditor General's Department remains understaffed. The Auditor General cannot do the work that he or she needs to do in a timely fashion. Is this serious? It cannot be; it absolutely cannot be.

It is true we have only three hours a month for each committee, but the staff—I think we are fortunate in the quality of staff that we have to service these committees, but it comes under the heading of "abuse" to expect one set of staff to be servicing all of the committees. That is not right. That is what makes it so difficult to get staff. People know that they are going to be abused and abused when they are not even earning enough money to pay for the medication that they would need to sustain them. No, that is not good enough.

Now, there is a problem with Members attending these meetings. Why? Every government that gets into power never realizes until they get into power, that, unless virtually every single person is given a post, they are not going to have access to them. So that everybody, unless they have opted out, is a Minister of, a Minister in or a Parliamentary Secretary which means to me that they have jobs, and they have work to do, but they are also on these committees.

Now, Sen. Beckles-Robinson has explained the timetable of a Minister, which means that they do well when they come to spend the three hours at a meeting, but people who formed the hierarchy of the government over the past decades have had experience in government so they know that people are needed to service committees. They know that the little blue book—Standing Orders 71(1) and 72 stipulate certain standing committees that should exist.

There is a Foreign Affairs Committee that was mentioned by the hon. Minister in his contribution. He said that in their manifesto his Government has undertaken to strengthen Parliament by having these committees—the Foreign Affairs Committee—May, June, July, August, September and October, there is no mention of it. I guess there is time. You have five years, so there is time. Where are we going?

We are given Standing Orders that say one thing and when we come here and relax, it does not occur. Why? Here I would like to make another suggestion.

Evaluation of Parliament
[SEN. BAPTISTE-MC. KNIGHT]

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Now everybody who comes into Parliament in either House brings a certain amount of personal experience and sometimes expertise, but very few bring knowledge as opposed to expertise of what happens inside of here and what to expect.

We come here and we are given a nice leather bag with information in it. I would like to suggest some additional information that should go into that lovely leather bag: The Latimer House Principles; the document that the hon. Minister mentioned; the International Parliamentarians Union document; the code of ethics for Ministers and Members of Parliament; and an additional copy of the Integrity in Public Life Act. Now, why do I suggest these things? The Latimer House Principles is the Commonwealth Parliamentary Association Bible. If people are expected to read that as well as these other documents, they would understand that there is a certain demeanour; a certain form of being that is required, expected and accepted in this place.

2.45 p.m.

Mr. President, that just might militate against some of the aberrant behaviour we find creeping in from time to time. In addition, I think that some effort should be made to have a workshop for everybody to take us through the Standing Orders, so that we really and truly understand what we are getting into. It is a new job; it is a form of national service that you come in to do and you need to be put into the mindset that this is something new and this is your briefing. I really think this would probably help to raise the tone of the place to where we want it to be.

We could also look at ourselves a little more carefully, and each time we get up to intervene in a debate, ensure two things: one, that you know what the subject is and you are prepared to debate it; know how it is going to affect your constituents, if you have a constituency; know how it is going to affect the country at large, if like us you do not have a constituency, and deal with the subject matter. Let us take a vow to spend not a little, but much less, in fact, no time, on the sensational, controversial issues that have no bearing on the matter at hand, but infuriate the people out there who turn on the television to watch and want to know: What is going on? What does Mr. So and So's bank account have to do with anything in the debate? We have to try to be relevant and listen to each other so that we do not keep regurgitating the same thing all the time. A lot of what I would have liked to say has been said by people before and I know that you have listened intently, so I am not repeating it.

Mr. President, I have tried to offer a few suggestions that maybe could be implemented while we look at amending the Standing Orders and doing other things to bring this place into the shape we want. I beg your indulgence and hope I did not waste your time.

I thank you, Mr. President.

The Minister of Public Administration (Sen. The Hon. Rudrawatee Nan Ramgoolam): Thank you, Mr. President, for allowing me to contribute on the Motion before us. Based on the resolution before us, I believe that the first thing we need to understand and I need to understand is what the words “efficiency” and “effectiveness” mean within the context of the Parliament and the operations of the Parliament. The question then arises, having said that: What do we mean by these two words? We need to understand these two terms before we can evaluate what we are talking about.

According to Webster's Lexicon Dictionary, “efficiency” means producing intended effects in relation to cost, time, money and energy expended. “Effectiveness”, on the other hand, means producing the intended or expected results. In other words, it means achieving the intended goals and objectives of the Parliament or what the Parliament has set out to do, its mandate.

The next question that comes to my mind and which we need to answer is whether Parliament is achieving its intended goals and objectives outlined, relative to the resources allocated to this Parliament, including our human resource, financial resources, as well as time and energy expended. In respect of the Parliament, efficiency and effectiveness, therefore, means achievement of the goals and objectives, as we outlined them, by this Parliament, in relation to all the resources we allocate here, including our human, financial, as well as time, energy and other resources.

Having said that and putting the words “efficiency” and “effectiveness” in context, the third question that comes to mind is: What are some of the criteria used to evaluate the functioning of our Parliament? In issue No. 1 of the 2010 *Parliamentarian*, that is the well-known journal of the Commonwealth Parliamentary Association, Dr. V. K. Agnihotri, Secretary General of the Rajya Sabha, Upper House of the Parliament of India, identified the following evaluation criteria for parliamentary efficiency and effectiveness, which emerged from a study of parliamentary assessment models. He identified a few of them: Representativeness of the Parliament, which is the role of Parliament; legislative capacity, also a role; oversight of the Executive, that is a role; transparency of the

Parliament, that is a value; institutional capacity of the Parliament, that is a support; integrity, Parliament and its integrity as it relates to systems and people, that is a value; and infrastructure for the Parliament, that is also a support. While I plan to touch on each of these, I would want to place a little more attention on the issue of infrastructure.

Let us look at the representativeness of the Parliament. This is one of the most important and fundamental aspects of parliamentary efficiency and effectiveness. It is to ensure that Parliament is so structured that it affords all groups within a multi-ethnic, multireligious, multicultural society, adequate representation. Parliament, therefore, must be reflective of our society's views, our society's people. Is our Parliament, as it stands today, reflective of a cosmopolitan population? The answer to this question is an unequivocal "Yes", therefore, we can talk about effectiveness from that perspective, the national representative perspective.

Further, I draw attention to page 15 of the People's Partnership Manifesto under the rubric, "Participatory Democracy", where this Government is committed to, and I quote:

"Respect for the voices of minorities while acknowledging the will of the majority."

This Government is committed to expanding the representativeness of our Parliament. Therefore, within the context of representativeness, we can safely say, with some degree of certainty, that there is a degree of effectiveness where representativeness is concerned. However, with respect to representativeness as it relates to Members of Parliament and the people, we know that our 41 elected Members of Parliament are afforded offices, and their constituency offices is the bridge between Parliament and the people. The extent to which infrastructure, staffing and all the necessary support services are there, needs to be looked at to see if that aspect of representativeness is impacting positively or negatively on the roles of Parliament and the parliamentarians, as they engage in the functions of the people's business.

Our current Parliament at both the Lower and Upper Houses is surely representative of the society in terms of ethnicity, religion, race and, most of all, political orientation. I think that is a plus for us, because the People's Partnership is a conglomeration of five parties. So we see that the people's views are being represented in this House and in the Parliament.

With respect to the issue of representativeness of the Parliament, the Government has taken steps on this aspect in another place whereby we truly represent in terms of, I guess, religion, race, ethnicity, political orientation. We can safely say that we have taken this aspect of representativeness to another level, to a higher level from what we knew before. I now turn to the issue of oversight of the Executive.

This is a major aspect of parliamentary efficiency and effectiveness. Oversight of the Executive in our Parliament is manifested in the work or through the work of several parliamentary committees. For example, we have the Public Accounts Committee and the Public Accounts (Enterprises) Committee appointed in accordance with section 119 of the Constitution. There are also joint parliamentary committees appointed in accordance with section 66A of the Constitution and their mandate is to enquire into and report on the work of government ministries, municipal corporations, statutory authorities, state enterprises, service commissions, not including the Judicial and Legal Services Commission. What is important here is: To what extent are we addressing this mandate with commitment, passion and thoroughness? Efficiency and effectiveness, in this case, means the degree to which we are addressing issues here, and probably we need to review what we have been doing over time and see where we could improve these functions to ensure that they redound to the efficient operation of the Parliament.

Sen. Ramkhelawan has already spoken to some of these committees, so there is no need for me to go any further, but only to indicate that we need to streamline the enquiry process, while adhering to checks and balances to ensure that respective reports are reflective of the work done and accomplishments realized within time and resources, especially financial resources. So we may need to look at those areas to see how we can tighten the screws, recalibrate our operations to ensure greater efficiency.

3.00 p.m.

I now turn to the issue of the legislative capacity of the Parliament and this is another aspect of parliamentary efficiency and effectiveness. Quite often the number of laws passed in a particular session is looked at in determining the relative output of Parliament. So we may say we are doing very well when we bring out quite a number of laws. As a result, there is need to further strengthen the select committee system, particularly when dealing with legislation of a complicated and technical nature. So this is one area I believe where we can strengthen this aspect to realize greater efficiency and effectiveness.

Further, this initiative could be enhanced through consultation and stakeholder participation, and I am pretty sure that such a move will allow us to have easier passage of the legislation in the Parliament because, when people are comfortable with what we are doing here and the legislation we are about to pass when they participate in that activity it would be much easier for us here, because we would be representing the people's views.

In order to facilitate the law-making function, Government intends—I must say, this Government—to present a legislative timetable outlining measures to be brought before the Parliament, during the session—Mr. President, I am sure that such a move is reflective of the resolution of trying to evaluate our efficiency and effectiveness and putting mechanisms in place to strengthen these. A very interesting criterion for evaluating the efficiency and effectiveness of the Parliament is transparency and accountability, and, those words continue to be bandied about all the time. Ensuring transparency—rather, I should say, we should ensure and demand transparency and accountability—must be a mantra for all of us, all parliamentarians, and, this Government is committed to such a value. A value is a very important thing to society and we need to have a common belief and value on certain intangible things.

One author said, if I recall, values clarification is never value free. I use my own value to judge other people's value, but there are certain values that are universal and has one meaning understood by all and, therefore, we are hoping that we, as parliamentarians, we, will value the importance. We would probably have one understanding of the words transparency and accountability and it means that we would be thinking and operating on the same mode.

In recognition of the need for transparency and accountability, the People's Partnership Government is committed to the following:

- The strengthening of provisions for access to official information by expanding the areas which the Freedom of Information Act covers.

That is one way we can improve efficiency and effectiveness:

- A free press unfettered by Government's intimidation and uncompromised by Government preferences.

This is another way that we can really be part of this transparency and accountability process. In addition, the Parliament would soon consider procurement legislation which is fair and transparent for all. So these are some ways whereby we can become more efficient and effective.

Accessibility: I now turn to accessibility, Mr. President, as a means of ensuring efficiency and effectiveness in our Parliament. As you know, we have our Parliament Channel 11 and it is now fully established as the premium channel to cover the sittings of both Houses of Parliament in realtime. If members of the public wish to attend sittings of either House or their committees they are free to do so. Further, steps are taken to incorporate into the plan for the restoration of the Red House—and, I think, that is an issue that I will come to—the infrastructure and that is a major aspect of our efficiency and effectiveness.

So the restoration of the Red House facilities to cater for the differently-abled, our seat of Parliament, should be accessible to all and sundry. This initiative will surely redound to the benefit of the entire nation when each and every one has access to the Parliament, so accessibility is a major criterion for efficiency and effectiveness of the operations of our Parliament.

Another aspect of efficiency and effectiveness of our Parliament is institutional capacity. That is going to determine how efficient and effective we are. Institutional capacity is an integral part of the legislative administrative agenda, to ensure that the Parliament at all times constitutes, and consists of competencies and skills with the level of staffing in the right place, at the right time, to do the right things to achieve Parliament's objectives. This is a human resource management function and we believe that we need to look at the mandate of the Parliament, the functions of the Parliament, the resources required in terms of competencies, skills and staffing so that we can move much faster when we have the right people in the right place, at the right time, doing the right jobs in the Parliament and, of course, Mr. President, for the right price, which means that our parliamentary staff, we will also have to look and see how we are compensating them.

Another major aspect is safety and security of staff; safety and security of parliamentarians; safety and security of the persons and stakeholders surrounding the whole issue of the operations of the Parliament. That I would treat with a little later when I come to the actual seat of Parliament, the Red House, but I want to move to one of the criteria that is used to determine the efficiency and the effectiveness of the Parliament and that is integrity. Integrity and integrity in public life is a value. It is a value that is representative of an efficient and effective Parliament, especially among those of us who reside within this precinct. It is not just integrity of persons, but it is the integrity of the system, how the Parliament operates; integrity of the persons who function within and outside of the Parliament. Within this context, the Government is irrevocably committed to

integrity in public life. So we hope this is an aspect that our laws, legislative agenda and guidelines will all support the way we operate above board to ensure that there is integrity in public life.

We are working and will continue to work assiduously—I mean this Government, our Government—to enhance and strengthen integrity legislation that impacts on systems and on people. We will also be reviewing the code of conduct for Ministers, parliamentary secretaries and other Members of Parliament. These measures, I am sure, will go a long way in promoting integrity and supporting efficiency and effectiveness in the operations of our Parliament.

I now turn to the area I want to spend a few more minutes on and that is the issue of infrastructure. Infrastructure is critical to supporting the efficient running of the Parliament. If our Parliament is to improve its efficiency and effectiveness and be able to apply the criteria identified, then the first step to ensure this is our infrastructural arrangement. Infrastructural arrangements are put in place to allow for the following:

- Suitable and adequate accommodation for officers and Members of Parliament in the employ and service of the Parliament.

Infrastructure is important for the provision of the required physical facilities for Members of Parliament to do their work and such facility should include suitable accommodation to invite and encourage employees into the workplace. Once one gets into an office it must also be inviting, for example, the committee rooms. This is important for anybody who is working in the employ of another or in the employ of self, because the environment helps us or motivates us. It is one of the motivating factors that allow us to perform better.

The Public Accounts offices for the chairmen of standing parliamentary committees, Public Accounts Committee, Public Accounts (Enterprises) Committee, committees to oversee the operations of government ministries and departments and, of course, the Service Commissions excluding Judicial and Legal Service Commission. Many of these committees have to meet continuously, all hours, for long hours, if they are to carry out their responsibilities in the manner required and on a timely basis; these, in addition to accommodation for special select and joint select committees on Bills, that is, both Government Bills and Private Member Bills.

Further, there is need to ensure expanded accommodation for Channel 11, the Parliament Channel, which at present is confined to a very small area. By improving that, I believe we would also be improving our efficiency and

effectiveness. We need to have adequate space for the parliamentary library and other sections of the parliamentary offices. But, Mr. President, you know what bothers me most? Well, we talk about these things and many of these concerns were identified as early as 1969; a lot of these things that we are talking about that would help bring about the efficiency and the effectiveness of the running of the Parliament.

3.15 p.m.

These were identified in early 1969 in a report of the House Committee of the Senate, 1968/1969 session, Senate Paper No. 4 of 1969. That is over 40 years. Among the matters reviewed by that committee—and I am sure it was to ratchet up efficiency and effectiveness—is provision of separate offices for the President of the Senate; lounge facilities for Members to obtain refreshment; improvement of facilities generally; establishment of an adequate library; a separate chamber for this Senate; proper office facilities for staff of Parliament. At that time it was about 40. Now it is approximately 141. I am not sure we have come close with that last one. Forty years hence, we are still treating with issues of efficiency and effectiveness of the Parliament.

Moving along, that select committee concluded that one way of dealing with the problem of accommodation would be to devote the entire top floor of the Red House to the Parliament. The entire top floor of the Red House did not become available for use by the Parliament until after the July 1990 attempted coup, with the departure from the Red House of the office of the Attorney General and the Supreme Court Library. That is after 21 years.

I am showing how we are talking about efficiency and effectiveness. On the one hand that is very, very important to us, on the other hand, while we take decisions to ensure that this could be achieved, the length of time it takes to get this thing done—which probably points to another problem that we may have to address if we are to really ensure efficiency and effectiveness. The remaining offices located downstairs the Red House, that was the Registrar General's Department and the Lands and Surveys Division, were eventually relocated to other buildings in Port of Spain during the 1996/2001 Parliament. Check the number of years; how long we took to take those decisions.

The point to be made here is that, when initiatives are undertaken to enhance the efficiency and effectiveness of the Parliament, we tend to drag our feet on the matter. So we may come here again and begin to propose efficiency and effectiveness and, therefore, what we would be proposing is the need to ensure

that implementation, monitoring, evaluation mechanisms, will be put in place by this Government to ensure that we achieve efficiency and effectiveness of the Parliament.

To give an example of tardiness that took place over time in implementing decisions that were made to ensure that Parliament operate with efficiency and effectiveness, let me point to the fact that, during the 1995/2000 period, the then administration took a decision to keep the Red House as the seat of Parliament and that Parliament would occupy the entire building. This decision triggered a series of initiatives to restore the Red House to its original glory, but these initiatives were short-lived. Another issue about the efficiency and effectiveness of the Parliament is, what do we do when we take decisions. We to and fro, and those are things we may have to treat with.

In October 2003 the last administration made an about-turn and decided that a restored Red House should be allocated exclusively to the office of the Prime Minister. This was a total reversal of the then previous administration's decision to use the Red House for Parliament and I want to share with this honourable House this whole issue of the Red House to understand the importance of not just talking efficiency and effectiveness but applying and implementing those decisions that were taken in order to achieve the goal that we are debating. This was a total reversal of the previous decision. So, once, it is the Red House solely dedicated to the Parliament; in another instance, the Red House to be dedicated to the office of the Prime Minister. Now, in certain things we must have some constants. There are variables, but we need to understand what are the constants, and, no matter who is there, we should know that they are constants.

Anyway, moving along; in 2004, six years ago, the last administration again decided to enter—and I want us to listen to this part that we would be talking about—into contract with UDeCott for the design and construction works required to complete the restoration of the Red House for the Office of the Prime Minister—2004. It was only two weeks ago I was provided with a document, as Minister of Public Administration, entitled “Memorandum of Understanding” dated 13/10/2009 between the then Government of the Republic of Trinidad and Tobago, acting through the Ministry of Public Administration and UDeCott. This documentation reveals startling information concerning the then government's policy with respect to the restoration of the Red House project and I want to remind you, I am talking about efficiency and effectiveness, how infrastructure plays a part in determining efficiency and effectiveness of the operations of Parliament.

Let me put on the record paragraph 7 of this Memorandum of Understanding.

7. Sublease of property.

The company (that is UDeCott) agrees that upon the completion of each project (and the restoration of the Red House is listed as a project in that Memorandum of Agreement) it will lease the property to the Ministry of Public Administration (That is the Red House) for a period and at a rental fee to be negotiated and agreed between the parties in accordance with competitive commercial rates.

In other words, after the Red House restoration project was completed, UDeCott would lease the Red House to the Ministry of Public Administration for a period and at a rental fee to be negotiated and agreed to between the parties at competitive rates.

Sen. Ramnarine: UDeCott had owned the Red House?

Sen. The Hon. R. Nan Ramgoolam: Well, we do not know. Let us move on. Who was going to give title for the Red House to UDeCott? I sought advice from my legal division at the Ministry of Public Administration concerning this unsettling arrangement. Do you know what I was informed? Well, let me share this secret with you and hon. Senators in this House. I was informed that the Red House restoration project, not being a design/build/finance project was intended to be financed through the Infrastructure Development Fund. Legal ownership of the Red House was never transferred to UDeCott and, as such, paragraph 7 that I spoke to does not and cannot apply and is not legally binding.

Notwithstanding this, my Ministry now has to go through a convoluted legal procedure to extricate the Red House Restoration Project from this Memorandum of Understanding by executing a revised Memorandum of Understanding with UDeCott. That still needs to be done. When I enquired further as to the rationale for this Memorandum of Understanding, I was advised that: "This was an umbrella Memorandum of Understanding designed to create an appropriate governance structure." I am happy to report that steps are currently being taken to deal with this matter expeditiously. The available records show that the estimated cost of the restoration project was \$174,800,000. The completion date for the restoration project was scheduled for September 2010.

When this new Government took office at the end of May 2010, the hon. Kamla Persad-Bissessar, Prime Minister of the Republic of Trinidad and Tobago, announced to the nation that the Red House would be restored and would remain

the permanent home of the Parliament of this great Republic. To this end, a meeting of major stakeholders was convened under the chairmanship of the hon. Speaker of the House on June 29, 2010, a mere one month after this new Government assumed office. This stakeholders meeting received a status report by UDeCott on the Red House restoration project, highlighting some aspects of the project and detailing a list of what remains to be done.

Since that first appraisal meeting, Cabinet has agreed to the appointment of a steering committee of key stakeholders comprising: representative of the Parliament; office of the Prime Minister; representative of the Ministry of Public Administration; representative from the Ministry of Works and Transport and representative from the Ministry of Planning Economics and Social Restructuring and Gender Affairs.

The terms of reference of this committee are as follows:

- (1) identify and analyze the various policy options for the continuation of the restoration and adaptive reuse of the Red House Project including financing, monitoring and project management strategy;
- (2) recommend to the Cabinet the best possible strategy for the achievement of the desired goals and objectives of this project, including an implementation plan that recognizes the requirement for the restoration to proceed with minimal disruption to the operations of the Parliament.

Indeed, this committee held its inaugural meeting on September 30, 2010. The committee also met on October 06, 2010 and it will continue to meet in order to submit a report for the consideration of the Cabinet by October 31, 2010.

It is also the intention of this Government to request Parliament to take all necessary steps to appoint by resolution a joint parliamentary committee on accommodation for the Parliament of this Republic of Trinidad and Tobago and to consider and report to both Houses on:

- (1) essential principles to guide those involved in the process; and.
- (2) issues related to the medium and long-term needs of Members of Parliament and staff in the service of the Parliament.

We think this is going to go a long way in helping and in promoting efficiency and effectiveness of the Parliament. I understand that the other place is moving to establish this joint parliamentary committee. Efficiency and effectiveness demand that the infrastructure of this Parliament needs to be enhanced. I do not know how

many of us enjoy the external sight of this Red House, covered with scaffolding for years. From the outside it looks unsafe, dilapidated, non-functional and uninviting to the average citizen, more so Parliamentarians and staff. It is this Government's resolve to change the landscape of this historic edifice.

3.30 p.m.

Mr. President, if our Parliament is to function in a manner that improves its efficiency and effectiveness in measurable ways, then the first priority would be the provision of suitable infrastructure to cater to the needs of all Members of Parliament and persons who attend sittings of both Houses and their respective committees. Therefore, we are in full support. The Government is in full support of the resolution proposed by the hon. Independent Senator, Subhas Ramkhelawan.

Given the fact that we must focus on the issues identified, if we are to achieve efficiency and effectiveness of and in Parliament, this Government will continue to support any and every measure which will redound to improving the efficiency and effectiveness of the Parliament in measurable ways. We will continue to strengthen the representativeness of the Parliament, oversight of the work of Parliament, the legislative agenda spoken to, transparency and accountability of the Parliament, institutional arrangements, capacity and skills of staff, as well as integrity and accountability in public life, and, last but not least, the whole issue of the infrastructure of the Parliament.

We understand that our Parliament must work assiduously towards improving every aspect of the performance of our constitutional duties as a Senate and as a Parliament. In doing so, we will make our Parliament more relevant to the needs and aspirations of our people. We are committed to making Parliament an institution that serves the people, and, in doing so, I give this Senate, and, by extension, the national community, my undertaking that as Minister of Public Administration I am committed to ensuring that the Parliament—recognizing that we are part of the committee—has the right infrastructure to deliver on its mandate. Once we are good and firm on our infrastructure and we get the people issues right, Mr. President, we are sure that the efficiency and the effectiveness of Parliament will be one that we would all be proud of.

Thank you very much. [*Desk thumping*]

Sen. Terrence Deyalsingh: Thank you, Mr. President. Before I make my maiden contribution, I would like to start by wishing my colleague who should be here, Sen. Ted Roopnarine, a speedy recovery. I am simply warming his chair until he is well enough.

Evaluation of Parliament
[SEN. DEYALSINGH]

Tuesday, October 12, 2010

Mr. President, before I start, I would like to thank everyone here for the opportunity, your office and all Senators who would hopefully listen to what I have to say. To say that I am humbled is the understatement of the year. Again, if you would permit me, before I get in, I would like to pay tribute to the resilience of the human body, mind and soul, as I think we will all celebrate tonight when those 33 Chilean miners would have been released from their underground jail for the past couple of months. It is just testimony to what we as human beings can endure and what we can do.

Mr. President, my job here today is to speak on the Motion brought by Sen. Ramkhelawan about the efficiency and effectiveness of Parliament, but, listening to Sen. Baptiste-Mc Knight and also to Sen. Ramgoolam, I got the feeling that we collaborated on my contribution. [*Laughter*] What this shows, therefore, is that we are approaching or looking at this resolution in a very non-partisan way as it deserves to be treated. This is not the time for partisan politics, because the issue that Sen. Ramkhelawan has raised is deserving of non-partisanship.

I was going to start off again by explaining the difference between efficiency and effectiveness, but Sen. Ramgoolam beat me to that punch. Thank you very much, but I will use a simple example so that those who are listening outside, the fisherman in Charlotteville, my favourite snow cone vendor on Independence Square, can picture in their mind what is the difference between efficiency and effectiveness.

For example, if we have two flies buzzing around this Chamber and I give Sen. Ramgoolam a tin of bug spray and she just makes one little “sss” and the fly drops dead, then I give my colleague here the same can of spray and like many people, they go about screaming, “Oh, cockroach, cockroach” and they mash up de place”, but they still kill the fly, they have both been effective, that is, they have accomplished their goal, but Sen. Ramgoolam has been much more efficient than Sen. Al-Rawi. [*Desk thumping*] However, we are not playing politics today. This is a non-partisanship. [*Interruption*]

Sen. Panday: He is a generous man.

Sen. T. Deyalsingh: He is a generous man. So we must understand the difference between, effectiveness and efficiency. We can all understand that and everyone is now awake. That is why I did that.

Mr. President, is Parliament inefficient and ineffective? That is a public perception. So we have to ask ourselves first of all: is that perception real, or is it false? If it is real, then we have to deal with the perception by educating the

public. I will put it to you that the Parliament is not as efficient and effective as it can be and as it should be. We could boil this down to a simple management technique, and I am sure my good friend, Sen. Dr. Balgobin, who has vanished, can attest to it. We can apply the techniques of total quality management which basically say, “let us do the right thing right the first time”.

So my contribution today is going to be exploratory. We will explore some issues. I would define some parameters for further investigation and then, finally, I hope to be prescriptive where we can have, prescription, recommendations, because we on this side want to be part of the solution to the problem. [*Desk thumping*] To do that, Mr. President, I will be borrowing from various disciplines—management science, information technology, a bit of law, a bit of economics and the umbrella term or the umbrella, the overarching theme to bring these paths together is going to be the political will to get the thing done.

To set the stage for my contribution, I would like to introduce to the general public the concept of a social compact. A social compact is when citizens give up some of their personal rights, their personal sovereignty to the Government with the hope that the Government will enact laws to regulate society. The analogy I use of a social compact is when a school child volunteers to wear a uniform to go to school. By conforming, he gives up the right to come to school in jeans, but, in return, he gets a certain degree of protection in that school environment. [*Desk thumping*] So that is the concept of a social compact that we all have to live within.

Coming from that social compact is going to be the concept of rule of law, and, to illustrate my point, Mr. President, if you would allow me, I would like to read a quotation from the Rt. Hon. Lord Bingham, who spoke at the Sixth Sir David Williams lecture and he said and I quote:

“First, the law must be accessible and so far as possible intelligible, clear and predictable.”

That is all people want out of law, and Sen. Baptiste-Mc Knight spoke about this.

Sen. Hinds: So well!

Sen. T. Deyalsingh: So well. That is a function of this assembly, to bring laws which are clear and consistent with what we as a society are looking for. The immediate exploratory avenue I want to go down on Sen. Ramkhelawan's Motion is, how wide or narrow a beam we want to cast on this issue. If we look at it narrowly, we might just look at parliamentary proceedings, but, if you look at it

broadly, we may want to look at how the Executive develops and communicates its legislative agenda. Sen. Baptiste-Mc Knight and Sen. Ramgoolam spoke about it, as they are now going to bring a legislative agenda to this Parliament. That is critical, because, what the legislative agenda does, it tunes our minds as to how we have to look at the types of laws that the Executive intends to bring here.

Trinidad and Tobago, are we going to be enacting maritime laws to protect our coastline? Remember, most of our income comes from oil and gas which is found in deep PUs, so we need to have strengthened maritime laws. Coming out of this, Sen. Baptiste-Mc Knight mentioned the issue of the OPVs. She spoke about piracy in the Gulf, I believe. Yesterday, we on this side had the opportunity to meet with one of the nation's largest gas producers. They have been going around to all the stakeholders. I am sure they have met with the Government side already. One of the issues they raised is that the protection of their rigs outside there is being compromised. They are afraid for those rigs way out there, where boats suddenly appear out of nowhere and park up below their rigs for all sorts of illegal activity or activities that we do not know about. This will bring us to laws about anti-terrorism. Is this on the legislative agenda?

So as we seek to be efficient and effective, we need to know from the Government side what is their legislative agenda. If we adopt the broad approach again, we have to look at it from the issue of Executive intent, draughting, parliamentary debate, the actual legislating, presidential ascension, proclamation, and finally, judicial application and interpretation. This brings me to a point where Sen. Beckles-Robinson spoke in her contribution of draughting, and again, Sen. Baptiste-Mc Knight raised the issue. The quality of Bills coming before us has to be of major concern, especially in this day and age where countries no longer stand alone. More and more countries are part of trading blocs.

You had the issue of European nations having to harmonize their laws to fit into the framework of the European Union. I put it to you, Mr. President, are we in Trinidad and the Caribbean immune from that as we seek to take CSME further? There may come a time where we may have to have inter-territorial draughting of laws that will fit into the CSME framework. If we do not, then what is going to happen is that the CCJ, as the Privy Council, will be mired in a set of appeals coming from these jurisdictions.

So as we seek to be efficient and effective, we have to look at these things and we have to look at these things now as far as they relate to the constitutionality of new legislation. I do not want to belabour Sen. Baptiste-Mc Knight's point, but she spoke about legalese, where she cannot understand what laws are saying. This

is a crucial area. If we are to serve 1.3 million people effectively, the laws which come through these Chambers are not meant to serve university graduates only. [*Desk thumping*] They are meant to serve 1.3 million people of varying socio-economic backgrounds, different educational levels—as I say, the fisherman from Charlotteville to the executive in Westmoorings, to my favourite saheena fryer down in Penal. All these people have to feel a certain sense of comfort in the law. If they do not feel comfortable, we have broken the social compact. [*Desk thumping*] Very simple words in an Act give the average man trouble.

3.45 p.m.

You may remember, some years ago, we did not really have a constitutional crisis, but we had a constitutional emergency where there was some debate over the meanings of the words “shall” and “may”. One side said it should be interpreted this way and the other side that way. It is not for me to say how it should be interpreted, but it is for me to say, as a citizen, that we need clarity.

Legalese really does confuse the average person. For instance, you may read an injunction and they speak about Mareva injunction. I do not know what a Mareva injunction is. Sen. Mc Knight, do you?

Sen. Mc Knight: No.

Sen. T. Deyalsingh: It simply means to freeze assets, but in other jurisdictions, especially in the UK, they are making moves to simplify legalese and put it in normal English that a reasonable, normal individual can understand.

In being effective, that is something we can look at and that comes under draughting. We need to be clear. We need to have the legal intent in our Acts clearly put forward so that ordinary men and women could understand.

I draw your attention to a case in the United Kingdom some years ago. I am not a lawyer, but I had free legal advice. There was a case in England in 1992, *Pepper v Hart* where the appellate division literally had to go back to *Hansard*—I see the lawyers in the Chamber laughing—to interpret the legislation and to see if what it said was Parliament's original intent. Am I correct, Sir?

This gave rise to much disquiet. It meant that any subsequent case, if this became precedent, any lawyer trying any case would have to go back to *Hansard* to see the original parliamentary intent. So accuracy in drafting is crucial. Before *Pepper v Hart*, it was impossible to use the *Hansard* on parliamentary debates as evidence. That case shows both effectiveness and efficiency at its worst.

Sen. Beckles-Robinson, in her contribution, alluded to the paucity of resources at the Chief Parliamentary Counsel and the Solicitor General's Office. I think Sen. The Hon. Nan Ramgoolam touched on it. So the issue is one of resource allocation. If you do not have resources, you can have the best intentions in the world, you cannot be efficient. Resources have to be allocated.

On this point, there are some ongoing studies which tried to examine the relationship between budgetary allocation in the judicial system and the quality of justice, especially for emerging and transitional economies. Trinidad and Tobago is transitional, still going from something to something else. We have to look at it. Are we spending enough resources? That is a parameter to be looked at. One prescriptive move that we can look at is the issue of standing committees and oversight. The marketers will tell you they have a concept called test marketing. You just do not bring a product to market. You test it first to see if it can work; to see if people like it. We can borrow from that concept and test market legislation prior to their coming to these Houses; so that when the debate starts it will start on a document which can survive parliamentary scrutiny; that does not have to go back and forth for corrections.

The Canadian House of Commons via the Commonwealth Parliamentary Association is implementing such a programme and, being a Member of the Commonwealth, it should be no problem to access that type of expertise.

Another issue we have to look at in Trinidad, especially for this Parliament—both the House of Representatives and the Upper Chamber—is the particular configuration of the Lower House which gives the Government a majority to do several things. So while a Bill may pass the Lower House, it may not survive the scrutiny of the Upper House. We have to know where they are going. If it cannot survive the scrutiny in the Upper House, should they bring it at all? I throw that out.

The Senate acts as the ultimate check and balance. Sen. The Hon. Nan Ramgoolam spoke about executive oversight. We should probably reshape our committee system to enable people to develop their expertise in scrutinizing Bills. Maybe we can send Bills to these committees after their first or second reading.

I want to continue with the role of the Senate and, if you permit me, I would like to read a little paragraph, the Role of the Senate, taken from *Parliament and Democracy in the 21st Century: A Guide to Good Practice*.

“Most of the measures mentioned above for improving the legislative process also involve improved coordination between the two chambers of parliament where it is bicameral. The purpose of an upper chamber is to allow for the

more thorough scrutiny of bills, and to expose them to a different range of opinion”—This is why I hold this Bench in such high esteem—“whether this be a matter of state and regional perspectives, as in a federal system, a different balance of party strength, or a wider range of experience or expertise. A typical consequence of this exposure is to produce further compromises in proposed legislation and, hopefully, wider public acceptability as a result. Since democracy depend on consent, the public acceptability of legislation is an important criterion for its effectiveness.”

That is how this bicameral system is supposed to work. You have one type of scrutiny in the Lower House and a totally different type of scrutiny in the Upper House.

In talking about effectiveness and management, we can now borrow from management theory. In management theory, they use many models to improve effectiveness and efficiency. It can be adapted and inserted into any organization, political or parliamentary. To manage the flow of items from infancy, from idea stage to maturity, some of these techniques would be things like critical path analysis and process mapping. It is not my intention to get into the technical details of these management techniques, but to alert the Senate that these techniques do exist; easily accessible, easily adaptable to our situation here, so that Bills which are urgent and important can be tracked, fast-tracked and managed through the system. That will improve efficiency to no end.

On the issue of Standing Orders, it is my understanding that the last Parliament took a careful look at Standing Orders and whatever those findings were would have to be brought before this Parliament. To say that the Standing Orders need looking at is an understatement. I would like to quote to show you how outdated these Standing Orders are. On the very first page of the book, it says, “Made by the Governor”. That is when we had a governor. Who was the last governor we had? Governor Hochoy.

“...under the provisions of section 8 of the Trinidad and Tobago Constitution (Order in Council), 1961”

These Standing Orders were first drafted in 1961, but with amendments in 1989 and 2000. Even though you have these amendments, I respectfully submit that they need a complete overhaul; not just plaster work. We need to revisit those amendments to the Standing Orders which were done during the sitting of the last Parliament.

Everyone in this debate spoke about infrastructure, lack of committee rooms and so on. Now that there is agreement—and I know there is agreement to make the Red House the seat of Parliament; that is no longer up for debate—we now have to look at how we solve the infrastructural problems. One of the solutions could be offsite archives to free up space so that there would be more committee rooms. I do not know if committee rooms can operate offsite. I am throwing these out as possible solutions.

Following infrastructural works has to be the issue of technology. Trinidad and Tobago is not as technologically savvy as we should be and my little experience in this Parliament tells me that even the Parliament is not as technologically advanced as it should be. I would like to use the analogy that Sen. Ramkhelawan used when he presented the Motion. He said that when he was a young boy in his village—I hope I got the story right—he and his friend were looking forward to eating “press”, “snowcone”, one day. He and his friends were drooling at the mouth waiting for the “pressman” to reach. He claimed that this “pressman” had the sharpest razor in town and the nicest syrup. So the “pressman” reaches and then young Ramkhelawan was waiting to get his ‘press’. The man took out his shaver, shiny; nice syrup, but no ice; no ice, no “press”.

You can have the most excellent people; but if they are not backed by excellent resources, you will not get good work. That is where technology has a role to play. We can all be excellent here. We can have the best intentions and brain power, but if we do not have the systems to help us take an idea from a White Paper to a Green Paper, a Bill to an Act, we are spinning top in mud.

This exposes the issue of marrying excellent people with systems to give excellent results. E-parliament, e-democracy are taking shape in many countries around the world. With your indulgence, I will take a small parcel from that same text.

“The...(‘Electronic Law Project) aims at creating one continuous electronic production channel from the invitation to comment on legislation to promulgation...As a result, it will only be required to enter amendments to the text during the legislative stages...Texts of law on paper are replaced by electronic texts, that is to say, printed government bills, committee reports and other parliamentary printed matter...”—and this the crux of the matter on technology— “Technology will make it possible to draw up texts which can be queried electronically”—so that you can have you the public commenting—“while all stages can be tracked in a fully transparent process.”

This brings me back to what I said earlier—process mapping and critical path analysis. So you can track Bills and manage Bills.

Scotland is experimenting with an e-democracy platform and they have reached the point where, if you want to have a referendum on an issue—and that was one of the UNC's campaign themes, pledges to have a referendum—you can have a petition online.

4.00 p.m.

Therefore, if you have an MP who is an embarrassment to you, your party and country, you can have a petition done online and recall him. [*Interruption*]

Sen. Hinds: You mean like Mr. Warner?

Sen. T. Deyalsingh: We are not calling names, but you can have a petition done online. I am sure those at my favourite liming spot in St. Joseph are looking forward to the day when they would have an e-petition to possibly recall a Member of Parliament.

Sen. Hinds: I would simply have said Mr. Volney. [*Interruption*]

Sen. T. Deyalsingh: No, we are not calling names. We are in a non-partisan mood, Sen. Hinds. The European Union has—[*Interruption*]

Sen. Hinds: St. Augustine too.

Sen. T. Deyalsingh: St. Augustine too? The continental European Union is also doing a lot of work with e-parliamentary platforms. The solutions are there. We do not have to reinvent the wheel.

I now come to the vexatious issues of speaking time and parliamentary privilege, which hamper the effectiveness and the efficiency of Parliament. The question of speaking time is a very difficult one to deal with, especially when you have complex Bills; you need to explore all issues fully. However, very often, time is wasted. I would like to suggest to all that there needs to be a little more maturity on our part, to remain relevant and on point and, as in cooking, with just the right amount of “picong” and verbal jousting, instead of the reverse. What we have now is too much “picong” and too much verbal jousting. We need some, otherwise—the public likes to hear this and it keeps us awake.

Hon. Senator: Hit and run.

Sen. T. Deyalsingh: Hit and run. On this topic, we come to the role of parliamentary privilege. I could refer to the Latimer Principles that Sen. Baptiste-

Mc Knight spoke about earlier. What is parliamentary privilege? How did it evolve? What is the use of it? The basic use is to give parliamentarians certain immunities from prosecution, so that, in a debate, they are free to say certain things, pertinent to that debate, which they cannot say outside of these hallowed halls.

Parliamentary privilege started back in the 1600s, in England, but it came into being at a time when people were much more reserved in their speech, reserved in their comment, where society was less litigious and when debates were not transmitted globally within seconds.

Now, in 2010, we as listeners and victims, are being subjected to abuses, as the recent case of two of my colleagues on this Bench, Senators Hinds and Al-Rawi, who had their integrity seriously damaged and seriously questioned and they have no recourse even though they are lawyers—muddying. This is the whole idea, as I spoke about live transmission. What we say here goes global in seconds and in the court of public opinion, once those words are uttered, all six billion people on this planet Earth assume that these people are guilty and they have absolutely no redress, no recourse. Those maligned and those injured cannot do anything. Just to quote Sir Winston Churchill: “A lie gets halfway around the world before the truth even has a chance to put its pants on.” Parliamentary privilege should be used judiciously. That pun was intentional.

Sen. Panday: Could you kindly give way? Thank you very much, Senator. Are you aware that when live broadcasting was introduced in the Parliament, the Standing Orders—there has been a ruling of the Houses of Parliament, that, if anybody is maligned, they have the opportunity to bring that notice to the Speaker and their position would be read into the record?

Sen. T. Deyalsingh: Yes, Sen. Panday, I am quite aware, but I am talking about this in the context of efficiency and effectiveness in keeping back the Parliament from doing its work at the time. Therefore, parliamentary privilege should be used judiciously and not as a weapon of mass destruction on people’s reputation and dignity.

I am fast coming to the end of my contribution. Now, we are bringing these pieces together, improving the legislative process; the final prescription, so to speak.

The patient, this Parliament in my opinion, is not terminal. The patient is doing reasonably well, but the patient does show definite signs of distress. The patient is in need of some help. If we do not treat the patient now, what we will

have in five years, is, we will have to wheel the patient into the emergency room and then perform radical surgery. I would like us to be proactive. I would like us to be mature, in realizing that we have this commitment to the 1.3 million people I spoke about earlier. Remember my original introduction was about the social compact. We have a compact with 1.3 million people. If we ask ourselves critically: are we living up to our end of the bargain? It may be yes, in certain cases, it may be no, in certain cases, but 1.3 million people look to this place for guidance. They look at this place and they look at us as exemplars. Are we doing them justice?

What is the most important drug in this prescription? [*Interruption*]

Sen. Hinds: Change of government.

Sen. T. Deyalsingh: The most important drug in this prescription, as we try to treat the patient, is going to be political will, the political will to do things, the political will to change, the political will to deal with tough issues. I ask: Does this Parliament have it? That is a question for all of us to ask.

This morning I was in one of the government offices transacting some personal business and I picked up a religious newspaper which was lying there. It was actually in Sen. Panday's Ministry. I came across an editorial: "After 120 days". The editorial mentioned a book, which I read some years ago. It is the *Catholic News* of Sunday, October 03, 2010. It was an editorial which went on to talk about what this Government is doing or not doing. This is not the time for that. At the end of the editorial, the writer quoted from a text, which I said I read some years ago. The name of the book is *The Tipping Point: How Little Things Can Make a Big Difference*, written by Mr. Malcolm Gladwell. If we are to change, how do we start to bring about that change? I quote:

"Malcolm Gladwell writes about contagious behaviour and mysterious changes that can happen in everyday life, which he calls epidemics."

It is our duty in this Senate to start an epidemic of change. He goes on to say:

"What can we do to deliberately start and control positive epidemics?"

I am not giving the Minister of Health any extra work; positive epidemics.

"It is a question that all can consider. One of the characteristics of tipping points is that little changes have big effects."

Do we have the political will, as Mr. Gladwell has alluded to?

Other medications on the prescription which were alluded to, just to recap, are management techniques, critical path analysis, drafting and less use of legalese. We can make use of the drafting facilities of the Commonwealth Parliamentary Association. You have information technology, e-platforms and e-democracies that we can start to use, the review of the Standing Orders, and, last but not least, personal responsibility. All of us here have a personal responsibility. We have a stake in this thing to see that Sen. Ramkhelawan's Motion sees the light of day.

As we prepare Sen. Ramkhelawan's Motion for flight, we are like the ground crew. We have fuelled the plane. It is now time to put it at the start of the runway and let it take off and break through the clouds of inefficiency and ineffectiveness, so that we can serve the 1.3 million people as we should.

In closing, I would just like to use one more analogy and that has to do with boxing. There is a film called *Rocky* where Rocky Balboa, a journeyman boxer, is plucked from obscurity and given a chance to fight for the world title. I feel a bit like Rocky, plucked from obscurity and put in this place.

Mr. President, I thank you—[*Interruption*]

Hon. Senator: Fighting hard.

Sen. T. Deyalsingh:—for listening. I thank everyone for listening.

Sen. Dr. Rolph Balgobin: Thank you, Mr. President. I do not propose to speak very long today. I rise in support of this Motion put forward by my colleague, Sen. Ramkhelawan. I would not wish to cover again, some of the very important points made by Senators on all sides: Government, Opposition and the Independent Bench. However, there are some brief points I wish to make on the matter at hand.

The Motion appears to presuppose that, as with so many other things in our society, the workings of Parliament can be improved. In reflecting on that, certainly I agree. I agree quite strenuously. There are, however, some things that we should take note of. One of those would be what is right about what is happening here. I think the first and most important thing for us to explicitly recognize is that it may not be perfect, but our Parliament does work. The surest evidence we have of that, of course, is that our democracy stands. It continues to stand and there are many other developing countries in the world that have not enjoyed the luxury of the kind of freedoms that we in Trinidad and Tobago have enjoyed over the last several decades. The work of this Parliament has quite a great deal to do with that.

The other thing I find of interest, in talking about parliamentary effectiveness, is that it brings a broader question to mind that Sen. Ramgoolam alluded to and that was about institutional effectiveness and, by extension, one could say the effectiveness of the public service. All I would like to observe about that is that one bastion of public sector excellence has to be the parliamentary staff. They are very, very effective. They are very good at doing what they are supposed to do. They get things to you when you need them to get things to you.

4.15 p.m.

I have found the parliamentary staff to be really, a shining light and an example, perhaps, to the rest of the public sector. [*Desk thumping*] I say that because, you know, sometimes one does not want these people to feel demotivated in anyway by the suggestion that Parliament is not as effective as it could be. I think that this Motion should be interpreted more in the light of what we can do to make it even better and to carry it forward more aggressively so that we can serve the people of Trinidad and Tobago better. One recent example of that, in terms of listing what is right—this would be my last one—would be the advent of the Parliament Channel which I think has done a lot for democracy and the engagement of our people in the democratic process in Trinidad and Tobago.

But, Sen. The Hon. Ramgoolam and others did seek to explore the question of what do we mean by efficiency and effectiveness of Parliament. Of course, there are these notions of what a Parliament does that are very important, but intellectual or academic definitions aside for the common citizen out there: what does the citizen want? Well, as far as I can tell, the citizen wants some very simple things. One is, the citizen wants good legislation quickly, and the second would be, the citizen wants clarity on Executive decisions. Sometimes you want to get this clarity within these hallowed walls, as it were, because it allows for some probing that perhaps even the media might not be able to do as effectively as other Members of Parliament might. So, if the Government is making a major or significant decision, I think it is quite useful for us to hear about that in the Parliament as opposed to just in the press.

Finally, what do we mean by efficiency and effectiveness of Parliament? The third matter would be: how well do we represent the people and the interest of the people? To what extent would the things we are considering be topical and to what extent are they leading or visionary? Of course, that is a balance that any Government has to strike.

Evaluation of Parliament
[SEN. DR. BALGOBIN]

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I am also mindful of Sen. Deyalsingh's point that we can and should use technology better to facilitate this third issue, because, all over the world, what has happened after the failure of communism has been that people appear to be disengaging from the democratic process. In democratic societies that are not threatened by war or overthrow by some rival political system, fewer persons in many democratic societies are voting. They are not as engaged as they need to be and, I think, there is a real opportunity for us to use technology; us, whatever tools we can avail ourselves of to get them involved and to have them reach us more easily and that, I think, helps us to make a better contribution in the drafting and contemplation of laws—not just the wording of laws, but even the legislative agenda can be influenced by the voice of the people. We should not just hear that voice every five years.

I would also be mindful to note that not everything can be done quickly. I think, to an extent, law-making is like making fine wine. I think there is a process. What is not acceptable would be inordinate delays, so we should get things done in the time that they should take for them to get done and, of course, over time we will want to shorten that; we will want to compress that; and we will want to do it faster, but we should not rush mad and headlong into passing laws, and Sen. Baptiste-Mc Knight alluded to this.

I served from time to time in the Eighth and Ninth Parliaments, and one of the things I was unfortunately able to observe was a lot of legislation that was being pushed and passed that was very poorly drafted with many errors in them. At least, the Senate—I cannot speak for the other place—would appear almost ambushed by all of this.

Certainly, as an Independent Senator, one of the things you want to do is to be supportive but, on the other hand, you do not want to pass something that has very plain and obvious errors and has not even been tested in the judicial system, but the legislative agenda then plays on this—the timetable, the fact that we only meet once a week when Parliament is in session and so on. So this matter about drafting is very important and drafting needs serious work to get it right and to avoid mistakes. When something comes here and there are too many amendments, the effect is to send the Bill back down. When you do that it takes longer and longer and that frustrates the ordinary citizen who does not understand why is this taking so long.

I am hopeful that the Office of the Attorney General is properly staffed and resourced to ensure that the things that come before us in this august Senate are well and properly formulated so that we do not see a repeat of the kinds of

challenges we have had in previous Parliaments where legislation was very obviously poorly drafted.

There is one matter I would like to make an observation on here and, perhaps, it is very obvious and we do not talk about it. In any parliamentary democracy like ours there are three big pillars, none of which must fail; of course that would be the Executive, the Legislature, of which we form a part and the Judiciary. I think that the behaviour and the utterances of Members of Parliament must demonstrate an appreciation of the importance of these pillars.

So I would be very concerned if a Member of Parliament inadvertently or otherwise would do or say something that would appear to injure the strength or public standing of another arm of our parliamentary democracy. I would be concerned if they then told me that I heard wrong, read wrong and saw wrong but, okay, that is me and my concern but, I think, these are things that we ought to be looking at and thinking about critically so that even as MPs we understand that it is not just about standing and making a statement or making an accusation.

For the last 10 years we have seen a veritable feeding frenzy of corruption allegations with every change of government and with every election. We have gone through these processes and many of these things are ventilated here, sometimes to the detriment of the innocent. I think as Members of Parliament we need to hold ourselves perhaps to a slightly higher standard in this regard.

There are just two other obvious things that I would want to say, having set my goal of finishing before the tea break; a self-imposed goal. The first would be that reports to Parliament can sometimes take too long. I hope that I do not see a repetition of what happened in previous Parliaments where questions take months and months to answer. I think if a Senator poses a question the Government ought to endeavour to answer it in a timely fashion.

Reports also come to the Parliament and they take too long. Just today we received a package of evidence of that. Here is the report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Arima Corporation for the year ended 2003, and this is quite modern by the standards I have seen come through here. The other report is for the year 2002. This is plainly unacceptable. If the report has been prepared in good time, then it ought to make its way to Parliament in good time. If it was not prepared in good time, then there

ought to be questions about why, because it impacts the effectiveness of Parliament. We really cannot do anything with this. The reality has obviously changed quite significantly over the last seven years. I think reports to Parliament and the answering of questions and so forth are very important that we ought to pay attention to them.

Finally—Mr. President, I know that you have taken some action in this regard—this has to do with the enforcement of the Standing Orders, particularly as it relates to reading. You know, I have grown accustomed to seeing people read an entire essay of a page without ever lifting his or her eyes to look at the person gracing the Chair. I think that is unfortunate, because we are supposed to be debating, and sometimes you can tell the person is reading and does not understand what he or she is reading and it is a prepared text. By prepared I mean it was not prepared by him or her. I think if you are going to take the responsibility of serving as a Member of Parliament, particularly in the Senate, you should take the time to, at least, be prepared. [*Desk thumping*]

Sen. Hinds: It is truthfully, but painfully unkind.

Sen. Dr. R. Balgobin: I am sorry if I am unkind.

The other matter has to do with relevance. I remember talking to someone once from the Senate and I said to him: “Why are you talking so long? I do not understand what you said.” He said to me: “Well, I do not understand what I said either, but my instructions are five minutes on the topic and 40 minutes on the politics.” These are the things that infuriate the citizens. I do not think it is fair to the average citizen of Trinidad and Tobago, the taxpayer, the voter, that someone would play marbles with something as important as the subject at hand in a debate. So, I think that particular point is very important. And so, my recommendation would be that when a Member of Parliament or a Member of this Senate, in particular, is finished saying what he or she had to say, the Senator should sit down, which is what I propose now to do. [*Desk thumping and laughter*] Thank you.

Mr. President: Hon Senators, before we take the tea break, I think we should take the opportunity to congratulate Sen. Deyalsingh on his maiden speech. [*Desk thumping*]

It is now 4.27 pm and I think that, given the time, we could take the tea break at this point and resume at 5.00 p.m. The sitting is now suspended until 5.00 p.m.

4.28 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Sen. Kevin Ramnarine: Mr. President, it is an honour to join this debate on the Motion in the name of Sen. Ramkhelawan. The Motion before us is very simple, but important. It is important, I believe, because it comes at the beginning of the life of this Parliament. It seeks to, basically, plant a stake in the ground and have us reflect as to how effective and efficient this Parliament is.

Before I start I want to give a bit of background and the context that will inform my contribution. Parliament is the highest court in the land in Trinidad and Tobago. Over the years, and we have heard it in this debate, there has been talk that the Red House should be the seat of the Parliament and then there was another school of thought which subscribed to the view that the Red House should be the seat of the Office of the Prime Minister. I think that debate has been put to rest and we are now categorically saying that the Red House remains the home of the Parliament of the Republic of Trinidad and Tobago.

I sometimes like to use analogies. Mr. President, could you imagine Prime Minister Cameron of the United Kingdom declaring that he wanted to move the Office of the Prime Minister from No. 10 Downing Street to the House of Commons? That would be something the English people would not take too lightly. What about President Obama wanting to move the Office of the President to the US Congress? We have settled that Parliament remains in the Red House, its historic home and the symbolic home of power in Trinidad and Tobago.

In preparing for this debate, I asked myself the question: Why does Parliament exist? There is a very famous management textbook called *Good to Great* by a gentleman named Jim Collins. Those of you who attended business school would know that it is one of the key texts; it talks about organizations that survive and prosper. He said that these organizations had what they called “strategic purpose”; they were very clear about what their mission was, and he used the example of Disney World. He said that Disney World was into the business of making people happy; they were very clear what their mandate was. He goes on to use other examples from the business world. I asked myself the question: Why does Parliament exist and why are we here today?

From a historical point of view, we might want to go back to Thomas Hobbes who postulated that, in a state of nature, life is nasty, short and brutish. *[Interruption]*

Sen. Al-Rawi: Rousseau.

Sen. K. Ramnarine: No, that was Hobbes, *Leviathan*.

Sen. Al-Rawi: I prefer Rousseau.

Sen. K. Ramnarine: As Sen. Al-Rawi reminded me, we may then want to move on to the social contract, not social compact as advocated by French philosopher, Jean-Jacques Rousseau, who said that man was born free, but was in chains everywhere. Rousseau basically said, as was elucidated by one of the previous speakers, that people give up their rights to the State or the sovereign who then takes that role of providing protection in society, and so the State is born. People, in giving up their rights, give up their rights to the rule of law; so the rule of law replaces the state of nature and the nation state begins to take form, thus Parliaments emerge to make law.

So Parliaments do three things, and this is common throughout the literature: Parliaments are into the business of providing oversight; Parliaments are into the business of providing representation and Parliaments are into the business of producing legislation or making laws for the good governance of society. That is the context in which I would like to couch my contribution.

With respect to the role of Parliament, it is referred to as the Legislature. We have a bicameral system in Trinidad and Tobago. Up to 1961 we had one House of Parliament, which was the Legislative Council, and the Senate came in 1961. The French have produced quite a lot of philosophers and the word "Parliament" comes from the French word "parler" which is "to talk". Another French philosopher, Baron de Montesquieu, proposed the idea of the separation of powers, which essentially states that the Legislature, the Executive and the Judiciary are all separate from each other and each one has to keep the other in balance and check. When we look at the role of Parliament with respect to representation, I think it is a very critical point in effectiveness and efficiency.

Parliament provides representation and I see it in two arms. On the one hand, we sit in the Parliament; we are appointed by the President; we are not persons with constituencies. Parliament provides an avenue, a conduit, for the representation of national views and national concerns. If the country has a collective concern with respect to crime or flooding, it is hoped that view would be expressed in the Parliament by Members of the Parliament. That is the national view side of representation.

On the other hand, in the other place we have 41 Members of Parliament who all have constituencies. That number used to be 36; at one point in time it was 30; at one point in time it was 25. It is now 41, so there are 41 constituencies in

Trinidad and Tobago and each has a Member of Parliament. That Member has an office and the resources for that office and the funding to run that office are provided by the Parliament of Trinidad and Tobago. Those 41 offices are located throughout this country and, of course, they are located as far as Mayaro, as far as Tobago East and Tobago West.

In my view, having worked in one of those offices about 11 years ago, they are highly underrated with respect to the mechanism of governance. They provide the first interface with the people of Trinidad and Tobago. Those offices receive a myriad of complaints; a number of people come to them with varied issues. Over the years, this Parliament has been able to provide more and more resources to those offices. In fact, some of you would notice that the offices of the Members of Parliament are now very visible. They have some lovely signs, so it is very easy to identify where the office of a Member of Parliament is.

In the context of this debate, I thought I would throw out the point that maybe, in assessing or evaluating the effectiveness and efficiency of this Parliament, we should look at those constituency offices that we have throughout the country, because they provide a tremendous amount of service to people, and how effective and efficient they are, and whether or not they are in need of more resources themselves.

Looking a bit at the issue of legislation, one of the three roles of Parliament is to produce legislation, to produce law for the good governance of society. There is a term in management—and Sen. Deyalsingh used quite a lot of managerial terms—called “value tree mapping”, which is similar to critical path analysis that he pointed out, which attempts to track value from the source to the end. This might be one approach that could be used to assess how effective and efficient the whole process of law-making is. Law-making, of course, starts off from policy formulation and comes all the way down to proclamation and regulations, so there are a number of steps in-between. One of the things that we may want to do is apply modern managerial practice to understand how we could make law-making more efficient and effective.

The issue of oversight is a very critical issue. On the basis of the doctrine of separation of powers, this Parliament, the Legislature is independent of the Executive, but in our system it is not a clear-cut independence as in the US where Members of Congress and Members of the Senate cannot be Members of Cabinet. So when Mrs. Clinton was offered Secretary of the State by President Obama, she had to give up her seat in the Senate to become a Member of Cabinet. In our system, we are here to provide oversight, which is a critical function of this Parliament.

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Today the Leader of Government Business proposed a number of committees that would be doing just that, the Public Accounts Committee, the various joint select committees would be looking at government ministries, statutory agencies and authorities, state enterprises, et cetera. The committee system is another avenue which has to be explored when we talk about the whole issue of effectiveness and efficiency. I did not want to get too political in this contribution, but I suppose it is unavoidable at times.

In the period 1995—2001, we had a government in office that sought to empower the Parliament by amending section 66 of the Constitution to give life to joint select committees of Parliament, which would have oversight over state enterprises, ministries and so on. At that time, and the *Hansard* would support me, the then Opposition—and they are back in Opposition again—did not support that constitutional amendment in the year 1999. I think it was Constitution (Amdt.) (No. 3) Bill of 1999, that dealt with section 66A of the Constitution.

In the year 2001, after the UNC had won the December 2000 election, Parliament was convened and our now Leader of Government Business was then the Deputy Speaker. I think he was Member for Princes Town back then. He was charged with the responsibility of coordinating all these new committees that were set up in the Parliament coming out of section 66. The records would show that he received very little support; this is the Leader of Government Business in the Senate now. He received very little support from the then Opposition PNM with respect to these committees. It is hoped that in this incarnation of the Parliament we will pay more attention to the committee system, so that we can provide the correct oversight over the Executive of Trinidad and Tobago.

When we look at the whole issue of the committees, there was a very famous incident where, in the 1980s, Lincoln Myers, who was then an MP, was the Chairman of one of the oversight committees, the Public Accounts Committee, and persons in the state sector at that time refused to appear before his committee. History, as we know, has a way of repeating itself, and Sen. Mary King, this would have been about two years ago, had almost the exact thing happen to her, when she was chairing a committee as an Independent Senator. The PNM has a history of dodging these committees. I have great hope for this incarnation. Our friends here have promised to stay very long on the Opposition Bench. I hope that they participate in the committees and allow them to be robust and that we would have attendance at the committees.

5.15 p.m.

Coming back, again, to the period December 24, 2001 to May 24, 2010—and I counted using Microsoft Excel—3,287 days of PNM in office; December 24, 2001, Christmas Eve Day, all the way down to May 24, 2010, 3,287 days. Microsoft Excel is a wonderful thing. In that period of time, that almost nine-year period, what we saw was a whittling away of the institution of Parliament. Parliament became almost as a rubber stamp during that period. In fact, I think it was the late Lloyd Best who alluded to the fact that Parliament is merely a rubber stamp for the Executive.

We are now on this side, we are in Government and we are committed to returning Parliament to its supremacy in this society. What we would see in the coming years is the centre of gravity of power in Trinidad returning to the people's representatives in the Parliament of the Republic of Trinidad and Tobago. [*Desk thumping*]

Mr. President, I do not intend to be very long and very theoretical, but I want to look a bit at the issue of global competitiveness and I want to link the effectiveness and the efficiency of Parliament to global competitiveness, because there is a link. The World Economic Forum which is based in Davos in Switzerland, every year they produce this lovely report called the *Global Competitiveness Index Report* and the data for that report on Trinidad and Tobago is compiled by the Loc Jack Graduate School of Business and sent up to Switzerland where the number crunching is done. We ranked somewhere like 84th in the world in terms of competitiveness out of 131 countries and it is no secret that our competitiveness has been sliding. I looked very closely at the report to find a link between the efficiency and effectiveness of our legislature and our economic competitiveness.

When one examines the report in a very forensic and microscopic way, one would see that there is a very strong link between the two and you would also note that the countries that have the most competitive economies in the world, countries like Switzerland, Norway and Finland, have some of the best and the most efficient and effective Parliaments or legislatures in the world. It is obvious why there is a relationship. When one looks at the 12 pillars—the competitiveness index is underpinned by 12 pillars, and the first pillar is called “institutions” and it looks at the strength of public institutions in a country and how that relates to economic competitiveness.

When I look at what are some of the subindices under the institution's pillars, there were things like property rights, intellectual property protection and efficiency of legal framework in settling disputes. That would speak, of course, to the efficiency of our courts. It spoke to things like transparency of government policy making and that relates directly back to the oversight function of this Parliament. It speaks to things like ethical behaviour of firms and one of the things it speaks to is the whole issue of corporate governance in a society and how effective is a corporate board.

There are 21 subindices under the institution's pillar. The point I want to make is that most or maybe all of these subindices are directly related to the quality of law, to the quality of oversight and to the quality of representation that is being provided by the Parliament of the Republic of Trinidad and Tobago. So the larger point is to drive our economy from 84th position to where Minister Cadiz wants to take it. I think he wants to take it—his target is to take it up into the 20s—to drive, we have to make sure that we start with the highest court in the land. The highest court in the land is the Parliament of the Republic of Trinidad and Tobago, so, to have a competitive, efficient and effective economy, we need to have an effective and efficient Parliament and there is a link between the two.

Mr. President, I want to touch a bit on the whole issue of the role of civil society in Parliaments. Parliaments and governments should strive for a constructive relationship with civil society to ensure that there is broader opportunity for lawful participation in the democratic process. I would repeat that statement because it is profound and fundamental to this contribution: Parliaments and governments should strive for a constructive relationship with civil society to ensure that there is broader opportunity for lawful participation in the democratic process.

The point, Mr. President, is that when this Government was in the process of campaigning in the months of April and May 2010, one of the fundamental philosophical departures that we put on the table to the people of Trinidad and Tobago is just that. The Government and the Parliament will consult and will seek a constructive relationship with the people of Trinidad and Tobago; because, as I said, for the period December 24, 2001 to May 24, 2010, 3,287 days, the pendulum had swung away from the Parliament and towards the Executive, and when it reached to the Executive it stuck, and the power in the country was concentrated, firstly, of course, in the Executive and then it began to become even more and more concentrated down to, probably, two or three people; some say three.

I would not call the names because the names are well known. Some of them are no longer in Trinidad and Tobago, some of them we do not know where they are. Power had swung and was concentrated in the hands of a few people, and the fundamental point here, as part of this debate, is that effectiveness and efficiency of this Parliament must speak to consultation, consultation with as broad a cross section as possible of the people of Trinidad and Tobago. [*Desk thumping*]

In a previous incarnation—you know I have many incarnations, [*Laughs*]—I worked at the Office of the Leader of the Opposition on Charles Street. There was a time when it used to be at Chepstow House. It is now on Charles Street and the Parliament had provided the Leader of the Opposition with very nice accommodation—and I hope that they enjoy them, because they are going to be there for quite some time. When I was a member of the staff of the Office of the Leader of the Opposition, one of the things that we did at every step of the way was to consult with NGOs, to consult with the trade unions and to consult with civil society in general. I want to pay tribute to our Prime Minister, because, recently we had a very successful budget that went through the Lower House, the other place, and the Senate, and prior to that budget on September 08, the Prime Minister of this country spent a lot of time consulting with civil society, so I want to place on record that we do not only talk the talk but we walk the walk. [*Desk thumping*]

I was fortunate to be part of that consultation when we were consulting with the unions, the private sector and so on, and we listened to their views and we assimilated their views into public policy. This is how public policy is crafted and formulated. It has to be organic and it has to come from the ground and rise up and become legislation. Public policy is not a top-down thing.

So as I said before in a previous contribution, one of the things that we have to get away from is this hierarchic model of managerial leadership where we have a very top-down approach to the way we do things and we have to flip the pyramid as the people in organizational behaviour would tell you; you have to flip the pyramid and go from the bottom up. There is a very famous management thinker called CK Prahalad, who died recently. He always spoke about the fortune at the bottom of the pyramid and this is what we subscribe to in the People's Partnership Government.

Mr. President, as I begin to summarize and wind up, I want to talk a bit about two things: one dealing with the whole issue of the Parliament staff—first of all before we talk about the Parliament staff, I have been associated with this Parliament since the year 2001 in various capacities as a research officer and so

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on, and I want to say publicly that some of the finest public servants I have ever met in my life are working in the Parliament of the Republic of Trinidad and Tobago. [*Desk thumping*] They go above and beyond the call of duty and they never fail to reply to a request. I want to put on record my admiration for the Parliament staff.

Around the year 2000 there was a committee in Parliament that met to discuss the whole issue of what they called at that time, the “Parliamentary Service”, because, under the doctrine of the separation of powers, the Legislature must be separated from the Executive, but people who are members of the Parliament staff fall into the wider public service, so a situation could arise where a member of the Parliament staff who falls under the Public Service Commission, which is supposed to be independent, could be victimized by a person in the Executive, hypothetical situation. In some of the benchmarks that are out there on the Internet by various groups like the Commonwealth Parliamentary Association and so on, it is recommended that the staff of the Parliament come under a separate service commission.

So what this committee did back in 2001 was to adopt the findings of a working paper prepared by the Law Commission that proposed that legislation be enacted to provide for the establishment of a parliamentary service, a Parliamentary Service Commission and a Parliamentary Management Board. I think there was a draft Bill that was done that basically encapsulated some of these recommendations and proposals.

It was felt that the creation of these three entities would result in greater independence for the Parliament and thus enhance the doctrine of the separation of powers. So, again, this is something—I was able to obtain a copy of that report from the library and it is something that should be considered again as we look at the whole issue of effectiveness and efficiency of the Parliament. On that topic too it may be useful to consider that the public servants who work here are sometimes not required to work at the same pace and at the same hours as persons who work in the wider public service, so there may be a case for different compensation for persons who work in the Parliament.

Another point, and I think it was our temporary Senator, Sen. Terrence Deyalsingh, who put on the table the whole issue of technology, and I have been able to see the Parliament evolve over the last decade and I can tell you, those of us who were here—Sen. Panday has been here since 1971 when he was in the other place—the Parliament has come a very long way with respect to technology, and that is a tribute to the leadership in this Parliament, in particular, the people

who are the Clerk of the House and the Clerk of the Senate. The Parliament is now, and for those of you who do not know me because I am a young person so I am into Twitter and so on, Parliament is on Twitter. I am speaking right now and I am 99.9 per cent sure that a message has gone off on Twitter saying that Sen. Kevin Ramnarine is now on his feet, and there are thousands of Parliament staff who could tell you how many thousands of people all over the world who follow Twitter.

5.30 p.m.

The Parliament website, I believe, is one of the best websites in the entire Government of Trinidad and Tobago [*Desk thumping*] and, as I said, that website too, has come a very long way. Of course, we have the Parliament Channel, Channel 11, and, as people are driving home right now; it is half past five, people are in rush hour traffic; people could tune into 105.5 FM and they could listen to me speak.

So we have come a long way with how we make this Parliament more accessible and that in itself speaks to effectiveness and efficiency. Again, with respect to technology, there was a time when there was a lag between when you speak in Parliament and when you could get unrevised *Hansard*. Now you could get unrevised *Hansard* in a couple of hours. So that, too, has been another advance in the use of technology. But there is always room for more technology to be applied to make the Parliament even more efficient and more effective. Again, this is something that we would have to look at to see what avenues are out there that we could apply to this Parliament to make it more efficient and more effective.

In winding up I want to say that I support the sentiments expressed by my colleague, Sen. Nan Ramgoolam, who said that, you know, we support this Motion and that we are all for a more effective and a more efficient Parliament. We believe that the Red House is the seat of the Parliament; we believe that Parliament has to be returned to its place of primacy in the whole sphere of Trinidad and Tobago's governance; we believe that the centre of gravity of power in Trinidad and Tobago resides here, with the people's representatives and as we go forward in this, the 10th Republican Parliament, I look forward that when we leave here in the year 2015—well, some of us may leave here in the year 2020, or 2025 or 2030, but some of us may leave in 2015 and I see lots of people on the other side smiling. It is hoped that when we leave here we leave the Parliament in a better place than when we found it.

Thank you very much, Mr. President. [*Desk thumping*]

Sen. James Armstrong: Thank you, Mr. President. I would like to commend my colleague, Sen. Ramkhelawan, for tabling this Motion. I rise to actually support the Motion. One of the things about speaking so far down the line is that very often a lot of the things that you had in mind to comment on have already been said and, therefore, I do not expect that I would be too long.

In preparing for my contribution on this Motion, I did some research and I discovered that there were actually three papers that provided a lot of information. One, my colleague Sen. Nan Ramgoolam actually mentioned already, and this was the Senate Paper No. 4 of 1969. Subsequent to that, there was another document called “Celebrating the Past, Embracing the Future” which also looked at the business of the accommodation or what Sen. Nan Ramgoolam called the infrastructure in support of Parliament and efficiency and effectiveness.

Following that, there was a Motion that was actually tabled by the former Sen. Dr. Eastlyn Mc Kenzie in November 2006 and in looking at those documents I found that they generally concluded that the accommodation for the Parliament is quite inadequate. Therefore I decided that I should, perhaps, visit the bowels of this Parliament myself to get a first-hand example of the accommodation and the working space and so on of the staff.

I would like to join those who have actually commended the staff of the Parliament because I must say that, indeed, they are doing a fantastic job—[*Desk thumping*]*—*particularly after I saw the conditions; the facilities that are available in this building. It is extremely cramped. I went to every corner of this building and what did I see? Offices with boxes; offices in which we have high vaulted ceilings with decks actually built into that space; 14-foot ceiling and you have a deck so you can go up a stairway for storage and for facilities for office accommodation.

I looked at the facilities, for instance, for the police and I was told that there is a police service here of over 60 members—totally inadequate. Totally inadequate! We spoke about Channel 11 where they are actually using the space where you have your equipment as the space for office, and this is the situation throughout in this facility. It is overcrowded.

When I went back to the papers mentioned above, I noticed that it was suggested that perhaps the entire building should be turned over as a facility for Parliament. Even so, it was considered that the space was inadequate, and, given what I am hearing today, I am wondering whether some of these Motions and debates actually were influenced by anything else than what is required for efficiency and effectiveness in the Parliament.

There is a saying in architecture that form follows function and what we seem to be trying to do, really, is to force a function or functions into a facility in which it no longer fits. There seems to be some conclusion that this is going to be the seat of Parliament, whatever. I cannot subscribe to that because it seems to me to be sentimental. I heard it mentioned, for instance, that a former Member of Parliament wanted this to be the office of so and so and so. That may be so. What I am interested in, really, is for us to take a dispassionate look at what are our responsibilities; what are our functions; what do we want in a modern Parliament of Trinidad and Tobago and, once we can determine that and once we can come up with the terms of reference for that and streamline those functions, then in a very rational manner see whether this is, in fact, adequate.

I am very glad that you mentioned today the fact that the Speaker of the House, in fact, has asked us to consider that. I am hoping that, as we do so, we really—well I would not say reconsider, but we really think carefully—very, very carefully—about what we need to be doing and whether, in fact, we should not be housed somewhere else.

Quite apart from the facilities for the staff and so on, I also want to comment on our expectations as parliamentarians and some of the kinds of things that I would expect as a Senator and also expect—well, of all parliamentarians, really, and this has to do with, for instance—I am of the view that we need additional staff ourselves. For instance, as Senators I think, perhaps, we should be considering research assistants to assist us in some of the research that we have to do. Some of my colleagues already mentioned—Sen. Baptiste-Mc Knight, for instance, mentioned the need for legal services; legal advice. I think it goes beyond that.

I would suggest that this is a function that perhaps could be a full-time function for additional personnel in the service of the Parliament. I considered, for instance, now that we have laptops in the schools, could that in some way be more interactive so that our students are informed about what is happening in the Parliament and that we can be informed of what they think about the Parliament? Does that require additional staff, additional services? I would think that it does.

So that, in that way, what we need to be looking at would be the totality of all the functions and not just for today but for 10, 20 years down the road. We should not be just planning for today and this building, I believe it started, if my memory serves me well, in 1844. So what I think we should be doing today is really to be building structures and facilities for the next generation as well, not so much being sentimental about what the last generation built for us.

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What I would want to safeguard is the defacing of this building, of the retrofitting of this building, that would not allow us to enjoy its magnificence, and that is already happening because we are trying to fit functions into something that is no longer adequate. I have spoken to some of my colleagues in architecture, in conservation and preservation and so on, and they share similar sentiments and I said, okay, let us look at it.

So that I would want to suggest that the terms of reference, particularly with respect to the facility that would allow us efficiency and effectiveness, should include these considerations and that it would also include people from the public, the National Trust, for instance; some of the NGOs, so that we could really bring some sort of rational approach to this process.

One other thing that I would like to quickly mention has to do with the performance measures with respect to Parliament and I know that, again, Sen. Baptiste-Mc Knight mentioned the Latimer House guidelines, and I also had a look at those and I understood all the things that were said about good governance and upholding the constitution and democracy and the separation of responsibilities and so on, but I felt that it did not go far enough in terms of what we are really supposed to deliver, quite apart from how we regulate ourselves, our business and so on. I think that we are really in the function of, as I have said on occasions, delivering to the people. In other words, what does good governance mean?

5.45 p.m.

It cannot be just good legislation, upholding democracy and the Constitution. Good governance to me also means that we have to be uplifting our people, and I will emphasize that over and over again as long as I am here. Therefore, I am looking beyond how we organize our business to how we deliver to our people, how we enhance our people. In doing that, I would like to support, again, some of the other suggestions made. Sen. Ramnarine, for instance, mentioned the whole business of social compact, and Sen. Deyalsingh also emphasized that. So I would like to join them in also emphasizing that we really need to find a way to interface with the NGOs, with our public in general, once we begin to talk about effectiveness and efficiency.

The last point that I want to make, Mr. President, has to do with moving from manifesto to policies to programmes and so on, and I think this is the first session where I have been involved in what seems to be general consensus on a Motion, and we are moving away hopefully from accusations of you were responsible, you

were there and that sort of thing. So what I would expect to also improve our efficiency and our effectiveness is a move from manifesto, if you will, because there is a Government in place that has a manifesto, and to learn more really about what are the policies, what are the programmes that we can collectively consider, ponder on and make contributions to in the business of serving the people.

Perhaps it is a little too early, but at least I would like to see some sort of movement towards a clearer definition of the strategies, the methodologies: what are we going to do, how we are going to do it and when we are going to deliver. Because the people are able to make a pronouncement every five years, it is at that time they might say, “Well, look, we are not satisfied with the last five years.” You go for another five and he may say, “I am not satisfied either”. What I am suggesting is that in the interim—I think we, particularly on the Independent Bench, do have a responsibility to keep things in check, to monitor and to evaluate whether, in fact, the things that have been mentioned are being perused, to what extent are they being achieved and when do we need to realign. I think if we are able to do that, we would achieve a lot more.

Let me conclude, Mr. President, by again emphasizing that I really would like us to look at the possibility of having this facility placed elsewhere. If the exercise that we are about to undertake suggests that there is no need for that, then I will be very, very happy with that. I would go along with that. In the event that it proves otherwise, I would like to also suggest that perhaps we look at a location that can reflect who we are as a people, that can inform generations down the road what we were about. Look at a location perhaps in the east. It does not have to be in Port of Spain. In fact, I would like to see it elsewhere. It does not have to be in Port of Spain; somewhere in the east, along the east-west, north-south axis.

Laventille! We talked about growth poles. If you are serious about growth poles and you are really going to do what you say you are doing with respect to Laventille—I understand what growth poles are about. That is another possibility, a magnificent structure that overlooks the city and that we can also see. If you do not like that, then go further east, go to central, but I do not think, Mr. President, that we are doing justice to what we say we are interested in, efficiency and effectiveness, by being sentimental about the task before us.

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

ADJOURNMENT

The Minister in the Ministry of National Security (Sen. The Hon. Subhas Panday): Thank you very much, Mr. President. Having heard all those enlightening contributions, I now beg to move that the Senate do now adjourn to

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[SEN. THE HON. S. PANDAY]

Tuesday, October 19, 2010 at 1.30 p.m., at which time we shall continue the debate on a Bill to amend the Evidence Act, Chap. 7:02, and if time permits we shall commence Bill No. 2, to amend the Bail Act, Chap. 4:06 and the Kidnapping Act, Chap. 11:26.

Thank you very much.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.52 p.m.