

**HOUSE OF REPRESENTATIVES***Friday, May 13, 1994*

The House met at 1.38 p.m.

**PRAYERS**[MADAM SPEAKER *in the Chair*]**PAPERS LAID**

1. Report on the preliminary inquiry into the shipping casualty at Chaguaramas on October 31, 1993, involving the motor tanker OSLO Lady. [*The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert)*]
2. Report of the Auditor General on the Accounts of the San Fernando Corporation for the year ended December 31, 1978. [*The Minister of Finance and Minister of Tourism (Hon. Wendell Mottley)*].  
*(To be referred to the Public Accounts Committee)*

**ORAL ANSWERS TO QUESTIONS****Prime Minister's Trips****63. Mr. R. Maharaj** (*Couva South*) asked the hon. Prime Minister:

- (a) Could the Prime Minister state to this honourable House the cost to the public of Trinidad and Tobago of his recent trip to Cyprus, the United Kingdom and the United States of America?
- (b) Could the Prime Minister give the names of the persons who formed part of the official party at each of the destinations and could he inform this honourable House of the expenses incurred by the Government of Trinidad and Tobago for having those persons as part of the trip?

**The Minister of Education (Hon. Augustus Ramrekersingh):** Madam Speaker, the hon. Prime Minister accompanied by his wife, Mrs. Manning visited Cyprus in order to participate in the Commonwealth Heads of Government Conference, which is held every two years.

En route to Cyprus, the hon. Prime Minister took the opportunity to meet with the Chairman of Amoco Corporation in Chicago, United States of America, in

view of important policy issues that had to be resolved in respect of the LNG project. For the discussions in Chicago, the Prime Minister's delegation was joined by Sen. Barry Barnes, Minister of Energy and Energy Industries.

At the Commonwealth Heads of Government Conference in Cyprus, the Prime Minister's delegation included the Hon. Ralph Maraj, Minister of Foreign Affairs who subsequently went on to Belgium on Caricom business. On the return journey from Cyprus, the Prime Minister visited France in furtherance of the Government's European strategy in the context of the Government's thrust to attract investment to Trinidad and Tobago in every possible sector, and in view of overtures made by France through representatives in Trinidad and Tobago.

The hon. Prime Minister also held discussions in London with British Airways, British Gas, at their request; British Telecom and Cable and Wireless. The Hon. Kenneth Valley, then Minister of Local Government and Minister in the Ministry of Finance, joined the Prime Minister in France and accompanied him to London.

Prior to joining the Prime Minister in France, the Hon. Kenneth Valley led a small delegation to Rotterdam to hold discussions with the Rotterdam Chamber of Commerce and the Rotterdam Municipal Port in Holland, in respect of the strategy to be pursued by Government for the further development of the port in Trinidad and Tobago.

The Hon. Ralph Maraj, Minister of Foreign Affairs, also paid an official visit to Belgium en route to Port of Spain from Cyprus as part of a Caricom delegation to discuss outstanding matters related to the banana industry and other trade issues with the ACP countries.

A table with the names of the members of the delegation and their destinations will be handed to the hon. Member in due course, rather than reading a whole list of names.

The following is an overview of the initiatives arising from the visits mentioned above:

Agreements: Bilateral Investment Treaty and Technical Co-operation Agreement with the Government of France. During the visit to France the hon. Prime Minister signed an Investment Promotion and Protection Agreement with France. This agreement establishes broad parameters within which investments can take place in both countries, thereby creating conditions for improved investment flows.

Telecommunications Sector: During the visit to the United Kingdom, the Government and Cable and Wireless confirmed their commitment to the sale of equity on the domestic market. Formal contact has been established with Cable and Wireless for the purpose of drafting a new shareholders agreement which will facilitate the partial divestment of the shares of Telecommunications Services of Trinidad and Tobago (TSTT) in 1994. Contact has been maintained with OFTEL, the independent regulatory body set up under the 1984 United Kingdom Telecommunications legislation, which has offered to provide technical assistance in formulating regulation policy for public utilities.

**1.45 p.m.**

Regulation and Competition Policy: The Adam Smith Institute, which is a private sector research and consultancy institution whose objective is to promote and foster private sector economic activity, presented proposals during the visit to the United Kingdom for a programme of assistance in furtherance of Government's economic reforms. Initial discussions have been held with the institute during the hon. Prime Minister's official visit to the United Kingdom in May/June 1993.

Arising out of the foregoing, the institute is currently conducting a consultancy study which focuses on the areas of competition policy and the regulatory framework to telecommunication and electricity.

Energy Sector: During the visit to the United States, discussions were held with the Amoco Corporation with a view to resolving expeditiously, a number of issues relating to the proposed LNG Project in Trinidad and Tobago, of which Amoco Corporation, Cabot LNG, British Gas and the National Gas Company are the sponsors.

Several French companies expressed interest in the Brighton La Brea Industrial Estate. Two missions, the Society for Urban and Rural Management in France and AVEXCON a (Venezuelan construction group) have since visited the site for the proposed industrial estate and have expressed interest in the project.

Water: Discussions were held with two French water companies which have established a reputation for developing and improving water and sewerage management systems, not only in France, but in other parts of the world.

**Mr. Maharaj:** Madam Speaker, on a point of order. I have asked specific questions; I did not ask for a ministerial statement. The statement and the question had to do with the names of the persons and the cost, but they are giving

*Oral Answers to Questions*  
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everything else. *[Interruption]* All right, you could amplify, but the amplification is a ministerial statement. We will deal with that, but I want the cost and the names of the persons.

**Dr. Rowley:** I thought you wanted information?

**Hon. A. Ramrekersingh:** Madam Speaker, in respect of the names, because of the large number involved I have informed the House that we will pass that list. *[Interruption]*

**Mr. Maharaj:** I have asked the hon. Prime Minister for the names of the persons. He is giving other matters that are not answering the question. We want the names of the persons and the hon. Minister does not want to mention the names. Read the names and the cost!

**Hon. A. Ramrekersingh:** Madam Speaker, I have no difficulty in reading the names and the cost. But, for the purpose of continuity in handling this, I will then give the list of the names and the cost so that we would have some order. *[Interruption]*

Tourism: During the visit to the United Kingdom the Taj International Hotels Group—

**Mr. Maharaj:** Madam Speaker, I did not ask that question and if the Minister wants to make a ministerial statement he can make it. *[Interruption]*.

**Mr. Valley:** The Member cannot tell us how to answer questions.

**Mr. Maharaj:** Yes, but there are rules. Madam Speaker, there are rules; this is not a platform for the PNM! This is a platform for the Standing Orders of the House! Answer the question! *[Interruption]*

**Hon. A. Ramrekersingh:** I understand the concern of the hon. Member. However, travel cannot be taken in a vacuum. There must be objectives associated with travel, and when the travel has been completed, we need to put the objectives against achievement or potential achievement. *[Interruption]*

**Mr. Maharaj:** Madam Speaker, I am objecting! The question is: Could the Prime Minister state to this honourable House the cost to the public of Trinidad and Tobago of his recent trip to Cyprus, the United Kingdom and the United States of America? If the hon. Member makes statements other than dealing with that we are entitled to debate it.

Secondly: Could the Prime Minister give the names of the persons who formed part of the official party at each of the destinations and could he inform

this honourable House of the expenses incurred by the Government of Trinidad and Tobago for having those persons as part of the trip?

All that the hon. Minister is saying there is part of a debate, and if the Minister wants us to debate it, we will; but he must answer my question! I could understand why the hon. Member for San Fernando East gave it to the hon. Member for St. Joseph—because he knows it is not an answer.

**Hon. A. Ramrekersingh:** Madam Speaker, where exactly are we?  
[*Interruption*]

**Madam Speaker:** The question is: Could the Prime Minister state to this honourable House the cost to the public of Trinidad and Tobago of his recent trip to Cyprus, United Kingdom and the United States of America.

The hon. Member has amplified with respect to the purpose of the hon. Prime Minister's visit and what it has achieved. I think the Member ought to proceed now to tell us the cost of the trip, please.

**Dr. Rowley:** It is a good thing [*Interruption*], they would not have wanted that?

**Hon. A. Ramrekersingh:** Madam Speaker, I was almost at the end of my reply, but I can say the other headings would be discussions to do with tourism, floriculture and transshipment operations.

**Dr. Rowley:** Read it in detail, and give their full designation too.

**Hon. A. Ramrekersingh:** Let me read, therefore, the names of the persons who went on the visits. [*Interruption*]

**Dr. Rowley:** No, no, no, read it! We are reading it!

**Hon. A. Ramrekersingh:** I will take the names and each destination first.

#### Appendix

##### Destination

Cyprus

##### Official Party

The Hon. Patrick Manning  
Prime Minister (accompanied by  
Mrs. Hazel Manning)

The Hon. Ralph Maraj  
Minister of Foreign Affairs

*Friday, May 13, 1994*

His Excellency  
Mr. Rabindranath Permanand,  
High Commissioner  
to the Court of St. James

Mrs. Lenore Dorset  
Permanent Secretary  
Office of the Prime Minister

Mrs. Yvonne Gittens-Joseph  
Foreign Service Officer III  
Ministry of Foreign Affairs

Mrs. Cynthia Joseph  
Secretary to the Prime Minister

Officer of the Ministry of National  
Security

Officer of the Ministry of National  
Security

United States of America

The Hon. Prime Minister Patrick  
Manning (accompanied by Mrs.  
Hazel Manning)

Sen. The Hon. Barry Barnes  
Minister of Energy and Energy  
Industries

Prof. Ken Julien  
Chairman of the National Gas  
Company of Trinidad and Tobago

Mrs. Lenore Dorset  
Permanent Secretary,  
Office of the Prime Minister

Officer of the Ministry of National  
Security

France

The Hon. Patrick Manning Prime  
Minister (accompanied by Mrs.  
Hazel Manning)

The Hon. Kenneth Valley  
Minister of Local Government and  
Minister in the Ministry of Finance

His Excellency  
Mr. Lingston Cumberbatch  
Ambassador designate to Paris

Mr. Richardson Andrews  
Commercial Attaché,  
Embassy of Trinidad and Tobago,  
Brussels

Mr. Rupert Mends  
Permanent Secretary  
Ministry of Energy and Energy  
Industries

Mrs. Lenore Dorset  
Permanent Secretary  
Office of the Prime Minister

Mr. Dennis Phillip  
Senior Policy Analyst  
Investment Division, Ministry of  
Finance

Mr. Jerry Hospedales  
Senior Manager  
Finance and Administration,  
Central Bank of Trinidad and Tobago

Mr. Hilton Braveboy  
Research Broadcaster  
Information Division  
Office of the Prime Minister

**1.55 p.m.**

**Destination**

**Official Party**

Mr. Michael Granderson  
Acting Television Producer II,  
Information Division,  
Office of the Prime Minister

*Friday, May 13, 1994*

United Kingdom

Prof. Ken Julien  
Chairman of the National Gas  
Company of Trinidad and Tobago  
Ltd.

Mr. Bernard Dulal-Whiteway  
Chief Executive Officer  
National Business Advisory Board.

Mrs. Cynthia Joseph  
Secretary to the Prime Minister

Two Officers of the Ministry of  
National Security

The Hon. Patrick Manning  
Prime Minister (accompanied by  
Mrs. Hazel Manning)

The Hon. Ralph Maraj  
Minister of Foreign Affairs

The Hon. Kenneth Valley  
Minister of Local Government and  
Minister in the Ministry of Finance

Mr. Rupert Mends  
Permanent Secretary  
Ministry of Energy and Energy  
Industries

Mrs. Lenore Dorset  
Permanent Secretary  
Office of the Prime Minister

Mrs. Yvonne Gittens Joseph  
Foreign Service Office III  
Ministry of Foreign Affairs.

Mr. Dennis Phillip  
Senior Policy Analyst  
Ministry of Finance



	Mr. Hilton Braveboy Research Broadcaster Information Division Office of the Prime Minister
	Mr. Bernard Dulal-Whiteway Chief Executive Officer National Business Advisory Board
	Mrs. Cynthia Joseph Secretary to the Prime Minister
	Two Officers of the Ministry of National Security
The Netherlands	The Hon. Kenneth Valley, Minister of Local Government
	Mr. Dennis Phillip Senior Policy Analyst Ministry of Finance
	Mr. Jerry Hospedales Senior Manager, Finance and Administration Central Bank of Trinidad and Tobago
Belgium	The Hon. Ralph Maraj Minister of Foreign Affairs

The total sum expended on the official visits mentioned above was \$944,892.34. A comparative figure for an official visit to Zimbabwe in October, 1991, on the occasion of the Commonwealth Heads of Governments Conference, and an accompanying visit to the Federal Republic of Nigeria, was \$1,456,358.67.

*The following questions stood on the Order Paper:*

**Drug Trade**  
**(Foreign Assistance)**

- 86.** (1) Would the Minister of National Security state whether since his Government assumed office any Government or Agency of it offered any assistance (whether in the form of money or the provision of goods and services) to the Government of Trinidad and Tobago to help it to combat

crime and/or to help it to combat the drug trade and/or to help it to promote law and order and/or to help it to promote national security?

- (2) If the answer is in the affirmative:
- (a) Would the Minister give particulars of the offers?
  - (b) Would the Minister state whether:
    - (i) these offers were accepted or refused or allowed to lapse?
    - (ii) any conditions were to be satisfied by the Government for any of these offers?
    - (iii) the Government satisfied the conditions attached to the offers? *[Mr. R. Maharaj]*

#### **International Environment Agreements**

- 90.** Could the Minister of Planning and Development state:
- (a) Whether the Government is party to any of the international environment agreements which resulted from the United Nations Conference on Environment and Development (UNCED) or the Earth Summit held in Rio in June, 1992?
  - (b) If the Government is a party to the said agreements, could the Minister state what measures, if any, it took under the following conventions, Agenda and Principles:
    - (i) The Climate Change Convention to take measures aimed at reducing carbon dioxide and other greenhouse gas emissions to 1990 levels by the year 2000?
    - (ii) The Biodiversity Convention to identify and monitor their genetic resources in terms of plant and animal life and to set up protected areas to safeguard them?
    - (iii) Agenda 21—an environmental action plan for action to be taken at international, national and local level to promote sustainable development?
    - (iv) A statement of principles on sustainable forestry management which outlines ground rules for a country's management of its own forests towards sustainable development of the forests?  
*[Mr. R. Maharaj]*

**Attorneys-at-Law  
(Retainment)**

**100.** Could the Attorney General and Minister of Legal Affairs:

- (a) Give to this honourable House the names of the attorneys-at-law and the sums it incurred in retaining attorneys-at-law since it got into office in 1991? Please give the purposes for which the lawyers were retained and the amount of moneys paid or owed to the lawyers.
- (b) State in each case the reason or reasons it was necessary for the Government to retain the attorneys-at-law instead of using an attorney employed with the state? [*Mr. J. Humphrey*]

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Madam Speaker, we are asking for a deferral of three questions. Nos. 86, 90 and 100, for a period of one week.

*Questions, by leave, deferred.*

**URP Estates**

**93. Mr. Krish Jurai (Nariva)** asked the Minister of Works and Transport and Minister of Local Government:

Would the Minister state the following with respect to work being undertaken on URP Estates:

- (a) the names and location of estates on which work is being undertaken by URP workers?
- (b) Why it is that only well-known PNM party supporters and activists are given regular jobs on these estates and the unemployed, poor and destitute persons are not given any employment on these estates?
- (c) What sums of money are spent on each of these estates per year?
- (d) What is the income derived from these respective estates per year?
- (e) If these estates are running at a significant loss, why does the Government continue to be involved in these ventures?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Madam Speaker, in 1989, the former administration initiated a programme of rehabilitation of agricultural estates through the former Labour Intensive Development Programme (LIDP). By December, 1991, 26 estates were part of this programme.

The total expenditure incurred as at December 1991 was \$16.6 million, and the total returns from the investment on these estates over the period 1989 to 1991 was \$180,000. The monthly cost incurred on the estates in December 1991 alone, was \$250,000.

The present administration on assuming office decided that this type of activity was not appropriate for execution by the Ministry of Works and Transport. The Estates Rehabilitation Programme of the former administration was also not economically defensible. The present administration, therefore, took a decision to cease activity on the estates that were state owned and to return those estates that were privately owned to their owners.

Most of the owners of the private estates co-operated with the administration, and as a result, 19 estates have been returned to their owners. Four privately-owned estates remain, however, to be returned.

It is to be noted that in most cases, the former administration entered into long-term contractual agreements to rehabilitate and maintain these estates. As a result of these contractual agreements, the four remaining private estate owners are refusing to accept the return of their estates.

With regard to the three remaining state-owned estates, the infrastructure on these estates has now been satisfactorily rehabilitated, and as a consequence, arrangements are being made to hand over these estates to the Ministry of Agriculture, Land and Marine Resources for its land distribution programme.

The specific data on income and expenditure with regard to the seven remaining estates is as follows:

Talparo Estate, state owned: expenditure—\$167,440.48; income derived—\$1,980;

Caparo Estate, state owned: expenditure \$290,202.32; income derived—\$2,245;

Besson Estate, Mayaro, privately owned: expenditure—\$172,581; income derived—\$11,250;

Madoo Estate, Mafeking, privately owned: expenditure—\$166,935; income derived—\$2,832;

Lakeside Estate, Brasso, privately owned: expenditure—\$215,871; income derived—nil;

Mota Estate, Tabaquite, state owned: expenditure—\$191,757; income derived—\$2,066;

Alcala Estate, Cunaripo, privately owned: expenditure—\$169,049; income derived—\$2,513.

The criteria for employment on these estates are economic need, experience and qualification. The unemployed are also required to seek employment at the respective regional offices of the Unemployment Relief Programme. The programme does not offer regular employment to workers.

**Statutory Bodies  
(Retainment of Attorneys)**

**101. Mr. John Humphrey** (*St. Augustine*) asked the Hon. Attorney General and Minister of Legal Affairs:

Could the Minister state whether the:

- (i) Statutory Boards
- (ii) Statutory Authorities
- (iii) Public Authorities
- (iv) Service Commissions; and
- (v) Government-owned companies,

retained attorneys after the Government got into office in 1991? If it did, could he give particulars of the names of the attorneys, the dates of their retainment, the nature of the case which they were retained to do, the amount of moneys paid or owed to them and the reasons for retaining them in preference to using attorneys employed with the state for the purpose for which they were retained?

**The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion):** Madam Speaker, there are 115 statutory boards, statutory authorities, service commissions and Government-owned companies that are designated majority-owned enterprises. These agencies are governed either by independent commissions or boards and are not required necessarily to consult with or seek the approval of the Government to retain attorneys on their behalf.

**2.05 p.m.**

**OSLO LADY CASUALTY  
(Preliminary Report)**

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Madam Speaker, I inform this honourable House this afternoon of the preliminary report into the OSLO LADY casualty.

Members would recall that on October 31, 1993, there was an explosion aboard the OSLO LADY. This oil tanker was berthed at the Caribbean Dockyard (Caridoc) in Chaguaramas for hull and tank repairs on October 28, 1993. There was an explosion in the starboard tank No. 1 and, unfortunately, regrettably, as a result, five dockyard workers who were on the main deck of the starboard tank No. 1, died.

Given the magnitude of the disaster and the attendant legal and technical computations, it was decided to hold a preliminary inquiry as provided for under section 370 of the Shipping Act, No. 24 of 1987.

A preliminary inquiry is a planned search for evidence in a shipping casualty. It includes the interviewing of witnesses on the one hand and a survey of physical evidence on the other, in an effort to determine the causes of the casualty with the purpose of making recommendations and thereafter taking all necessary and feasible action to prevent the recurrence of a similar casualty.

I wish to advise this honourable House that two investigators were appointed to undertake this preliminary enquiry, namely, the Director of Maritime Services, Ministry of Works and Transport and the surveyor attached to the Maritime Services Division.

The result of the preliminary inquiry established that the general cause of the accident was the failure to render gas free the No. 1 cargo wing tanks. Contributing to the cause, was the failure of both the ship and the dockyard to follow the established safety procedures as laid down in their respective manuals.

With respect to the specific cause of the explosion, it was found that the integrity of the No. 1 starboard cargo tank which was completely closed when repairs commenced, was breached by one of the dockyard workers allowing an explosive gas/air mixture to form which was subsequently ignited.

The preliminary inquiry has reasonably established the causes of the accident and has identified measures which would prevent a recurrence. The following

recommendations have been made specifically to seek to prevent such an eventuality:

1. With regard to tankship owners and managers, ports, terminals and repair yards, it is recommended that they should:
  - (a) review their safety manuals and procedures to confirm that they are in accordance with internationally accepted standards and put in place a system to ensure that the provisions contained therein are followed at all times;
  - (b) review the positioning of shipboard gangways and shore-placed brows in order to provide for the rapid escape of personnel from vessels during such emergencies.
2. With regard to the Caribbean Dockyard (Caridoc), it is recommended that it should:
  - (a) review its safety manual, identifying therein the persons responsible for carrying out the safety provisions, being guided by internationally accepted practices and procedures including the International Safety Guide for oil tankers and terminals;
  - (b) provide safety equipment as required by the safety manual and national requirements;
  - (c) develop emergency plans for the dockyard which should be reviewed by the relevant agency such as the Fire Services and ensure that these plans are exercised at regular intervals;
  - (d) ensure that staff are adequately and effectively trained and equipped for the duties they are required to perform.
3. With respect to Acomart (UK) Limited, the vessel's manager, they should review their safety manuals and procedures to confirm that they are in accordance with internationally accepted standards and put in place a system to ensure that the provisions contained therein are followed at all times.
4. With regard to the Factory Inspectorate, it should, in co-operation with the Maritime Services Division of the Ministry of Works and Transport:
  - (a) develop regulations on the issue of gas free certificates and work permits to vessels and the authorization of competent persons to issue such permits and certificates;

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- (b) develop and promulgate instructions to competent persons for the conduct of surveys for the issue of gas free certificates and work permits to vessels.
- 5 With regard to the Maritime Services Division, it should bring to the attention of the international maritime community the recommendation in paragraph 9 (1) of the report (which has been tabled earlier in this House) with a view to ensuring that a similar accident does not occur elsewhere.

Madam Speaker, I also wish to inform this honourable House that the Ministry of Labour and Co-operatives, through the Industrial Inspection Supervisor, has made a number of recommendations with respect to the prevention of such tragedies. These recommendations include the introduction of regulations when the proposed Occupational Safety and Health Act is enacted to properly define a competent person in relation to the issuance of a gas free certificate.

In the interim, however, it is recommended that the Fire Service of Trinidad and Tobago ensure that any permit to work system should incorporate certain accepted principles.

The Government, through the Director of Maritime Services, would be actively pursuing the recommendations of the report with a view to ensuring speedy implementation to prevent a recurrence of such an incident which resulted in substantial loss of life and property.

On behalf of the Government, I extend my deepest sympathy—

**Hon. Member:** Only now!

**Hon. C. Imbert:** —to the families of those who lost their lives and suffered loss in this tragic incident.

Thank you, Madam Speaker.

**Hon. Member:** After so long!

**CORPORAL PUNISHMENT  
(OFFENDERS NOT OVER SIXTEEN) (AMDT.) BILL**

Bill to amend the Corporal Punishment (Offenders Not Over Sixteen) Act [*The Attorney General and Minister of Legal Affairs*]; read the first time.



**DANGEROUS DRUGS (AMDT.) BILL**

*Order for second reading read.*

**The Minister of National Security (Sen. The Hon. Russell Huggins):** Madam Speaker, I beg to move that the Dangerous Drugs (Amdt.) Bill be now read a second time.

In presenting this Bill I think it is necessary that it be seen against a certain background. It has to be seen against the background of crimes in this country most of which, no doubt, are drug-related. Secondly, it has to be seen against the background of the Government's obligation to ratify the Vienna Convention. Thirdly, it must be seen against the background of Government's determination to deal with the whole question of drug trafficking and money laundering.

With that in mind, the Government, in 1992, put together a working committee. The main term of reference of that committee was to look at the Dangerous Drugs Act, 1991, with a view to recommending amendments to that Act in order that Trinidad and Tobago could ratify the Vienna Convention. On looking at the legislation it became clear that there was the need to remove certain existing impediments to the effective prosecution of drug offenders being experienced by the office of the Director of Public Prosecutions. Also, the avoidance of problems or the curing of deficiencies in the law relating to confiscation or forfeiture of the proceeds of drug trafficking.

**2.15 p.m.**

Madam Speaker, whilst the Dangerous Drugs Act addresses several of the key legislative requirements agreed to by the various nation states in the Vienna Convention, thus providing the basic machinery for the control of trafficking in narcotic drugs and psychotropic substances and to the laundering of proceeds of such trafficking as required by Article 3, there were two main aspects of the requirements under the article which the legal working group considered were not adequately dealt with in the existing legislation. These were:

1. Offences relating to the possession, manufacture, transport or distribution of equipment, materials, or of the precursor chemicals listed in the Fourth Schedule of this Bill, knowing that they are to be used in or for the illicit cultivation, production or manufacture of narcotic drugs or psychotropic substances, and
2. Offences of money laundering.

I must point out at this juncture, that the 1991 Act was structured along the lines of the 1986 United Kingdom Drug Trafficking Offences Act. This Act was

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[SEN. THE HON. R. HUGGINS]

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amended by the 1988 Criminal Justice Act in respect of confiscation of the proceeds of drug trafficking and further amended in 1990 with the passing of the Criminal Justice (International Co-operation) Act. This latter Act sought to enact further provisions which were considered necessary to enable the United Kingdom to ratify the Vienna Convention, which they did on June 28, 1991.

The Bill before us today is seeking, similarly, to amend the 1991 Act so as to comply more fully with the requirements of the convention. With respect to the existing money laundering offence established by section 47 of the 1991 Act, it was discovered that whilst this section criminalized the wide range of activities falling within the ambit of money laundering, it did not cover two main aspects. These are:

1. where the drug trafficker himself launders his own proceeds of drug trafficking, and
2. activities involving assistance by another in laundering drug trafficking proceeds, so as to avoid prosecution or the making or enforcement of a confiscation order in respect of the proceeds.

Article 3 of the Convention requires national money laundering offences to cover such activity and further requires that the acquisition, possession, or other use of property, knowing at the time of receipt that such property was derived from drug trafficking, should be illegal.

One cannot emphasize enough the need for such legislation to counter this area of criminal activity which has, in the last decade, become a significant international industry with tremendous wealth to be amassed. A major problem, however, ensues upon acquisition of this wealth acquired through drug trafficking: how does one dispose of it? The money launderer has therefore learnt to be creative and find ways and means of securing access to channels which conceal the illegal sources of funds—in other words, make "dirty" money appear clean, and permit reinvestment in either legal or illegal activities.

In order to achieve these goals, money launderers make use of a wide variety of techniques such as currency smuggling; the conversion of cash into negotiable instruments; the use of facilities offered by tax and financial houses; the national banking system; incorporation of front or shell companies, creation of false or inflated invoicing; or entering into fictitious hire-purchase or leasing contracts. In other words, the techniques of money laundering are, in the words of M.E. Beare, an official of the Office of the Solicitor General of Canada—

"...innumerable, diverse, complex, subtle and secret"  
and constantly evolving.

The 1991 Act, therefore, introduced provisions to enable the court to confiscate the proceeds of drug trafficking in an attempt to strike at the root of drug trafficking, by seeking to remove the incentive of acquiring the ill-gotten gains. It is fairly evident that in addressing this kind of criminal activity, fines and imprisonment could never be adequate remedies. Hence, retrieving the ill-gotten gains of the criminal has to be perfected as the ultimate assault in profitable criminal activity. That Act also provided the basic machinery for the forfeiture of property used in committing a drug trafficking offence.

However, although Trinidad and Tobago has complied with most of the requirements of Article 5 of the Vienna Convention which deals with confiscation, the provisions relating to enforcement and recognition of foreign confiscation orders, has not been addressed. This, therefore, brings me to the third objective of the new legislation before us today, with which I shall deal before addressing objective No. 2.

In 1988 when concerned nations gathered in Vienna and agreed to the introduction of the convention, one of the main purposes underscored in Article 2 of the Convention, was the need to promote co-operation among the parties to the convention, so that they could address more effectively the various aspects of the illicit traffic in narcotic drugs and psychotropic substances, having an international dimension. Dr. William Gilmore, Head of the Commercial Crime Unit of the Commonwealth Secretariat has observed that:

"...in seeking to confront this challenge effectively, reliance on traditional unilateral domestic measures is no longer sufficient."

As a consequence of this, one has to acknowledge that when framing domestic policies, the legislature is compelled to consider the international dimension of crime in tackling criminal activity at the national level.

The convention, in formulating its objectives, recognized that the illicit traffic in narcotics had become a pervasive international industry generating huge financial profits and wealth, and one whose tentacles could infiltrate, contaminate and corrupt legitimate financial and commercial activity, and one that is capable of destabilizing the structures of government and societies at all levels. Therefore, it was conceded that states have a collective responsibility to eradicate this scourge through co-ordinated action within the framework of international co-

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operation. Clause 5 of the Bill, therefore, seeks to amend the Act by providing for the recognition and enforcement of foreign confiscation and forfeiture orders as dictated by Article 5 of the Vienna Convention.

Clause 5 also seeks to introduce provisions for interest to be chargeable on an unpaid confiscation order and for the prosecutor to apply for a confiscation order to be increased when further realisable assets have been discovered subsequent to the date when the confiscation order was made.

In conducting its review, the legal working group adverted to the requirements of Article 17 of the Vienna Convention and recommended that legislation should be enacted in consideration of these requirements. This article emphasizes the need for parties to the convention to co-operate to the fullest extent possible to suppress illicit traffic by sea in conformity with the international law of the sea. The measures contained in this Bill in clause 11, will allow offenders caught on the high seas to be treated in the same manner as offenders found on land, and are drafted similarly to provisions in the United Kingdom Criminal Justice (International Co-operation) Act, 1990.

With respect to the second objective contemplated by this Bill, it will be seen that several provisions have been included so as to assist the Director of Public Prosecutions to effectively prosecute drug offenders. These include clause 3 which seeks to reintroduce a provision formerly contained in the Narcotic Control Ordinance 1961 and amended in 1976, which allowed a court to give an alternative verdict in appropriate circumstances.

### **2.25 p.m.**

The Fifth Schedule to the Bill would also amend the Summary Courts Act, Chap. 4:20 to allow for the transfer of cases between magistrates' courts.

This Schedule further seeks to amend the Extradition (Commonwealth and Foreign Territories) Act, 1985, to allow for the onward extradition of a prisoner by the requesting state and to expressly include money laundering offences as extraditable offences, although drug trafficking offences are already referred to in the Act. No doubt this will serve to put the question completely beyond doubt. These latter amendments comply substantially with Article 6 of the Vienna Convention which deals with extradition.

Madam Speaker, in sum therefore, it is the Government's view that it is absolutely necessary for us to put this Bill in place so that the proper foundation and the proper framework will be there so that this country may effectively deal

with the drug problem. I know that we are no doubt going to hear comments about what is happening now and so forth.

Madam Speaker, dealing with this whole problem—

**Mr. B. Panday:** How do you know that?

**Sen. The Hon. R. Huggins:** You are easily anticipated!

**Mr. B. Panday:** Your conscience is guilty! That is your problem!

**Sen. The Hon. R. Huggins:** Madam Speaker, dealing with the drug problem and in particular the money laundering problem is not an easy task. I have heard statements made about—

**Mr. Sudama:** By whom?

**Sen. The Hon. R. Huggins:** —the need for legislation to regulate the real estate industry, the insurance industry and several other industries, but money laundering, being one of the main offences addressed by this amendment, is not easily addressed by simply putting legislation in place. It is going to be addressed and it can only be addressed by ensuring that there is the effective human machinery in place to deal with the problem.

Towards this end, this Government has gone to every expense to ensure that those responsible in the police service for dealing with money laundering activities are properly trained. Through the kind assistance of the United States Government and through our own efforts, several training courses have been held over the past couple of months. Several officers from the Organized Crime and Narcotic Unit have been sent abroad to Canada and the United States for training in investigative techniques in dealing with money laundering.

We have set up lines of communication between the OSS in the Ministry of National Security and the Drug Enforcement Agency, as well as with NSIS in the United Kingdom, and I want to give you the assurance that this Government is putting its best foot forward, so to speak, in attempting to deal with this problem.

**Mr. B. Panday:** Best foot forward!?! Two left foot! Broko!

**Sen. The Hon. R. Huggins:** Madam Speaker, let me assure you that one must not seek to measure the success of any attempts to deal with money laundering or with drug trafficking on the basis of seizures or on the basis of crimes detected. That is not and should not be looked at as the main indicia of the fight against money laundering and drug trafficking.

**Mr. B. Panday:** We have a case of money laundering that we are not dealing with!

**Sen. The Hon. R. Huggins:** Even the United States recognized that. In the *United States Strategy for 1994* at page 62, they stated that:

"It was inappropriate to evaluate the success of the Nation's overall drug control strategy on the basis of seizures only."

They recognized that and I only hope we would recognize it also.

So, it is equally important, to put effective measures in place to prevent the money launderer from laundering his proceeds, and to prevent drug trafficking, but we are working towards this. It is going to take some time. This is not going to happen overnight.

**Mr. B. Panday:** At which time we will have the whole Chinese laundry!

**Hon. R. Huggins:** This is not going to happen overnight and all the blabbering all over the place about nothing is being done is not going to help the situation.

Therefore, it is the Government's view that it is absolutely necessary that these amendments contained in the Bill before us today be put in place, and I wish to commend it to the rest of the House.

Madam Speaker, thank you.

*Question proposed.*

**Mr. Basdeo Panday (Couva North):** Madam Speaker, having regard to the history of enforcement in this country in offences relating to drugs, I think it would be instructive to examine the history of the legislation in Trinidad against the background of the Government's ability or inability, or its refusal to enforce the law. Because we would agree with the learned Minister of National Security that there is need to put in place mechanisms to deal with drug offences.

If we are going to support or argue this Bill, we have to look at the mechanisms. And do mechanisms consist only of law? That seems to be the Government's approach to the whole question of drugs: that the only mechanism that is required to deal with the problem of drugs is legislation. It is against that background that I invite the House to look at the legislation that we have, indeed, had in the country in recent times.

The legislation we have had has more often than not reflected the international moves that have been taken against drugs, as indeed this one is an attempt to ratify or to implement the Geneva Convention.

**Madam Speaker:** Vienna.

**Mr. B. Panday:** The Vienna Convention. Early legislation, such as the 1931 Dangerous Drugs Ordinance recited that it was enacted in pursuance of the Hague and Geneva Conventions. The maximum penalty under that law was that on trial on indictment for certain offences, there was a fine of \$4,800 and up to ten years' imprisonment. This was repealed in 1961 by the Narcotic Control Ordinance which introduced for the first time the concept of trafficking and forfeiture of drugs. That is significant.

So since 1961, the Narcotic Control Ordinance introduced the concept of trafficking and, for the first time, forfeiture of drugs, money and things used in perpetrating the offence such as vehicles and so forth. I think the Government owes it to us to tell us since the introduction of this law, how many occasions there have been of forfeiture, of these things. Because in that Ordinance, section 24 reads:

"When any person is convicted of an offence against this Ordinance, the opium pipe or other article or the narcotic in respect of which the offence was committed and all receptacles of any kind whatsoever found containing the same, and any vehicle, boat, . . ."

And that is what I am talking about. I am not talking about that little pipe. If I ask what was confiscated, do not tell me that a little pipe was confiscated. I am saying that there is legislation which allows confiscation of:

"aeroplane, or other conveyance of any description proved to have contained the opium pipe or other article or narcotic or to have been used in any manner in connection with the offence for which that person has been so convicted, and any moneys used for the purchase of the narcotic shall be forfeited to . . ."

the Government—

". . . and shall be delivered to the . . ."

**2.35 p.m.**

I am hoping. I did not expect that the Minister in opening the debate would come out with those facts. He is right to give the general purport of the Bill, and so on. I am not condemning him for not giving us those figures. What I am saying is, before the debate is over, one would expect that the Government would indicate to the House how many boats. Because, you see, what I am trying to say, is that everybody knows about this black boat. What is the name of the black boat?

**Hon. Member:** John knows it.

**Mr. B. Panday:** John, what is the name of the black boat?

There is a speed boat everybody knows about; they know who owns it, and so forth, which could outrun the coast guard and it is used for drugs. They know that. As a matter of fact, the Minister knows where there is a crack factory. You know that, do you not?

**Sen. Huggins:** No, I do not know.

**Mr. B. Panday:** Of course, you do. You know where there is a crack factory. I will quote the newspaper article in which you said that you knew. But that is beside the point.

The name of the boat is the Cobra. Everybody in Trinidad and Tobago, besides the Minister and the police, knows about the Cobra. It is a black speed boat—

**Hon. C. Imbert:** I do not know about that.

**Mr. B. Panday:** He rides in it every week and he does not know about it.

The point is, I cannot recall a single boat, a single aeroplane—maybe vehicles, I am not sure. But I would certainly like to know, because you have had this power before and the gist of what we are doing here now is that we are trying to comply with the convention and we are dealing with forfeiture and money laundering.

That piece of legislation, as far as I am aware, was enacted in July, 1961. That was about three months after the 1961 UN Convention on the subject. So what I am beginning to wonder is: Is it that every time there is a convention, the Government comes to the Parliament and passes a piece of legislation to fool the international community, and immediately forget about it and not implement or enforce it at all?

Is the Government passing this because it wants to satisfy the Americans that it should get the small amount of money they have for you which they have held back; and to appease the Canadians, who said the Government is not enforcing the law and that is why they are holding back money? I want to assure you that this will not get it, because what they were talking about was enforcing the law, not just passing legislation.

Despite the fact that the UN Convention on psychotropic substances was adopted in 1971, there was no further legislation in Trinidad and Tobago until the



Narcotic Drugs and Psychotropic Substances Control Act, 1985. So here we had a convention dealing with psychotropic substances, and so forth in 1971, and we had passed our legislation in 1961—another convention came in 1971—and up to 1985 we had no movement at all in introducing legislation.

Now that would have been all right if we were enforcing the existing legislation, but we were neither doing that nor introducing new legislation. The 1985 Act, section 5(5) says to increase sentences to a maximum of life imprisonment for trafficking and fines of up to \$50,000 or three times the value of the drug seized.

I do not know; I do not practise in the criminal courts, but maybe my Friend, the learned Member for St. Ann's who is always defending drug people would know. Can he inform me whether there has been any sentence for life under this Act which has been existing since 1985? As far as I am aware, the answer is, no. Of course, it is his right to defend people who are charged with crimes, and drugs, and so forth. In fact, the Attorney General himself did so when he was in practice, and my Friend was a solicitor who instructed.

So that I am not condemning any lawyer. I am not like the Attorney General or the Minister of National Security who said, "hang those lawyers who are trying to file motions". I am not so. I am saying lawyers must do their duty as doctors must, and they must not discriminate. So if people are charged with offences, the lawyers' job is not to judge them, but to put the case to the best of their ability. It is the judges' job to judge them. People do not seem to realize that.

However, my point is, that although we had that legislation since 1985, I do not recall that there was any effective implementation of the legislation.

Section 17 (3) of that Act which repealed the old section 24 of the 1961 Act, with respect to forfeiture, said:

" (3) Forfeiture shall extend—

- (a) to any property which there is reason to believe has been obtained from the proceeds of anything relating to the offence for which a person is convicted under this Ordinance or to a conspiracy to commit any such offence."

I would concede immediately that that is an important piece of legislation, but it is too narrow—and I will come to that later in the course of my contribution—that is to say, you can confiscate property only of persons who are convicted under this Ordinance, or a conspiracy to commit such an offence.

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The big problem here is that the persons who are really involved in drugs are in high places. Those who have anything to confiscate are really people in very high places, and they do not get caught. We have not known of a single person high-placed in this country getting caught. And I will come to that when we come to deal with drugs. But the amount of drugs passing through this country indicates that someone or some group in this country has a very high credit rating among the drug lords. Whether it is Colombia or the cartel, I do not know where they get these drugs from, but whoever they are, they must have a very high credit rating. No drugs of that quantity can pass through here unless there is a guarantee that they will be paid for, or have been paid for. I do not know how they do it.

So that if you are going to confiscate, the law has got to be directed against those people who it has failed to touch so far. What are you going to confiscate, from some brother on the block who is pushing two rocks? He has not got a good pants on his back. You do not wear pants on your back, do you?

**Hon. Member:** At the side of his back.

**Mr. B. Panday:** He has not got anything. The pushers are people who are used. When I say, "pushers", I mean the small people pushing coke and marijuana. They are people being exploited because of the economic situation, and so forth. But all the activity has been directed against those people. Nothing about the big boys. The Commissioner of Police made a most revealing statement the other day.

**Hon. Member:** The Chamber of Commerce.

**Mr. B. Panday:** But that is besides the point. The Act on Forfeiture, that is section 17(3) of the 1985 legislation, said that:

"Forfeiture shall extend—

(b) to any thing into which any such property has been converted. "

Why has there not been a single case of forfeiture of substantial property in this country when it is known by all that there are big people in this country involved in drugs?

**Mr. K. Valley:** Like whom?

**Mr. B. Panday:** Well, I will tell you how we are going to deal with this "like whom" thing just now and I hope you agree with me. We are going to suggest investigations and where there are any allegations of suspicion of laundering, we are going to suggest that you set up an inquiry into it—and I might mention a few before we finish today.

**Mr. K. Valley:** Game-playing!

**Mr. B. Panday:** My Friend calls that "game playing."

**Mr. Sudama:** Well, why are you passing these laws?

**Mr. B. Panday:** Exactly! I want to finish the examination of the historic consequence of this legislation. In addition to a new section 24 which was introduced into the 1985 legislation, for the first time the President was given power to direct that anything forfeited under that Act, other than narcotic, be restored on such terms as he—sorry, that is your new section 24 which I will want to talk about. For the first time we are seeing something here in this legislation that the President is going to have power to restore things that have been forfeited. That is the new clause 24 [*Inaudible*] I think the Senate amendments dealt with that. [*Interruption*] That is one good step.

**2.45 p.m.**

I think this country adopted the United Nation Convention against illicit traffick in narcotic drugs and psychotropic substances—we signed that on December 7, 1989. [*Interruption*] I beg your pardon.

We signed the agreement, and I ask the hon. Minister: What has happened here? That is to say, after the 1988 UN resolution—and following its convention against illicit traffick in narcotic and psychotropic substances—although Trinidad signed that agreement on December 7, 1989—I ask: Why have we not ratified that Convention, even as of now? Is it necessary to pass legislation before you do? If that is the case then I commend you.

In 1991 there was another piece of legislation called the Dangerous Drugs Act which made an attempt to deal with the 1988 Convention and extended the definition, of trafficking to include facilitating the retention or control of another person's proceeds of drug trafficking or, assisting such a person to acquire other property with those proceeds.

As I recall, clause 47 is now dealing with that, but under the Confiscation and Forfeiture Orders and Restraints, all orders became possible under that Act and we are hoping this would have complied with the convention.

It is our view that the 1991 Act fell short of the Convention's requirement in several respects. In introducing the Bill, the then Minister of National Security had agreed, I think, that the Act did not fully comply with Article 3 of the Convention. As he rightly pointed out earlier on, that relates to persons who

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transport, possess or manufacture precursor chemicals listed in the Fourth Schedule of the Bill. That would make it an offence only if there is reasonable ground to suspect that it will be used in the production of dangerous drugs.

That has been the history of our legislation and I do not wish to go into the details of it—I would leave that for my other colleagues. The points I wish to deal with are some raised by the hon. Minister who gave the background and said that this legislation must be seen against the drug related crimes in the country. We agree with him absolutely that crime in this country has escalated—I believe that as of last night there were 69 murders in the country; we have not reached half of the year as yet, and by this morning I am sure we have reached 70—and it is believed that most of these crimes are drug related.

The point I wish to make is that if the Government is going to do anything about crime in this country, it first has to do something about drugs. We in this House want to know why this Government is not making a serious attempt to deal with drugs. That is our problem! We cannot figure out why!

The second reason the Minister gave is that the Government has an obligation to ratify the convention. The third reason—with which I do not agree—is the Government's determination to deal with drug trafficking and money laundering. If the Government was serious about that, it would investigate itself first because the Government has to implement the law. If it has to implement this law, it would have agreed to our request for an inquiry into money laundering in its Cabinet. If it does not do that, then it cannot *[Interruption]* Not you, Sir; I am sorry. I should really be addressing this to the Prime Minister. If the Government cannot do that, where is its credibility as far as enforcing this Act is concerned?

Let me deal with the new clause 47 that is going to be introduced into the Act which reads:

- "(1) A person is guilty of an offence if he—
- (a) conceals or disguises any property which is, or which, in whole or in part directly or indirectly represents, his proceeds of drug trafficking;..."

That is to deal with the drug traffickers themselves, I imagine.

- "(b) converts, transfers or disposes of that property or removes it from the jurisdiction, for the purpose of avoiding prosecution for a drug trafficking offence or the making or enforcement in his case of a confiscation order..."

- (2) A person is guilty of an offence if, knowing or having reasonable grounds to suspect that any property is, or in whole or in part directly or indirectly represents, another person's proceeds of drug trafficking, he—
- (a) conceals or disguises that property; or
  - (b) converts, transfers or disposes of that property or removes it from the jurisdiction,

for the purpose of assisting any person to avoid prosecution for a drug trafficking offence..."

he is guilty of an offence.

My question is: Why does the Government need to put in "for the purpose of assisting any person to avoid prosecution" and so forth? If someone helps another to remove drug money for any purpose at all, it should be an offence; not only make it an offence if it can be proved that the purposes for which he moved money or assisted to remove was to avoid prosecution. *[Interruption]* That is the point; you will never prove something like that.

The Government is hamstringing itself; drug money is drug money no matter what people do about it—whether they move it, touch it or deal with it et cetera and the Government, the state or the prosecution should not have to prove an intention, the purpose being of avoiding prosecution or the other conditions, for example, for the purpose of assisting any person to avoid prosecution for a drug trafficking offence or to prevent a confiscation order. I think you would want to look at that and see whether you want to change it.

**2.55 p.m.**

The Minister rightly pointed out that Article 3 deals with the whole question of money laundering. There is a clause in this new legislation that bothers me. It is clause 47(5). After you have created this offence of trafficking, you introduce a clause which says:

"It is a defence to a charge of committing an offence under subsection (4) that the person charged acquired the property for adequate consideration."

I really do not understand the rationale behind that provision. What is the offence you are trying to deal with?

"47(4) A person is guilty of an offence if, knowing or having reasonable grounds to suspect that any money or other property is, or in whole or

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in part directly or indirectly represents another person's proceeds of drug trafficking, he receives, possesses or converts that money..."

He commits an offence. Then you say, but it is all right if he receives a fair price for the goods. We have heard—and we do not know—that many big drug traffickers are converting their proceeds from drugs into real estate. Rumours run rife that in Port of Spain, Chaguanas and in San Fernando drug lords are buying out property, and they are doing so under pseudo names, agents—they are selling cars to dealers, I do not know—lawyers too. *[Interruption]* That is right. I am glad you know about it because I hope you will prosecute the lawyer. Are you coming for him? I hope the trail does not lead back to your office. You know how these things tend to lead back into the bedroom.

My question on this one is: What is the difference if I sell my motor car? Let us say I was a Minister, and I use my office to get a licence to purchase a foreign car. Having purchased this motor car I decide—whether it is to save gas—to sell this motor car to a drug baron, and I know he is a drug baron because he is my partner—people took out photographs of us together—my home-town boy, my partner. As a matter of fact, police may have held him driving my car. But I sold that car to that known drug person for a consideration, which is a reasonable price. Do you know what you are saying?

"It is a defence to a charge of committing an offence under subsection (4) that the person charged acquired the property for adequate consideration."

If it is adequate consideration that is all right. I know what you are trying to do. You are trying to say the property cost \$300,000.00. A drug lord wanting to convert his money into property and launder it, gives you \$900,000.00 for it. Then you would say, this man should know that this thing is only worth \$300,000.00; he is giving me \$900,000.00. That is bound to be drug money. I know the point you are making. That is a good point.

Therefore, you can say *prima facie*, if your property is worth only \$300,000.00 and you are accepting \$900,000.00 for it you must have known that this money, if not drug money, could be proceeds of some kind of illicit act. I agree with that, and I say that is okay. But do not in so doing—let me put it this way: In order to make prosecution easier you are putting this in—No, I do not think so. It does not help you to make prosecution easier at all.

Because, if somebody paid \$900,000.00 for \$300,000.00 you can say yes, that is *prima facie* knowledge. But suppose the consideration is a normal consideration; that instead of \$300,000.00 he pays \$350,000.00, you are saying

that once the consideration is okay, in that sense, people could sell their property to drug lords. I am saying that you should remove this clause as well.

As I said, I do not wish to dwell too much on the details of this Bill. I am sure there are people in this House much more capable than I am of dealing with the details. I want to deal with the political implications of a Bill such as this.

The Bill focuses on money laundering, but on money laundering insofar as it relates to drugs. I am asking, what is the difference between laundering drug money and laundering money which was obtained by corruption? What is the difference? What is the difference in laundering money earned by prostitution? Corruption of Government Ministers. Suppose—I am supposing this afternoon—someone told me that we have in Trinidad and Tobago the most promising Prime Minister: every night he is promising somebody something—well, I am a supposing Leader of the Opposition today.

**Mr. Manning:** I am promising Hulsie some stability.

**Mr. B. Panday:** Suppose a government is involved in solving corruption—this laundering law does not apply to them. I am saying if the government is serious about giving people the impression that it is concerned about dealing with crime in this country, then it must have legislation to deal with that too. *[Interruption]* I beg your pardon?

**Sen. Huggins:** Which law?

**Mr. B. Panday:** I do not know which law. If the Member can tell me which law it is, I would be happy to know which law can deal with Members who try money laundering with respect to acts of corruption.

We have a history in this country of people who have been in government and who have been involved in massive corruption. As a matter of fact, there was one person who was chairman of the party in power at the moment, and, while another government was in power, he left the country and ran. As soon as the PNM came back, he came back here. He has property and was known to be corrupt. One died in Canada. You can launder money that you steal from the people. Is that not the same as killing them? It is just like allowing them to have drugs to blow their minds and kill themselves. When people are allowed to steal public funds, is that not also depriving people of food, clothing and shelter?

**3.05 p.m.**

I think we ought to introduce a law similar to that of the Barbadians. They have introduced a Proceeds of Crime Act. What I was wondering is why we do

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not introduce a Proceeds of Crime Act as the Barbadians did in 1990, in which all the proceeds of crime are subject to confiscation? This includes crime by the Government or corrupt public officers who amass large fortunes, or crimes of persons dealing in drugs.

The Barbadians have gone way past us in this regard. For example, we have reports about people who are associated with the Government having large houses in Atlanta. Why do such persons have to be convicted of a drug offence before we can enquire into their possession of houses in Atlanta and Toco? They have multimillion dollar houses all over the place.

You say we do not want to support you, but we are prepared to support you on a Bill that speaks about the proceeds of crime, a Proceeds of Crime Act, which does not say that you have to be convicted of an offence, because you are never going to catch the real persons involved in drugs in this country. Never! If you have a Proceeds of Crime Act, you do not have to wait until someone is convicted.

If persons are enjoying a standard of life which cannot be accounted for by their income or any amount of investment would permit, the DPP, or whatever machinery is there, should be able to enquire into how such persons came by such property. If the Government really wants to deal with crime, that is the way to proceed. Pass this Bill because the Convention needs to be ratified, but if the Government really wants to deal with crime, it has to pass legislation of a much wider scope.

There are people in this country with a tremendous amount of property. How they got it, no one knows, but there is no law demanding that they say, " how they came by that. There should be that kind of law with respect to any crime, whether it be drugs, corruption by Government officials, gun running or prostitution. If you see people with large houses, big buildings and big businesses, they should account for them. *[Interruption]* One person in the whole PNM, at least, agrees with me. Thank you, my dear brother. Before the end of the year, I am sure it will be more.

When legislation like that is passed, then Government would indicate to this country that it is serious about combatting crime. It would go further than this Bill because those dishonest people do not have to be involved in drugs. If they are, they are caught; if they are not, they are still caught. We commend the Proceeds of Crime Act to the Government.

We feel that the Government will never introduce this legislation because, first of all, we suspect that it will never enforce this Act. There has been



legislation existing in this country for several years with respect to forfeiture of property, but there has not been a single case of forfeiture yet. Why should I believe that this Government will enforce the present legislation it is seeking to pass?

Our support of this Bill will depend on the Government credibility. We say that there is a glaring case involving the Prime Minister and a motor car which is in the hands of a person involved in drugs, and the Government is asking us in this House to give it the power to deal with people with respect to money laundering, when a great cloud of suspicion hangs over the Head of the Government in this country and it refuses an inquiry. Why refuse an inquiry? No one is making allegations against him. Nobody!

As a matter of fact, every night I speak in Laventille, I start off by saying that I make no allegations against the Prime Minister. What I do is I read a statement where he said, in this House, that the allegations were totally false since he does not know the man to whom the car was transferred; that he transferred it to a Mr. Subance. All that is there. I tell the people, "All I can say is that I have a certified copy in my hands, and in law this is *prima facie* evidence of the truth of what is written there. I do not see Subance's name on this. All I see is, an entry at Item 83, Patrick Augustus Mervyn Manning of 45 Union Park East Road, Marabella on November 21, 1983, transferring a motor car to Nankissoon Boodram, whom everybody knows as Dole Chadee, on February 7.

All we know is that the police station has a record of this man driving the car two days before it was transferred. We know that when we look at the back of the certified copy we see that when the Prime Minister insured the car, unlike most people who buy a car they intend to keep and insure it for a year, he insured it for 12 weeks, which clearly is an indication that he intended to get rid of it. *[Interruption]* No, no, it is not an indication of that; it is an indication that he knew gas was going up. *[Laughter]* Oh, no, not an indication, an implication. In that three month period he probably suspected gas was going up and he suspected that he might have—*[Inaudible]*. It does not matter. What does this do? I have photographs here and when the time comes I will show them.

My point is, how can we on this side feel comfortable when such allegations remain hanging in the air and the Government comes to this House and says it wishes to deal with money laundering? Do you know what is important? If the Prime Minister was serious about this he would say: "Have an inquiry. I would prove that I am not guilty of money laundering. For example, I would prove that

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the money was not paid in cash". How do we know that the money was not paid in cash?

If the money was paid in cash, it is likely to be a drug laundering transaction. Usually people pay by cheque. If it was paid by cheque, fine! Was the cheque from Substance or someone else? These are important things. You cannot leave these things hanging in the air. We are dealing with the credibility of the Government, which is important. We are dealing with people internationally who are looking at us to see what is going on.

Precedent to our support of this Bill is the agreement of the Government to set up an inquiry into the possible involvement of Members of the Cabinet with drug people.

**Madam Speaker:** The hon. Member's speaking time has expired.

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [Mr. R. Palackdharrysingh]

*Question put and agreed to.*

**Madam Speaker:** Before the Member continues, I wish to advise members in the public gallery that the Member for Couva North is making his contribution and I want no comments from anyone in the public gallery. I would have to remove you if you persist in making comments.

**3.15 p.m.**

**Mr. B. Panday:** Thank you, Madam Speaker. I had earlier alluded to the Barbados legislation about the Proceeds of Crime Act. In our legislation, there seems to be no provision that has the kind of teeth that demands information, but section 60 of the Barbados legislation to which I was referring, provides for the access of information and documents held by government departments. I will tell you why that is important.

**Mr. Maharaj:** Freedom of information.

**Mr. B. Panday:** That is right, so we come back to the Freedom of Information Act, and we are dealing with exactly what the Barbadians were trying to deal with; we are appealing for it. Do you know why, because, Mr. Pindling, the Prime Minister of that country was alleged to have been involved with drug lords. [Interruption]

**Hon. Member:** The Bahamas.

**Mr. B. Panday:** What did I say?

**Hon. Member:** You said Barbados.

**Mr. B. Panday:** I beg your pardon. *[Interruption]*. I was trying to pick up some of the vibes from the other side, but I am not getting any.

A similar situation is developing here. The Prime Minister of another country was involved, and do you know what happened? They have laws too, you know! Do you know that they could not touch the Prime Minister? It is only now that the Prime Minister has left, that they have passed legislation; they are now talking about needing to have information held by government departments. I will tell you why that is going to be extremely important to us.

If one really wants to deal with drugs, laundering of money and so forth, one does much of it through real property. Therefore, there must be access to information with respect to deeds that are registered in the Registry.

**Mr. R. L. Maharaj:** In phantom companies.

**Mr. B. Panday:** That is right. And I will tell you what I mean when I say that if we had a Proceeds of Crime Act here how that kind of legislation would deal with the situation much better than the one we are talking about. The Government should put its officials in the Registry and give itself power—the Director of Public Prosecutions or whoever it is—that whenever there is a transaction involving the sale and/or conveyance of property, police would be alerted. Just like the banks! We are dealing only with the banks here. I am saying that while you are looking at the banks to monitor laundered money, the fellows are laundering money in the real property sector.

The police should be informed when there is a suspicious movement of property, and generally drug lords are buying property in the names of other people, not in their own names, obviously. You must have the power to enquire from that person: Where did you get that money? If that is not done you will not deal with property because your drug men are going to pick out any man. He is going to pick out his workman; he will pick out his yard man and he will buy property worth half a million or one million dollars and put it in his name, whom he has under a gun all the time. He will launder his money in that way and the Government will be looking at the bank.

What is needed to be done is that the Government might have the power—*[Interruption]* That is what I said, that piece of legislation, Proceeds of Crime Act by the Barbadians, is an extremely important one. You must have the

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power—the man does not have to be convicted of anything! If people in this country want you to deal with the drug problem, then they have to succumb to certain inconveniences—if I may put it that way. One inconvenience is that if one buys property one must be able to show where the money came from.

Whether it is a town house and you already bought another house, whatever you buy, the police should be able to come and ask you—even if you are the Prime Minister—where did you get the money to buy this or where did you get the money for that and so forth? *[Interruption]* I have no objection to that sort of thing! From the time they come to ask me where I get the money to repair my house, I will show them the mortgage deed. I would not be angry at all if the police came to me and said: "I have received a report, and where did you get the money from?", I would be happy to tell them, "Here it is. Kindly go to the bank and enquire." That is important.

Enforcement, in my humble and respectful view, going to be the problem with this piece of legislation. Who will implement the law? The other question is, what if the Government refuses to implement the law? That is another point. When we had Mr. Pindling there, and we had the allegations made against him—I hope this does not go down on record that I am making any allegations against Mr. Pindling; I am not. I am merely stating the fact that allegations were made against him, true or false.

The point is, that the Government at that time being the accused, there was no way in which there could have been an investigation. My argument on this side—the Government may not be the accused on this occasion, but it may be friends of the accused. It may be people who gave the party very large donations and so forth, and therefore, the government, the enforcing authority refuses to enforce; what is going to happen then? If the Government is serious about this legislation, it has to introduce mechanisms into this Act which will provide for the Government to implement.

There are new mechanisms required, and of course we will suggest one immediately, and that is, agree to set up a Standing Parliamentary Committee of this Parliament on Crime and Corruption. If you agree on that, the first case we will investigate is the Prime Minister *[Interruption]* Just to clear him, I want to clear him, you know! *[Interruption]* I want to clear you because everywhere I go people ask me, "What kind of Prime Minister do you have? All this happening and the Prime Minister is doing nothing?" I want to clear his name, because everywhere I go people are giving me jokes. I want to clear the Prime Minister's

name, and I say, agree this evening to the setting up of a Standard Committee of Parliament on Crime and Corruption.

This is going to help us when the Government refuses to implement and the one thing you cannot *[Interruption]* There is an allegation, my Friend, and I have some photographs with him knocking some glasses. I have photographs of my Prime Minister attending the funeral of a gentleman by the name of "Elephant Walk." *[Interruption]* No, no, my Friend. You did not attend. No, no, not you. The photographs with Dole Chadee? I am sorry, I am probably mixing it up. *[Interruption]*. The photographs with you and Dole Chadee or Elephant Walk, I probably have it mixed up at this stage.

**Hon. Member:** You have it mixed up whole evening.

**Mr. Manning:** I think that the hon. Member for Couva North is now becoming very irresponsible. If the Member for Couva North has photographs of individuals, he should lay them on the Table. This is really getting out of hand.

**3.25 p.m.**

**Mr. B. Panday:** No, the one I have is where the Prime Minister is at a gathering. That is the one I have. I am not going to take it out of my files, I will circulate it. Maybe, that will help.

To get back to the point.

**Hon. Member:** How low! How low will you go?

**Mr. B. Panday:** It is when the Prime Minister sells a motor car to Dole Chadee that one is being low, not when I raise it. The Member is always missing the point. Somebody sells a motor car to Dole Chadee, I raise the matter, the Member asks how low can I get!

Madam Speaker, I will tell you why I am so afraid of the Government and its implementation. I am reading from page 1 of the *Trinidad Guardian* of November 1, 1993, which says:

"Crack cocaine factory in TT, says Huggins."

**Mr. Maharaj:** This same Huggins?

**Mr. B. Panday:** The Minister of National Security, Russell Huggins, and I cannot remember seeing a disclaimer:

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"Minister of National Security Russell Huggins claimed that this country had a crack cocaine factory, child prostitution, 10-year-olds as criminals and maxi-taxi drivers conductors committing sexual offences against school girls."

I congratulate the Minister on such knowledge. I simply ask: Where is the coke factory? Unless the Minister was ramajaying and playing the fool, now is his chance to say where the coke factory is, and to tell the country why he has done nothing about that coke factory.

**Mr. Maharaj:** Did he pass that information to the Commissioner of Police?

**Mr. B. Panday:** Does the Minister have an interest in the coke factory? Does the Minister not speak to the Commissioner of Police? If the Minister goes to a newspaper and says that he knows of the existence of a coke factory, does he know what he is doing to the image of this country internationally? When people read a newspaper saying that the Minister of National Security knows about a coke factory but he has done nothing about it, the irresistible conclusion is that it is his.

Let me show the media—the media are shining on both sides today.

In the *Express* of October 13, 1992 it states:

"Mottley: We know the drug pushers."

Members opposite go to public meetings and say that they know about the coke factory, they know who are the drug pushers—and I will read if I am wrong, Minister, I stand corrected, but it says:

"Finance Minister Wendell Mottley said yesterday that Government could gain control of the drug problem in Trinidad and Tobago because 'we know who everyone is'."

Why would the Minister say such a thing, if it is not true. And I do not believe he would say it if it is not true; I believe it is true. I believe they know who they are, and I believe he is quite right, the Government can gain control of the drug trade. I know that. My big question is: Why has it not? I am saying that the implication is that the Government has an interest in perpetuating the drug trade.

"Mottley was speaking at the official opening of the 11th Training Programme in Narcotic Enforcement and Interdiction of the Customs and Excise Division in the Ministry of Finance."

So he could not be making jokes. He was speaking to people who are involved in drug interdiction, telling them that he knows who are the drug people. I quote from the hon. Minister:

"The Government has no choice but to move hard against the effect of this drug. We are confident we can gain control of the drug problem because we know who everyone is. "

Now, if the Government knows who everyone is, it should not say that publicly. It is as what happens in the police service. We are told that whenever there is going to be a raid one policeman tips off the drug lord that they are coming, move everything. The Minister is behaving like that policeman; he knows who the drug lords are and he is telling them that he knows who they are and that he is coming. You do not tell them you know who they are; you go and arrest them. You do not go to the newspaper and say: "We know where there is a crack factory"; you send your 300/400 policemen and soldiers to surround the place and get right down and grab them. That is what you should do.

When people read that there is one Minister who knows who the drug lords are, there is another Minister who knows where the crack factory is, but nobody was arrested and no factory was closed, I say, we are playing with people's lives in this country when the Government behaves in that way. That is irresponsible behaviour. It is irresponsible for the Government to alert the drug lords of how much information it has.

In this farce the Government is supported by no less an institution than the *Guardian*. I have with me, a collection of editorials of the *Guardian*, which leads to the inevitable conclusion that there are some people on that editorial staff who have a direct interest in the protection of people.

**Hon. Member:** Say that outside!

**Mr. B. Panday:** I have it all here. I will say it outside; I say it here; and I will say it everywhere. I say this because it is noted in the newspaper that the opinions expressed by the columnists are theirs. The editorial opinions are theirs.

When Mr. Rodwell Murray raised the issue they jumped on his back; they prosecuted him:

"...Murray seemed to indicate that all the rumours which have been circulating throughout the country about Policemen being involved in drugs are actually true."

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That same editorial let Rodwell Murray have it left, right and centre. And of course, I launched an attack on them, saying that instead of calling for an inquiry, they called for an attack on Rodwell Murray. We are lucky that the Government made a mistake and held an enquiry in that case, the results of which proved that what Rodwell Murray was saying was correct.

Rodwell Murray talked about a cartel. Now, a cartel has a certain definition—OPEC is a cartel—they did not find a cartel as there is in OPEC, but the Yardies found that there were people high up in the police service who were involved in protecting drug people. They did not find a cartel, but they found a group of people.

And so, every time the *Guardian* writes an editorial it never leaves out the Leader of the Opposition. It is for the simple reason that we have dared to attack the drug trade. I could refer to several articles, and perhaps if anybody is here from the *Guardian* he could refer this to his bosses, and they should ask for some kind of explanation as to why the *Guardian* is persistently and deliberately holding out itself as the protector of those people who are involved in the drugs.

In the *Express* of April 3, 1992:

"Rodwell's response"

"Tackling the drug menace;"

"Drug fight"—April 26, 1992;

"Calling in the Yard"

Let me tell you what the *Guardian* do to you when they are ready for you. When they attacked Murray and accused him of being irresponsible, and we on this side attacked them for their attitude towards him, they changed their tune for a short while. By June 26, 1992 they were saying:

"The allegations made by Asst. Commissioner Rodwell Murray that a drug cartel is operating among senior officers of the Service are considered too serious to be ignored."

First they attacked him—

"They may also have gained widespread credence since they tend to support a popular conclusion based on reports that drug trafficking has been taking place with impunity under the very noses of the Police."



**3.35 p.m.**

While all of this is going on, on the question of crime—they have now become the PNM rag—they keep supporting the PNM when they know that the Ministers are merely making joke. There is a report in the editorial here:

"While measures outlined on Friday by the National Security Minister, Russell Huggins, have been the most concrete so far in Government's attempt to wrestle with the international drug trade, we can only look forward to the results with cautious optimism."

Do you know what they were talking about? They were talking about the committee which the Minister had set up. I would like to know how many committees were set up by the Minister to formulate a plan to deal with crime. The recommendations of how many committees have been implemented? What has been the result of all that effort on his part? Madam Speaker, when they are ready to pour scorn on you, God help you!

April 8, 1992. Listen to the dripping sarcasm of this so-called editorial writer of the *Guardian*:

"If it suits Basdeo Panday's political purpose to attack our editorial on Rodwell Murray's "disclosures", then we must allow him the democratic pleasure of so doing. Indeed, we would also commend the Leader of the Opposition for his admirable burst of concern ..."

The cynicism, the wickedness of those people writing an editorial! It goes on:

"Panday in his admirable anxiety to have the Police Service cleaned up, failed to grasp the fairly obvious point we have made."

Then, it goes on:

"... the Opposition Leader failed to mention his favourite demons, the "parasitic oligarchy" ..."

Well, this afternoon, I am mentioning them for two reasons. One, what the Police Commissioner has said, and two, they are bound to be involved because somebody has got to have a great amount of money to pay for the amount of drugs that is passed in here. The cartels do not send drugs to you on credit. One tonne of drugs per month is—

**Hon. Member:** Ask him, he will know.

**Mr. B. Panday:** One thousand kilograms of drugs per month pass through this country. Those who manufacture drugs do not pass 1,000 kilograms of drugs

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to the fellow on the hill who is pushing it; they pass it to wealthy people who have money and who can pay for those drugs. And it explains why these editorials in the *Guardian* have been so vitriolic against the Opposition in this country. This same article states:

"The Opposition Leader who is now splendidly agitated by Rodwell Murray's charge was not impressed by an investigation which was held in public for several months and, as we pointed out in our editorial, produced a mass of damning first-hand evidence about the operations of the Narcotic Squad..."

They must bear their share of blame. They did more than actually attract blame unto themselves—they attracted suspicion. When the Government fails to implement the very laws it has passed, one cannot depend upon the press. One cannot depend upon the Government. One cannot depend upon the police because the evidence is that the police service is rife with corruption and so forth.

You are giving power, therefore, to a body of people on whom, first of all, a cloud of suspicion of crime involvement hangs over their heads; to a police service against which there have been allegations that large numbers of policemen are involved in drugs; to a Director of Public Prosecutions Department that cries out every day that it does not have the resources to prosecute. Do not depend on the newspapers because they are on your side.

**Mr. Maharaj:** Advertising dollars!

**Mr. B. Panday:** I have a very instructive little pamphlet here. I am sure that the writer of this article had a particular person in mind. It asks: "Are you a money launderer?" This pamphlet is entitled, "Money Laundering" published by the Ministry of National Security Counter-Narcotics Public Education Programme, produced by the Office for Strategic Services. It reads:

"Are you a money launderer?"

In Trinidad and Tobago the law pertaining to Money Laundering is contained at Section 47 of the Dangerous Drugs Act, 1991. According to this law, you are a money launderer and subject to criminal prosecution if you enter into any arrangement which will assist another to retain the benefits of drug trafficking."

That is the point I raised about the allegation against the poor Prime Minister. That is an allegation we have to decide upon.

"You assist another to retain Drug Trafficking benefits if you KNOW or SUSPECT that the person for whom you provide the above services is a person who carries on or has carried on drug trafficking or has benefited from drug trafficking, and by:

1. Facilitating the retention or control of another person's proceeds of drug trafficking either by concealment, removal from the jurisdiction, transfer to nominees or other similar transactions (e.g. cash purchase of single premium life insurance)."

Or a motor car, or a town house, anything!

- "2. Using another person's proceeds of drug trafficking to secure that the other person has funds at their disposal (e.g. the cash purchases of travellers' cheques or bankers' drafts at banks).
3. Using another person's proceeds of drug trafficking to acquire property...".

That is the point I was making.

**Madam Speaker:** The hon. Member has two more minutes.

**Mr. B. Panday:** Thank you, Madam Speaker. If you are saying that a drug launderer is one who uses people's money to acquire property, where in this legislation is the mechanism to deal with property transactions of which I spoke? There is none whatsoever!

Madam Speaker, thank you for reminding me that my time is over. There is much more I would have liked to say on this matter because it is an extremely important matter. The Government owes us much explanation in this House. The most important explanation it owes us is why it is refusing to establish credibility among the Government.

I am hoping that before this debate is over, Members will not just get up and talk about irresponsibility and so forth, but will genuinely seek to find common ground with us, so that we may be able to get together and introduce meaningful legislation such as the one I spoke about—the Barbados Act—and not only seizing properties obtained from illicit drugs but from other forms of corruption as well.

Madam Speaker, I await their response.

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**3.45 p.m.**

**The Minister of Social Development (Dr. The Hon. Linda Baboolal):** Madam Speaker, I rise to support this amendment Bill which seeks to deal with the unlawful possession of precursor substances, increased fines for drug offences, and so on. I start by congratulating the Minister of National Security on bringing this Bill to the House, in order to remove whatever impediments there may be in the prosecution of offenders. I will leave the matters raised by the Member for Couva North to the legal luminaries on this side to deal with, because I am sure that they will be more than capable of so doing; I will attempt to deal with the human aspect of this Bill.

**Miss Nicholson:** The Member for Port of Spain North/St. Ann's West is the only legal luminary there.

**Dr. The Hon. L. Baboolal:** When we look at this Bill, we see a list of substances in the Fourth Schedule—[*Interruption*]

**Madam Speaker:** Order!

**Dr. The Hon. L. Baboolal:**—which are called precursor substances. Madam Speaker, when you go down that list you will see that most of them are innocuous substances. In fact, many of them are very well-known chemicals. Some of them are pharmaceuticals; some of them are used in ordinary industry, but when they are used in the drug trade, they become lethal because they are used to produce lethal substances.

I think we know by now—because it has been about 10 years or more since there have been discussions and education on the subject—that cocaine is one of the most addictive substances known. What is interesting is that precursor substances are used to convert the cocaine powder to what is known as rock or crack. Cocaine as a powder, is used as an inhalant. But in Trinidad and Tobago we had to be different!

I remember in 1983 when I was doing voluntary work with the New Life Ministries, we in this country knew nothing about cocaine addiction; my Friend the Member for Tabaquite will agree with me there, as with, the Member for Chaguanas, because she also became very much involved in the scene as it was at that time. We worked together for a period. We knew nothing about cocaine addiction medically, or as a country, and we had to learn.

An expert from San Francisco visited Trinidad in 1983, as we were hoping to get some information from him about the best way, as an organization, to deal

with the growing number of addicts who needed help. When he came and saw how the cocaine was being used, he was appalled! Because the cocaine was being processed using precursor substances to produce what was then, and still is, known as "rock" and what became known as "crack" in New York. This "rock" is then smoked.

What was very interesting was that in Trinidad and Tobago we even went on to produce the "zoosh" bottle, which, I think, everybody now knows about—at that time it was a novelty—and it was through this the addict smoked the rock. The significant thing about the cocaine in that form, is that it is very pure, and when it is used in that form it reaches the brain in eight seconds and it is highly addictive—highly addictive!

This expert, in fact, predicted an avalanche, and that is exactly what happened. We were inundated—we were unable to cope with the kinds of problems which arose from the use of cocaine converted into this form—rock or crack as it was called. In fact, that has continued. It is known that when you use cocaine in that form, you can become addicted after using it once, and there were many instances of this.

We used to sit in horror and listen to stories of people. I remember hearing the vivid story of a young man who had come from La Brea to Port of Spain to buy a ring for his fiancée. He had a few thousand dollars in his pocket. Unfortunately, he met friends who persuaded him to go with them. [*Interruption*] Well, that is the wrong word—he met people who persuaded him to go with them to wherever they were going to use the cocaine. Madam Speaker, at the end of about two days he had used out every penny in his pocket. The ring was forgotten and, I suppose, so was the engagement!

We have had stories—and here, again, I know the Member for Chaguanas was involved and I know that she would have heard these stories and, maybe, my Friend the Member for Tabaquite—I do not know how much he was involved in the problem at that time—when people came to us and told us about using out their entire pay cheque. Because when they sat down and smoked one rock, they were not able to stop and would go on and on, and on, until every penny they had in their pocket was spent.

Many people have been damaged for life, because of the effect on the brain, particularly on the right side. The brain does not regenerate, as we all know. Once it is affected, it is affected; once the cells are gone, they are gone for life. All of us lose cells every day, some of us in this House are beginning to show the signs of senility, Madam Speaker, from one cause or another.

**Mr. B. Panday:** True. Like my Friend John, here.

**Dr. The Hon. L. Baboolal:** Whatever it might be—it might be the use of some other kind of drug, Madam Speaker, I do not know. I am not casting aspersions or accusing anybody.

**Mr. B. Panday:** I would win you in a race any day.

**Dr. The Hon. L. Baboolal:** I do not doubt that one bit. I would not even attempt a race with you. But, Madam Speaker, there is no doubt that the brain is very badly damaged by these drugs and many young people today are useless. They cannot function. Many people have ended up in financial ruin—loss of jobs, loss of businesses. People smoked out their businesses in rock and cocaine! Very often they were professionals and business people; teachers, public servants—we had all kinds of people coming in to us at New Life Ministries, at Caura and other places, and I am speaking from my own experience at New Life Ministries. Similarly, Madam Speaker, babies born to women who used cocaine in that form, were being born with tumours and all kinds of abnormalities of the brain, heart, and eyes; and women suffered miscarriages.

One of the biggest problems here, I must say, is that we never gathered statistics. It was very difficult. I cannot go to the maternity hospital, for instance, and bring statistics of the number of cocaine addicted mothers who may have delivered babies, and that is, in fact, a very sad state of affairs. I do not know whether it is being done now, but at that time it was not done. On top of that, we know that drug addiction—substance abuse—has had much to do with the rise in social problems. Domestic violence. It is said that 50 per cent of spousal abuse occurs while a partner is under the influence of some drug. Prostitution.

There were horrible stories of young girls prostituting themselves for one "rock"; of boys, similarly. Child abuse. When people are under the influence of a drug, whatever it might be, they are usually violent, and children are sometimes the target of their violence.

**3.55 p.m.**

**Incest:** I think this country has sat and observed a rise in incest. As a medical doctors, my Friend the Member for Tabaquite and I saw a rise in the number of children who were victims of incest.

**Murder:** My Friend the Member for Couva North has pointed out that there have been 69 murders for this year alone, and I think that all of us have reached the point where we are afraid to pick up the newspapers in the morning because we might see another murder.

Suicide: When people are using drugs, they become very depressed and suicide is very often a common result.

Poverty: There is no doubt that many homes today are poor because of the results of drugs. The father, the mother, the breadwinner, may have had a job, may have had a profession, may have had a business, but because of the use of drugs, particularly cocaine, that family is now poor.

It is felt—well, not felt—we know that a number of traffic fatalities and traffic accidents are results of people driving under the influence of drugs, driving under the influence of marijuana, for instance. We know that when one drives under the influence of marijuana or when one operates machinery under its influence, one's whole perception of distance, speed and space within the brain is damaged. Therefore, a person driving under the influence of marijuana is very likely to hit somebody from the rear or be involved in some form of traffic accident leading to maiming, death and a high mortality rate.

When I was at the rehabilitation centre as the medical doctor, we saw cocaine addiction coming from all walks of life. People were sent to us from the large corporations; from the protective services. We had people coming to us from the army and the police service for rehabilitation. As I said earlier, we had public servants and teachers. That was only the tip of the iceberg, because to every one person who came forward for help, there were many out there who were not seeking help.

It was scary and real worrying to think that teachers, under the influence of cocaine and other drugs, were teaching children; that people in the army were under the influence of drugs; that people running businesses were under the influence of drugs. It was a very, very frightening situation, and the consequences of that could be great.

I even got some figures today on the number of people for drug offences and so forth. I am not going to read all. I am going to read just a few because I do not intend to be too long. There is a lot of data here collected by NADAPP, which shows for instance, a census on persons under the age of 16. Drugs and larceny, for instance.

This shows that a total of seven people committed drug-related offences in 1989; five persons in 1990 and two persons in 1991. I say that this is just a drop in the bucket. Maybe, these are just the people who are being arrested or charged and we know that, in fact, there are a lot more people who are committing offences under the influence of drugs, so I am not going to read through the list.

What was also and still remains a very serious matter is the fact that these drugs are available inside and outside schools. The drug pushers are at the gates of the schools; they are within the schools; and children are able to obtain drugs very easily. The rock which I think used to be \$50 has now dropped, I think to \$20.

**Mr. Narine:** Eighteen dollars.

**Dr. The Hon. L. Baboolal:** Well, maybe less than that. And we know that there was a time when the education system was severely criticized about the number of young people who were dropping out of the junior secondary school system in particular—and of the other high schools—and at the time there was thought to be a relationship between the use of substances like marijuana and the low performance and the high dropout rates that were being evidenced.

Again, there were some studies done. I have here, for instance, a study done by Remy in 1985; one by Singh, Maraj and Shipp in 1991, on the use of drugs in schools in Trinidad and Tobago, but what this says is that all these studies dealt with incidents rather than explanation. This following extract is from the *Report re: Juvenile Delinquent and Youth Crime Situation in Trinidad and Tobago* and it does not really give too much about what these figures were, except to go on to say that:

"The drug which most concerned the committee . . ."

This is the committee which was doing the investigation.

"in its deliberation was cocaine."

It went on:

"At the level of the school, where a 'captive' group is available to be surveyed, 2 % of the young people reported to Singh et al that they had 'ever' used, and 1.3 % had used within the last month."

At the end of this, the report stated that:

". . . the closeness of the 'ever used' and 'used in the last thirty days' figures (2 % and 1.3 % respectively) indicates that cocaine use is more regular once first tried than is alcohol."

In fact, when young people use cocaine or rock—because that is what they are using; they are very rarely using the powder; they are using the "rock" which is obtained after processing with one or more of these substances or maybe even



substances that are not mentioned here; it might be substances on our kitchen shelves, for instance. They become totally dysfunctional. They lose their sense of morality. They are unable to function in school. They resort to petty thefts and to telling lies and to violence—violence against their own families, stealing things from within their own homes. They become very immoral; that is where they end up in prostitution and other forms of immorality. Their personal habits deteriorate so that they begin to look like vagrants—dirty, unwashed and unkempt.

Earlier, I mentioned that sometimes people spend thousands of dollars in one session. That means they sit down, maybe for the weekend or so, and they smoke it out. But what was very interesting, and which I thought I should mention here, was when they the money in their pockets was finished, they then had to borrow. There was the man at the door waiting to lend the money, and the stories we heard were that they would borrow a hundred dollars to pay back three hundred, or they would borrow two hundred to pay back five hundred.

So we can get an idea of what kind of financial situation these people found themselves in, and when they could not pay back—maybe at the end of a few sessions, I guess they owed a few thousand dollars—the result was most probably some of the murders and other crimes we are seeing today.

#### **4.05 p.m.**

It is estimated in the United States that 500,000 people die annually from the use of both legal and illegal drugs. The researchers showed that substance abuse cost the United States of America in 1990, \$238 billion. In fact, there is no doubt that substance abuse puts a lot of strain on the system. Health care costs go up; accidents increase—the number of people who die; mortality and the morbidity that results from these accidents. The education system, the criminal justice system, the social system are overwhelmed and there is a whole wave of violence which is increasing.

One other very interesting statistic was the rise in AIDS which supposedly occurs among people who are smoking cocaine. I just want to read this little portion here.

"Crack users could be at increased risk of contracting AIDS through smoking crack. In the past, crack addicts used commercially produced pipes for smoking, but they have become too expensive and users are now smoking through metal tubes. Because the tubes get hot, users often burn and blister their lips.

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In addition, crack addicts sometimes smoke through glass pipes which can chip and cut smoker's lips. The problem is that smokers often share..."

They sit around and pass it to everybody and everybody takes a little bit of it.

"the smoking tubes or pipes and can be exposed to blood which is on the tubes from blistered or cut lips. Another risk factor for AIDS transmission in these smokers is the frequency of oral sex which occurs in the crack houses."

Madam Speaker, another problem of cocaine use.

What have come on the market—I would not say, recently, in fact, it has been around for a while—are designer drugs, which are drugs that you can actually manufacture in your kitchen. I do not think you need a factory. A chemist who knows how to put these substances together with other substances can, in fact, manufacture designer drugs. "Ecstasy" was the one which was well known, and that is an amphetamine, and there are others. I think a recent one is a version of Phensedyl, which is a pharmaceutical drug. But when it is put with other substances, a designer drug is the result, and those designer drugs are supposed to be many times stronger even than crack. Even a small amount can be extremely damaging.

I read in one of these articles here that young children are using nitrous oxide. This is known as laughing gas. It is a legal drug which is being used by young people in a study that was done in Chicago. When they use this nitrous oxide, they become so disoriented and so affected, that there has been an increase in accidents among young people, drownings, and so forth, and it is traced back to the use of nitrous oxide.

More and more are we appalled at hearing what are the consequences of the use of drugs. Whether they are the ordinary drugs, marijuana or alcohol, whether they are crack or cocaine which is the result of cocaine powder being used with some of these precursor substances to produce rock or crack, the fact remains that these substances are causing great damage to our young people.

Do you know what I was appalled to hear recently? I do not know whether you heard about this, but cocaine has been legalized in Colombia and each person is allowed to carry one gram. Did you hear that?

**Mr. R. L. Maharaj:** It was a court decision.

**Dr. The Hon. L. Baboolal:** Madam Speaker, that appalls me. Because it was proved, in fact, that some countries which tried to decriminalize some of these

drugs, which tried to make them more available, found themselves in much trouble. In fact, it was found that without laws, crimes, and so forth, escalated.

**Mr. B. Panday:** I wonder whether the Minister would give way. That is a very interesting point the Minister has raised about the legalizing of it, because it has been mooted in several other parts of the world. I think the British experimented with it. Does the hon. Minister know what was the result of the British experiment? It is information, really, I am seeking.

**Dr. The Hon. L. Baboolal:** I do not have that here, but I was just going to read you something here from Sweden. This has come out of a speech interview at an international forum by Louise Fenner, USIA Staff Correspondent. It states here:

"Tolerating or legalizing drug use will not solve the problem either, Hartelius said."

This was the person giving the speech. Let me go back here a little.

"Hartelius, secretary general of the Swedish Carnegie Institute, told drug experts attending an international forum here April 26..."

That would be 1993.

"...that early detection, early treatment, and the building of a consensus against drug use are the keys to a successful antidrug effort."

And he went on to say:

"...in the mid-1960s Sweden tried to cut drug-related crime by making some drugs, such as amphetamines and morphine..."

They are medical drugs, Madam Speaker:

"...available by prescription. Within a year the number of users doubled, he said, and crimes committed by drug users increased. The project was abandoned after two years."

I also have here coming from the Executive Director, National Families in Action, Sue Rusche, 12 reasons not to legalize drugs. I just want to read one part of it which I thought was very interesting. It states:

"Between 1972 and 1978, 11 states decriminalized marijuana and marijuana use escalated to unprecedented levels during that time: from 14 percent to 31 percent among children and adolescents, and from 48 percent to 68 percent among young adults. (2) The use of other drugs escalated as well. Alarmed

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parent, family and community groups organized a massive prevention effort to reverse this escalation. They stopped decriminalization from spreading to other states and defeated a national decriminalization bill. They passed laws to ban the sale of drug paraphernalia, which promoted drug use. (Some 30,000 'head shops'..."

Madam Speaker, "head shops" were shops that sold paraphernalia to smoke cocaine and other things like that. It goes on:

"...sold drug paraphernalia in 1978)."

Thirty thousand—we are talking about the United States of America. It goes on:

"They insisted that drug-education materials reflect scientifically accurate information about the harmful effects of drugs and advocate no use, rather than the 'responsible use' of illicit drugs. It has taken many years of steady advocacy by community groups and national organizations and the creation of federal, state and local governmental policies and resources to shift attitudes about drug abuse. "

When my Minister of National Security says that this cannot be done in one day or one month, he is right. It will take a long time, with policies, laws, legislation and education to even make a dent in this problem.

I just want to touch briefly on marijuana. I spoke about it slightly. It is a drug, sometimes, that we tend to forget, like alcohol, when we talk about cocaine and all the other drugs, yet it is one of the more harmful drugs because it is used very much by young people, and it is known that when they use marijuana they can become very violent. As I said earlier on, the dropouts among school children, the low performance—and I am saying this although I do not have statistics and I do not like to make such a statement without statistics—there was a feeling that the unisex attitude of an earlier time when girls were dressing like boys and boys like girls, had much to do with the use of marijuana. But as I said, I do not have any back-up statistics on that. But definitely children were found with their concentration and memory affected.

Children using marijuana, or anybody, cannot concentrate for any length of time. The memory is affected, especially for recent data. You may remember something long before you started using marijuana. So if children of 11 years started using marijuana, they may remember what they learnt when they were in primary school, but when they come to high school, whatever is being taught to

them, not only are they unable to concentrate, on it, but they will not remember anything.

In all of this we come down then to what this legislation is saying, which is that in all of this there are people who are responsible. There are the people who are bringing in the drugs; there are the people who are pushing the drugs; and there are the people who are manufacturing the drugs. So you have the importers, the distributors, the pushers, and all of this, is big business. We are not denying that. We are speaking of millions of dollars. These people are millionaires. I agree with the Member for Couva North that they become millionaires overnight, and therefore they have to find means of laundering that money: they have to find means of making that money invisible or appearing to be clean.

This is what the Minister, therefore, is saying in this piece of legislation: that we need to have legislation to deal with this. We cannot, any longer, hide our heads in a bag and say that this is not a problem. Legislation seeks to increase fines. This Bill seeks to put on the books legislation for confiscation of property, confiscation of money that is involved in money laundering. This is all necessary if we have any intention of undermining the drug trade. It is not enough to say that we are going to go out there and arrest people. We have to be able to get down to the real nitty-gritty of the matter and to be able to really hit where it hurts most, and it hurts most, in the case of these people, in their pockets.

Therefore, there is no doubt that this is the way we have to go. No amount of education, no number of arrests, no number of minor pushers, is going to solve the problem. We have to be able to deal with the people who have this large amount of money and however they launder their money, we have to be able to deal with them.

I want to briefly mention here that in all of this, we are still trying to teach people that they have to change their lifestyles, so that while Government is trying with laws to deal with the people who are bringing in or manufacturing the drugs, we, ourselves, must be able, within our communities, our schools and our homes, to change our lifestyles and to teach our young people to live their lives without drugs. Through a Demand Reduction Programme we have been doing education programmes; we have been dealing with the communities out there.

I just want to read, very briefly, from the Administrative Report of 1993 from NADAPP. There has been a lot of research done, because you cannot do programmes or anything without figures. One of the biggest problems in the whole drug situation is that we never had sufficient statistics. A number of charts

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and some research have been done which show the clinical findings of substance abuse, for instance patients at Caura. There were four charts on the use of acupuncture, etc. I am not going to go into all of those details.

**4.15 p.m.**

There was a project development and evaluation; this was an evaluation of the first phase of the UNDP project which was completed. A complete analysis was done and submitted. We are now supposed to be into the second phase of that project. *[Interruption]* That document was submitted quite some time ago to the UNDP, Geneva, and we are waiting on finalization and approval because we need the money. The money that is forthcoming for that second phase would help us to put our other programmes in place. Unfortunately, we do not know what the hitches are, but we just have not been able to get that money as yet, and that, of course, is holding up quite a lot but in the meantime we are still going ahead.

Public education and information: We have had posters and television programmes; programmes within the community teaching people community responsibility and involvement in the prevention and fight against drug abuse. We have had exhibitions, lectures, telephone referrals, seminars, workshops, training manuals and other types of educational programmes which have been circulated and are available from NADAPP at any time, to help people recognize drug addiction in those who are unfortunate enough to be using drugs and to try to prevent and educate those who are not involved, especially young people.

I end by saying that I consider this piece of legislation to be an extremely important one. I am not talking about drugs in the sense of the little pusher outside there selling two or three rocks or being caught with six rocks in his pocket; I am talking about dealing with the real people behind this whole thing. If we are serious as a country, and as a Parliament and as representatives of the people, we cannot fail to support this piece of legislation. I give my whole-hearted support to this piece of legislation.

Thank you.

**Mr. Arthur N. R. Robinson** (*Tobago East*): Madam Speaker, we are dealing with one of the most important matters that have ever come before this Parliament; not only in respect of the particular measure proposed, but also, and more so, in respect of the ramifications involved and the implications of the matters to which we are seeking to draw and to devote attention.

I want to congratulate the hon. Member for Barataria/San Juan on the very dramatic and compassionate manner in which she drew attention to some of the

evil consequences of the drug trade with which we are now concerned. I have no doubt that she was very sincere in the way she feels about it and, consequently, in the way she has expressed those feelings.

And all of us who are concerned with this country and its future—not only those who have a stake, but who have children and anticipate continuance in this country—must be profoundly concerned with the matter which is before us and all its ramifications. Within recent times, I have had to ask myself whether we are in a state of civil war, for the number of deaths and the low value that is being placed on human life in Trinidad and Tobago today, must give cause for the greatest concern.

**4.25 p.m.**

In seeking to find the causes for the current situation in the country, one would find those causes not only in the streets. The most vivid aspect of crime is street crime, crime that you can see, the consequences of which are visible, which cause horror and revulsion in the population. So, there tends to be a concentration on street crime, and one can see why. There should be, in any event, but what I mean is lack of balance in one's concentration and the lack of concentration on other aspects of crime which some experts in the field feel are even more damaging in their consequences than street crime.

I want to quote from a book entitled *Fraud* by Mihir Bose and Cathy Gunn. It is published by the Unwin Hyman Press. It is a very instructive book, horrendous in some of its revelations. I begin by quoting from page 233, which reads:

"Economic crime, as Commander Campbell often points out, is not regarded by society with the same outrage as murder, rape or even burglary. Yet it can affect jobs, trade, our individual and our national prosperity, and even our political systems far more than most people ever imagine. 'Fraud is like VD,' Campbell once said. 'If you've got it you don't talk about it.' But left to fester, it becomes a cancer: not so much VD, but more like the AIDS of the economic system.

Once it gets hold, fraud seems almost impossible to eradicate from the body economic. But there is a cure: good systems, good sense, adequate precautions and strong deterrents. But these only come in, and stay in, when society begins to recognize the damage that fraud, the hidden crime, can really do."

I also have in my possession, Madam Speaker, a report of a Royal Commission. It is entitled "*Royal Commissions On Standards Of Conduct In*

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*Public Life*, 1974 to 1976. As I am sure you know, the Chairman of that Commission which produced this report was a Lord Salmon.

I begin by making reference to what is known as the Poulson affair, and I do so, because, the point I want to make is that other countries have been faced with this kind of situation in which we are, in particular, the United Kingdom. In fact, this Bill is somewhat inspired by the legislation of the United Kingdom. So, I understand from the Minister of National Security, if I read its provisions aright.

The legislation in the United Kingdom did not emerge overnight. It was as a result of their experience, a number of incidents that had taken place previously, the most important of which is the Poulson affair."

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

**5.05 p.m.:** *Sitting resumed.*

**Mr. A. N. R. Robinson:** Madam Speaker, before the adjournment was taken, I was dealing with some aspects of the British approach to the problem, which I said was considered in the context of the inter-relationship between fraud and against a background of drug practices and fraud in other aspects and respects. I cited from the Report of a Royal Commission, the Poulson affair, and I now crave your indulgence to read paragraph 12, on page 5 of that Report, to let us know who Mr. Poulson was.

"Mr. J G L Poulson set himself up in practice as an architect in 1932. In September 1942 he was elected a licentiate member of the Royal Institute of British Architects. By the late 1960s, Mr. Poulson owned and controlled what was claimed—perhaps justifiably—to be the largest architectural practice in Europe, employing a staff of some 750 people.

The main selling point of the service that he offered was that his organization combined under one roof expertise in architecture and related professions such as engineering and surveying; he claimed to provide an integrated service that was capable of undertaking the most complex work at low cost and high speed.

A large part of his organization's work was in the public sector—local authority housing, hospitals and municipal works of one kind or another."

The report was about how Mr. Poulson and his agents insinuated themselves at various levels of government, central, and particularly local government authorities, and engaged in a most amazing network of corrupt practices.



The commission had this to say:

"It was extremely difficult to unearth the evidence and to expose Mr. Poulson".

And the commission says at page 8, paragraph 24:

"We doubt whether Mr. Poulson would ever have been prosecuted but for his bankruptcy."

I repeat:

"We doubt whether Mr. Poulson would ever have been prosecuted but for his bankruptcy and his habit of meticulously preserving copies of everything he wrote or was written to him—however incriminating these pieces of paper might be. It is disturbing that had it not been for the combination of these two factors, Mr. Poulson and his accomplices might well still be carrying on their corrupt practices today."

On page 12, paragraph 41, the commissioners state:

"Our evidence convinces us that the safeguards against malpractice in the public sector are in need of review. ... We have concentrated on finding specific and practical measures that, taken together, will:

- (i) discourage corruption;
- (ii) make it less difficult for anyone who suspects corruption to get a hearing; and
- (iii) make it more likely that well-founded suspicions will result in prompt remedial action."

In paragraph 42, the commissioners state:

"We have borne in mind throughout our work that one of the main safeguards against corruption in any institution is the standard set and required by the management, from the top downwards."

I repeat:

"...the standard set and required by the management from the top downwards."

As a result of the experience of this and other events drug related and not drug related, a whole series of actions were taken by the British Government, including discussions with foreign governments, engaging in treaties of one kind or another for extradition, exchange of information and so forth.

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To summarize, the major pieces of legislation introduced were as follows—there are five:

- (1) The Drug Trafficking Offences Act, 1986, which, for the first time, allowed the seizure of a suspect's assets before his trial and, in some instances, even before his arrest.
- (2) The Financial Services Act, which revolutionized and regulated the sale of securities and financial products in the United Kingdom.
- (3) The Insolvency Act which changed the procedure for company liquidations and brought in tough new penalties for wayward and merely incompetent company directors in an attempt to drive out the crooks and to pressure the rest into taking a more rigorous interest in the conduct of their companies' affairs.
- (4) The Banking Act, 1987, which, amongst other things, imposed the new obligations of disclosure on the banks in fraud and criminal matters.
- (5) The Criminal Justice Act, 1987 which introduced a top new investigative and prosecuting body, the Serious Fraud Office, just before the 1987 election, and which was followed with further legislation put before Parliament by the re-elected Conservative Government during 1988.

This second Act made insider trading an extraditable offence and toughened the maximum penalties from two years to seven years in jail.

I mentioned this in order to show the ramifications and the interconnection—as indeed the Leader of the Opposition mentioned—between money laundering and other types of fraud, and the need to look at the situation comprehensively.

I say that against the background, of my own experience in relating to the exercises which took place leading up to the Geneva Convention—the United Nations Convention against illicit trafficking of narcotics, drugs and psychotropic substances. The Vienna Convention concluded in 1988. When I look at this, whereas I welcome any legislation which will assist in dealing with this issue of drug trading and related practices, I prefer to see it in the context of the needs of Trinidad and Tobago, rather than in the context of the need to ratify.

I see here that a working group was formed to examine the Dangerous Drugs Act, 1991, with a view to its amendment in order to effect the ratification by Trinidad and Tobago of the United Nations Convention against illicit traffick in narcotic, drugs and psychotropic substances. In other words, one of the primary

purposes of this legislation is to meet external demand—what is required of us by this Vienna Convention. I prefer to see it related to our own needs, and in addressing our own needs others would see that it meets the requirements of the convention.

We should not have to say this at all. We should not have to give the impression that we are pressured by any external body to take acts which are manifestly in the interest of our citizens and our country. We should see that these things are necessary, address ourselves to these matters and take action.

It is in this context that I am a bit puzzled by the Government's approach to this whole question. We have heard about the physical consequences of crime on the human body and also on the human mind. We have not heard very much—even though this legislation seeks to address—about what is regarded as even more pernicious, that is the subversion of society, the destruction of the economy, which also leads to horrendous physical consequences, and which is one of the major problems facing countries in the Caribbean and many developing countries today, apart from some developed countries.

#### **5.15 p.m.**

It is in this context—when I had the responsibility as Prime Minister of this country—I took the opportunity to raise this matter of the small country with limited resources, facing the enormous resources and technical capability that drug lords can bring to bear on their operations.

I am satisfied that all we are doing today, or did yesterday—while it may be necessary—will come to nought if we do not have the vision and imagination to deal with this problem on a more comprehensive basis; in fact on a global basis. It is so easy—and it all appears in this, as in so many other publications, with the electronic means available; with the technical competence available—to move money from place to place. It does not have to be in the form of money, it can be all sorts of forms.

It is impossible for any small country to have the resources to deal with the problem in an effective way. That is why—I am sure the Government recognizes this, and that is what puzzles me—one enters into all sorts of arrangements with other countries, including the most developed countries, and in our case the United States of America. One must remember that the United States is a super power. The United States has its own interest to pursue, as any other sovereign nation. We cannot depend on the United States to pursue our interests. We have to

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know what our interests are, pursue those interests, and seek as far as possible, to ensure that the United States in pursuing its own interests, does not destroy ours.

I am concerned when it may appear that it is as a result of some pressures brought, or some statements made by an ambassador, or a State Department official, the Trinidad and Tobago Government acts. I am disturbed at any such appearance. I am not saying that is so, but what I am saying is that I am disturbed at any such appearance. Because there is an area in which Trinidad and Tobago, as a small country, has taken a very important initiative in this matter, in order to seek to secure co-operation among the nations of the world, so as to bring to bear more resources on the problem and to seek to achieve greater co-operation, which is absolutely necessary to deal with the problem.

It has now come to be recognized by most of the countries of the world that an international criminal jurisdiction poses the most promising prospects for effectively dealing with these issues of international crime, particularly drug trafficking, money laundering and offences of that kind, insofar as small countries are concerned, and insofar as the protection of their interests is concerned.

Trinidad and Tobago had the honour to propose the establishment of an international criminal jurisdiction, and an international criminal court in 1988, the very year that the Vienna Convention was passed. At that time it was greeted with much skepticism, and in some cases downright ridicule and laughter. That was barely six years ago. Today, countries such as Germany, Italy, Japan, France, Russia, Eastern Europe and Canada have all come around in favour; and have recognized the importance of setting up an international criminal jurisdiction, which would guarantee a much greater measure of co-operation than what exists at the present time.

Unfortunately, we have not heard from the Government of Trinidad and Tobago—in all this talk about crime—one single word about its commitment to this matter and about the steps that it is taking in order to pursue this matter. In fact, what has happened is that the leadership has slipped from Trinidad and Tobago to Canada. Canadians have taken over the leadership in this matter and other countries are at the forefront. People are asking the question: Why is it Trinidad and Tobago, which was in the forefront of this fight, and which had achieved so much, has now appeared to lose interest and enthusiasm?

This is the only way to deal with the matter effectively. The major country that has not yet taken a definitive position on this matter is the United States. And one can understand why: the United States feels it is powerful enough to protect

its own interests. And when it is dealing with countries like Trinidad and Tobago, peanuts; what they called us previously, specks of dust. When it is dealing with countries such as ours, it knows it occupies a position of superiority. Its resources are superior, its manpower is superior and it can talk, as the United States Ambassador has been talking, within recent times.

The only way a small country can get out of that kind of situation is by uniting with other small countries. I do not know what happened, whether this matter was discussed at the conference in Barbados, on sustainable development. But one cannot talk about sustainable development for small countries, unless one deals with the question of money laundering and the narcotics trade.

This is a major problem; it subverts the economy; it sets up an underworld, and it has been destroying and has the capacity to destroy economies such as that of Trinidad and Tobago. What we are seeing in the streets is just a manifestation of something which is much deeper, and which goes much further. This is why I said at the beginning of my contribution, that we are dealing with one of the most important matters ever to come before this Parliament: the question of money laundering and all its ramifications. That is why I said that when one is dealing with this matter one also needs to see it in its interrelationship with other matters.

In a country, people who are aware must learn to recognize warning signals. On the Order Paper today, we have two items—not deliberate, it is just accidental—but their coming together on the Order Paper, their being in virtual juxtaposition, rings a bell and sends a warning signal. The first is, of course, a Bill to Amend the Dangerous Drugs Act, 1991; the second is, No. 4, a Bill entitled to govern the Acquisition of Land for public purposes." The reason a person was able to engage in such a wide network of malpractice, was that he was able to reach the Planning Authorities. This is what the Commission of Inquiry has to say:

**Mr. Maharaj:** What authority?

**Mr. A.N. R. Robinson:** The Planning Authority. At paragraph 37 we find:

"The Poulson affair, reinforced by other recent cases, leads us to the conclusion that most of the serious crime has centred around planning decisions and local government housing and development contracts."

I hope I do not have to say anything more in this Parliament, particularly to Members on the Government Benches. I repeat:

"The Poulson affair, reinforced by other recent cases, leads us to the conclusion that most of the serious crime has centred around planning decisions and local government housing and development contracts."

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**5.25 p.m.**

The point I am making is that the Government has to deal comprehensively with the matter of money laundering, and see it in its ramifications and its interconnections; and bring to bear all the resources, national and international, if it is serious. What we are dealing with here is saving a country, saving a region, and one of my concerns about what is happening in Caricom is that it appears that it is every man see about himself and the devil take the hindmost; the richer go ahead; the better off go ahead; and let the rest follow as they can, and that leads to going off in different directions.

The weaker and the smaller territories will be more and more exposed to malpractices, whether drug related, money laundering, whatever it may be. And once they are taken over by such elements, it is inevitable that our society will come under siege.

The third point I am making is that if the Government wants to set the tone for the society, and to demonstrate its seriousness in this whole question of crime and fraud, it has to start from the top. There is no escape from that. If one adopts the attitude that fraud and corruption are endemic in the Trinidad and Tobago society—that is one of the reasons that the Federal Commissioners, back in 1956, identified that the Federal capital site should not be in Trinidad.

The setting of an example at the top, we in this Parliament—I support any move, and I want to make it absolutely clear—I would support any move in this Parliament to demonstrate to the country that we start right here, that the attack against fraud, corruption and crime starts right here. Let us set up whatever machinery is necessary to demonstrate to the country that we are serious, and let the chips fall where they may. Let it be in the interest of the country. And I say—I risked my life already, and I am not afraid to risk it again, because my whole public life has been based on trying to maintain my integrity and my honesty—if it means that in the course of doing so one suffers a fatality, well, then so be it, that is a commitment. One does not have to complain about that.

So let the machinery be set up. Investigate whomever you may, I do not mind. Investigate the Leader of the Opposition as well, and the Chief Whip if you wish, but let us show seriousness, let us show commitment. Let us show to the country and to the world that the country of Brian Lara, is not only proud of its cricket and its cricketers and about Lara, but are also proud about our standards in this Parliament.

I thank you, Madam Speaker.

*Adjournment*

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#### ADJOURNMENT

**The Minister of Education (Hon. Augustus Ramrekersingh):** Madam Speaker, by arrangement we had agreed that we would adjourn at this time. I therefore wish to move that this House adjourn until Friday, May 20, 1994, at 1.30 p.m.

**Madam Speaker:** There are four Motions on the adjournment. Which one are we starting with? I think the Member for Oropouche is first.

**Mr. Maharaj:** Madam Speaker, there are three Motions on the Adjournment, and by arrangement we have agreed that the three Members would present their Motions and the Minister would respond to the three Motions.

**Madam Speaker:** Is that Oropouche, Siparia and Couva South? Or is it Princes Town?

**Hon. Member:** Princes Town.

#### Inadequate Water Supply (Oropouche)

**Mr. Trevor Sudama (Oropouche):** Madam Speaker, as you know, this Motion was filed a long time ago, and for one reason or another it could not have been debated in this House. In the meantime, the constituents of Oropouche continued to suffer, and that suffering has intensified over the last month.

Despite our representations, it appears to this country, to me and to Members of this House, that there is no authority in Trinidad and Tobago. There is no responsible authority, either to give information, or to take corrective action. One cannot get information because the lines to WASA are busy. I understand just yesterday there was a protest at a WASA office and the office was closed. And do you know why? There was no water at the WASA office.

This is the kind of administration we are dealing with, where things have fallen apart. When a basic utility, a basic service like water is in such a disastrous and deplorable condition, you can understand what is going on in the country.

I have raised the question of the inadequacy of the supply of water in this House from the very time I was elected here, so I must have spoken about water umpteen times, innumerable times, and from 1981 to the present there has been no visible improvement in the water supply in the Oropouche constituency, or elsewhere for that matter. That says something about those who are in charge, about their standards of efficiency and administration, but more importantly,

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about their caring. About their caring about basic services for the people of Trinidad and Tobago, something as vital as water supply.

On the question of water, I do not think it makes much sense any more to speak; probably this would be the last occasion that I shall speak in this House on the issue of water—it makes no sense. I think whatever initiatives have to be taken have to be taken outside this House in order to get the Government to understand how people manage, how they feel, how thousands of people in my constituency cannot find water to drink, let alone to do the normal things like cooking, washing and bathing.

There was a tragedy in Siparia recently. There was no water in the taps so a woman and her son went to a well to put the bucket down, and in doing so the child fell in and died—trying to fetch water which was supposed to be provided by a caring Government. So in our country people are dying trying to fetch polluted water.

I have the good or bad fortune to represent the Leader of the Opposition, and I am in turn represented by the Prime Minister. So, you see my position, Madam Speaker. I am not able to do very much for the Leader of the Opposition with respect to water, and I cannot see my representative.

**5.35 p.m.**

**Mr. Manning:** Madam Speaker, perhaps not all my constituents are aware, so for those who are not aware, I would just like to let them know that I see the public on two days per week; Wednesdays at Balisier House, Port of Spain—that is my office in Port of Spain—and Saturdays at my constituency office in San Fernando. If my good constituent would like to talk to me, I am more than available to him.

**Mr. T. Sudama:** I do not want to get too much into this, but Balisier House is in the north of Trinidad. People do not have water to drink and no money to buy food, but he expects them to come from San Fernando East to Balisier House. Secondly, about his offer that I could go to his constituency office—

**Mr. Manning:** There is one before that.

**Mr. T. Sudama:** I went to his constituency office but I could not get into the door.

**Mr. Mohammed:** The secretary did not want you inside!

**Mr. Maharaj:** Know your MP, put pressure on him!



**Hon. Member:** Embarrass your MP!

**Miss Bhaggan:** He is embarrassed!

**Mr. Manning:** In addition to that, Madam Speaker, in case either Wednesday or Saturday is inconvenient to the Member for Oropouche, there is a Minister who is at the office on Thursdays at 2.00 p.m. He has a choice—either Wednesday morning at Balisier House, north Trinidad; Saturday morning in San Fernando, south Trinidad; or on Thursday afternoon in San Fernando, south Trinidad.

**Mr. T. Sudama:** Madam Speaker, just for his information. I also attempted to see Sen. Yuille-Williams on a Thursday. She looked at me and asked, "What is your complaint?" She wrote it on a scrap of paper. That was since 1992, and up to today I have had no response to it. That is the situation we face.

There is this foolish Chamber of Commerce advertisement which says, "Go talk to your MP"—as if I carry water in my pocket to distribute to my constituents. The constituents come to you in desperation and there is very little you can do because you really are a relay station to take their complaints to the Water and Sewerage Authority, to the Minister and indeed to the Government. There is absolutely no relief! I am like a man in the middle!

I am not going to detail the difficulties in my constituency, but it is probably one of the constituencies which have suffered the most from an inadequate supply of water. Today, I want to propose some solutions but before doing so may I inform this House that the situation in the Water and Sewerage Authority (WASA) has been allowed, encouraged and facilitated, to deteriorate so that when there is a public outcry against the performance of WASA, the Government would go to the option of privatization. Today I am hearing privatization accepted all over without people understanding what is the nature of the problem, which is basically, one of finance as well as the operations, streamlining and efficiency of WASA.

Let me deal with the whole question of the over-staffing of WASA. I had asked a question in this House earlier on and I was told by the former Minister that WASA has no problem with respect to staff employee relations. The Minister in his response said:

"The number of employees at the Water and Sewerage Authority is 4,196."

That was way back in April, 1993.

"The number of water connections is 190,620. The number of standpipe users is 74,049. The number of customers is 264,669. The ratio of employees to customers: for every 15.8 employees, we have 1,000 customers.

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The ratio required by the World Bank is 21 employees for 1,000 connections. The latest figure from WASA puts this ratio at 22 employees for 1,000 connections."

It is not so much a question of excess staff that money is spent on, that is not the problem! Since that time over 1,000 persons have been retrenched, and that is part of the problem. The Government has gone on the VSEP exercise and has given voluntary separation option, and the most experienced, most expert persons in WASA have taken up that option and today there is a bunch of persons running WASA who really do not know much about the history, background and all the mysteries of WASA and its operations.

That is one of the problems! That is one of the reasons for the gross inefficiency, ineffectiveness and inability to deliver at this time. Instead of identifying people who they felt were surplus to their needs, they had a voluntary offer and under that offer the most technically qualified, the most knowledgeable people at WASA went home. That is to show you the way they run things.

There is the question of how much money comes into WASA. The Minister told me once that WASA has 60,000 people who are obtaining water but are not on WASA's roll; therefore, money cannot be obtained from them to boost the finances of WASA. My question to the Minister was: Who was in power when 60,000 persons got connections without getting onto WASA's roll, and enjoying probably, a 24-hour per day supply of water? Why was this allowed? Today, the chickens are coming home to roost and constituencies such as Oropouche, Siparia, Naparima and Tabaquite suffer the consequences.

That was being done for votes, political patronage, electioneering, and that is how they ran the country into the ground, so that today we are at the lowest ebb in the history of Trinidad and Tobago. So there is a problem of finance. WASA's intake of rates is not sufficient even to pay the wage bill.

And if we are in a certain situation, then it behoves the Government, if water is a vital commodity—basic to life—to find the money from somewhere on a temporary basis to provide a subsidy to the Water and Sewerage Authority that would enable a minimum supply of water to people throughout the country. It is a basic commodity! They are subsidizing housing; they are subsidizing many things. There is the Unemployment Relief Programme on which the Government is spending \$130 million per year. It cannot find \$25 million or \$30 million from somewhere to put into WASA to repair the leaks and make the system deliver to people in need? Madam Speaker, that shows their attitude.

The other point I want to make is that for any public utility which Government has under its control, capital expenditure does not come from the finances of that enterprise itself. It comes either by an injection of capital from the equity holder or lender, or either by borrowing from the Government or underwriting by it.

**5.45 p.m.**

So when we are talking about capital expenditure for the replacement of lines, we do not expect that to come from the finances of WASA. When we are talking about capital expenditure for the repair of dams and other installations for the supply of water, the Government cannot reasonably expect that to come from WASA's own finances. Why has this government, for almost two years, deliberately suppressed financing to WASA in order to prevent the public from getting a reasonable supply of water?

**Mr. Mohammed:** That essential commodity.

**Mr. T. Sudama:** Do you know why? The government is gung-ho on privatizing WASA and so is trying to put this utility in the worst possible light by denying it access to financial resources of a capital nature.

**Miss Bhaggan:** They do not care.

**Mr. T. Sudama:** Quite apart from a subsidy for its running operations, if they cannot deal with 60—70,000 people who receive water and who do not pay rates, then they should supply the running and maintenance costs. But capital costs cannot come from WASA itself. As I said here, its employee/collection ratio is what the IMF demands and, in fact, today that ratio is even better than what the IMF demands because of the continued retrenchment that has taken place at WASA.

**Mr. B. Panday:** They should put Rowley in charge of that.

**Mr. T. Sudama:** Madam Speaker, on a larger basis, the fact that WASA is not functioning today and the fact that there are so many complaints, is an indictment, not so much against WASA, but against the people who are in charge of WASA, that is, the Government of Trinidad and Tobago—the people who appoint the board and managers of WASA, and who have allowed this utility to operate as a kingdom unto itself, without accountability. I thought that WASA was party group No. 3—or was it 4—in the general arrangement of the PNM party. You see that is part of the problem and that is why we are suffering today.

With respect to the constituency of Oropouche, we have a problem. For 75 per cent of that constituency, do you know where its water comes from? The

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Caroni/Arena Dam, opposite Piarco Airport. In 1983 when that dam was being commissioned, we were told—I was in the House after having made numerous representations—that the water problem of Oropouche would be solved because most of that water would be sent down to Central/South to service those areas.

Today, what is happening is that almost half of that water goes to the North of Trinidad, which already has a much better supply than anywhere else in the country. So it is a question of inequitable distribution of this water supply. The Minister and his officials agree that water sources in the South are not very many and, therefore, we would need to have a system where we win the water in the North and transmit it to the South. But when we win it in the North, it remains in the North.

**Miss Bhaggan:** Flooding is usually in the North.

**Mr. T. Sudama:** They show gross discrimination and inequity by the manner in which they operate.

**Mr. Palackdharrysingh:** They siphon most of it to Pt. Lisas

**Mr. T. Sudama:** So that there must be a larger supply or volume of water allocated to South Trinidad, it has to be; and when it reaches the booster in San Fernando, there must be a minimum of nine million gallons of water passing through there, otherwise the booster does not function; and the extremes, which are my constituency, according to them, that do not matter—so they put it down at the end of the system.

**Dr. Rowley:** Who put Oropouche there?

**Mr. T. Sudama:** No, no. Their line, their supply system has put it at the end of the system. They could have given water from Navet, but they chose to give Oropouche water from quite Caroni/Arena, so that when it reaches Oropouche, there is very little pressure on the line, very little water in the line. We want a minimum of nine million gallons sent to the San Fernando booster, which will enable that supply to go down at least once a week, or so, to some districts.

**Mr. Manning:** There was no problem of pressure in the transmission.

**Mr. T. Sudama:** But they are not getting any water going down there. Listen, if the booster cannot get a sufficient volume of water going through it, it does not function. Are you an engineer of some sort? I am crediting you with more knowledge than you really possess. That is what the WASA officials have told me. If that booster does not get a minimum of nine million gallons, or so, it will not function, and while the water will go through, it will not be boosted!

**Mr. Manning:** So the problem is volume, not pressure!

**Mr. T. Sudama:** All right. After you boost it, what happens, do you not increase the pressure?

**Mr. Manning:** You must have volume to boost.

**Mr. T. Sudama:** Do you not increase the pressure on the line after you have boosted it at the booster? [*Interruptions*] Anyway, he went to school so long ago that, apparently, he has forgotten mechanical engineering.

We do not get a sufficient supply coming to the booster in San Fernando, so we need nine million gallons. Will the Minister give an assurance to this House that that will be maintained regularly? Because if we get five million gallons for most of the day, and for one hour we get nine million gallons, it just will not work. It has to be sustained in order to get that water to the outlying districts.

We know how the problem is to be solved, but there is no will, no care, no concern about solving it. The other thing is—and it all relates to the equity problem—when that water is pushed down the South Trunk Road, there are two off-takes—at Dumfries Road and at Cameron—and my information is that, since those two off-takes supply the Oropouche constituency they are both shuttled in order to send this water as far as La Brea, Point Fortin, Fyzabad, or Oropouche, as the case may be. So, again, it is a question of equity. Let us investigate how much water La Brea, Point and those places get, as against water supplied to the constituency of Oropouche. There is another question of inequity and discrimination.

Thirdly, there are the Penal Waterworks, where at any one time there are eight pumps that extract the water from underground to push it into the line. At any one time only two pumps work, which means that a much smaller volume of water is pulled up and put into the line for distribution to about 25—50 per cent of my constituency, that is the Penal/San Francique area. In fact, the Member for Siparia got a pump donated by Petrotrin. He did all kinds of begging to get that, and they would not install the pump! If they purchase two additional pumps at a cost of, maybe, \$600,000 or less—

**Mr. Hosein:** At a hundred thousand dollars.

**Mr. T. Sudama:**—two worth probably \$200,000. If they put that minimum expenditure in there, they would be serving thousands and thousands of people in the constituencies of Oropouche and Siparia, and possibly Fyzabad, as well. But no. That is down there—that is Opposition territory, and therefore they cannot make this minimal expenditure.

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Finally, Madam Speaker, they all know that many of the lines there are very old, encrusted four-inch cast iron main, asbestos main as well—asbestos which is hazardous to health!

**Dr. Rowley:** It is the same thing in my constituency.

**Mr. T. Sudama:** All that is required is that in certain critical areas these mains be replaced as a capital expenditure. It cannot come from WASA. But they are borrowing money for all sorts of things, and cannot get a little money to replace some mains, or fix two or three pumps in the Oropouche constituency, or send down some more water from the North into the South. These are minimal things which can be done on a permanent and continuing basis to improve the supply to the Oropouche constituency. I know all the details of this problem because I have lived with it for 13 years of representation here. I know what the solutions are and I am saying that this Government is deliberately not attempting to solve this problem for a host of reasons.

**5.55 p.m.**

Madam Speaker, as I said, I am not going to raise another motion. If you see a motion on water in my name again, you will understand that something has gone completely wrong with me.

We know what the solutions are. What we have to do, and the real solution, is to remove this incompetent bunch in the Government of Trinidad and Tobago and bring relief to all people.

Thank you very much, Madam Speaker.

### **Inadequate Water Supply (Siparia)**

**Mr. Sahid Hosein (Siparia):** Madam Speaker, this Motion became necessary because of the inability of WASA to supply schools with a reliable supply through their distribution system. WASA now trucks water to schools in order that they may remain open. I want to give a little background to this whole situation.

Coming to the close of the last school term, I was informed by senior personnel at WASA that while they were trucking water, when the new school term starts, they would no longer be doing so. That arrangement would cease. That arrangement was put in place to deal with a problem then by the late Minister of Public Utilities.

School started this term and for two weeks—every single day of the two weeks—I was called either by school principals or parents saying that schools had

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to be dismissed very early in the day because of no water—at least 15 schools. From Tuesday of the first week of the school term, I contacted the Ministry of Education and the Water and Sewerage Authority, and every day, for nine days, I called WASA and the Ministry of Education three or four times for the day. The Ministry of Education was always saying it was WASA's fault, and WASA was saying it was the fault of the Ministry of Education. They were not getting the money to pay for it. It went on like that for every single day, and, of course, hundreds, or thousands of parents, were consistently calling and asking for something to be done.

After a little more than two weeks, a list of schools to be serviced by WASA was prepared and the matter was apparently resolved. I want to inform both Ministers that today there are still schools that do not have a supply of water and which are not on the list.

I am convinced—because I am not talking about two days, I am talking about more than two weeks—that the non-resolution of this matter was deliberate, and for the very reason advanced by the Member for Oropouche, that parents would get totally fed up and the cry would be, "Look, it cannot get worse at WASA. The best thing to do is to privatize WASA." As indeed we are hearing more and more cries.

I spoke with the Minister of Education, and I am convinced that he tried everything possible to have the matter resolved. You see, I have my own system of rating the performance of those on that side, and in the ratings, after the late Minister Marshall, I have the Member for St. Joseph. I was convinced, after talking to him, that he tried everything in his power, and it seems to me that the problem was with WASA and its parent ministry.

After listening to the present Minister of Public Utilities who responded to the Member for Couva South and the Member for Siparia recently, I am convinced he does not have anything to do with ratings. He is not interested in ratings. Not he and this rating thing.

**Mr. Mohammed:** They have to put a Parliamentary Secretary in Public Utilities!

**Mr. S. Hosein:** It is a very serious matter, and if as a country we cannot make a simple arrangement, if it takes two weeks or more to make an arrangement to send water to schools, then we might as well shut up shop and go home.

**Miss Nicholson:** Amen!

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**Mr. S. Hosein:** Two weeks and more to send water to schools, and every single day I am calling!

Then, of course, I do not have to go into the effects that these breaks have on the education of the children. Last term, in one of the schools—the Penal Presbyterian School—while WASA was supplying water, that school had to be closed on 17 occasions. As I said earlier, for this term, they have missed more than two weeks. A disadvantage to children in other parts of the country where there is an adequate supply of water. It puts them at a serious disadvantage. Of course, when they have to go home, being on the streets and what have you, that is another story by itself.

We are talking about wanting to be the gateway to the Americas, and the financial centre but we cannot provide a supply of water to children in schools.

We have become so inured to what is taking place around us that we expect every day, when we listen to the news and read the newspapers, to hear or read that three or four people are dead, as the case might be. We regard schools closing because of no water as no big thing. But I want to say today, I refuse to accept that schools would have to close because of no water. I definitely refuse to accept that. As a citizen of this country, I refuse to accept that schools would have to close because of no water, after we have debated a budget of \$10 billion to run this country. We could close for absolutely anything else, but not for water.

I thank you.

### **Inadequate Water Supply (Princes Town)**

**Mr. Mohammed Haniff** (*Princes Town*): Madam Speaker, it is my view that what is happening in the Parliament this evening has never happened before, that is, three Motions on the adjournment on the same subject. My reason for pointing that out is that I have raised this issue of water in this Parliament on five occasions during the last five months.

The situation is bad and it is my view that it is the worst it has been for the last eight to ten years. The reason for that is, while it might have been bad in the years that went by, there were water trucks trucking water to the areas where the water was not reaching the lines—the hard hit areas. Today, there are no trucks and there is no way to turn to anyone. If WASA are called, they simply tell you that there are no trucks. If the local government body is called, there are no trucks. The Fire Services cannot help, and as a result what is happening, is the situation is



a crisis situation and the Ministers over there are grinning as if nothing is wrong. That is their attitude in this situation. We have a crisis situation. Where is the responsibility that goes with it?

**6.05 p.m.**

Madam Speaker, we have a crisis in this country as far as the water situation is concerned. When the Minister responded on the last occasion, he sought to give to this House the history of WASA. I ask, in those circumstances, why give us the history of WASA, or who was there for the last thirty years to tell us about the history of WASA? It is very disgusting, that the Minister of Agriculture, Land and Marine Resources and others, in a situation where schools, institutions, public offices, hospitals and what have you, cannot function, would behave as though nothing is wrong. There are children all over the country at all hours of the night looking for water.

I have before me a clipping which came from the health authorities where it is stated that the incidence of scabies is on the rise. It has to do with a lack of water. Yet, what is the response? In my possession, I have a listing of schools in the South and Central—

**Madam Speaker:** You are dealing with Realize, Mandingo, Tableland, Robert Village. That is what your Motion is dealing with.

**Mr. Haniff:** Madam Speaker, the poor water supply in Realize, Mandingo, Tableland Robert Village and other parts of the country, including schools, and other public offices and institutions—

**Madam Speaker:** No. The Motion states "poor water supply in the Realize, Mandingo, Tableland and Robert Village areas, schools and other public offices and institutions in those areas." That is what your Motion wishes to deal with, and I would expect that because that is where the Member represents.

**Mr. Haniff:** Madam Speaker, I am saying, however, in the South and Central there are 321 schools that need water. In the Princes Town WASA area, there are 29 such schools, and you need 64 trips of water with one truck recently made available—I understand in discussion with the Minister of Education that there were funds coming from his ministry for WASA to have a truck to distribute water. One truck for 29 schools in the Princes Town WASA area! In that area, 18 of those schools fall within the constituency of Princes Town.

The point I wish to make is, if 321 schools need truck-borne water what happens to the villages that surround these schools? We have written the former

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Minister and also the present one. I am in touch with him. There is a meeting carded for Monday which I hope he will attend. We are trying, but nothing is happening. In addition to all that was said before me by my two colleagues, there is urgent need today in Trinidad to make some arrangements to give people little water in the circumstances. If the leaks in the pipelines cannot be repaired—4,000 leaks or what have you—then there is urgent need to put in place some arrangements to provide some relief.

Who is responsible? While the hon. Minister is looking at the long-term plan—and it appears that they are juggling with it: one minute they are looking for investors, then they are divesting; then they are not divesting, and all sorts of things—in the meantime, people are running helter-skelter, not knowing where to go and who to call, and we, the representatives, are being harassed regularly harassed.

I have been discussing, almost on a daily basis, with the officers and the engineers in the South. I submit that they are very dedicated and they are trying their best but they simply say to us, the resources are not there. They cannot even mend the leaks. If, in a situation like this, the Government is not prepared to allocate funds to deal with an urgent problem, then everything is wrong.

It is in that context I thought that I would bring this Motion on the adjournment before the House with a special plea, because I have great respect for the present Minister of Public Utilities. I am of the view that he understands what is at work and hopefully he will find the resources to deal with it in the long term. But there is need to deal also with the short-term situation now.

### **6.15 p.m.**

Madam Speaker, because of the volume of work, I recommend and support the idea that there is need for a Parliamentary Secretary in the Ministry of Public Utilities, and I wish the authorities would really look at it because we need to communicate with that ministry on a day-to-day basis, and it is our view that it is extremely difficult for the present Minister, with the tremendous responsibility of the Public Utilities and Energy portfolios to deal with everything.

In closing, I raise this issue in the form of a plea to those in authority to bring some urgent relief at this point in time.

Thank you very much.

**The Minister of Energy and Energy Industries and Minister of Public Utilities (Sen. The Hon. Barry Barnes):** Madam Speaker, as the Member for

Princes Town has pointed out, that this is in a way, a unique occasion, with three Motions in this House on the single subject of water supply, all in the same afternoon. Indeed, if other representatives here were so minded, we might very well be facing as many Motions on the subject as there are representatives in this House, which indicates that there is, in fact, a nationwide problem.

At the risk of boring Members, I shall, repeat—and the Member for Oropouche has made the point—that there is a geographical reality. The Northern Range is our catchment area; the production of water is more easily achieved from the watershed of the northern hills. In terms of the well-fields—the well-fields in the North, in the nature of things are more prolific.

It is, in fact, very much the same geography that send the floods down onto the central areas during the rainy season; it is a reality which we cannot avoid. So we produce our water in the North and it is necessary for us to be able to transmit it to the South.

Over the years we concerned ourselves with, and developed the projects which gave us what is, in fact, a sufficient water production capability. I said it the last time: we are currently producing 5 million barrels of water per day and seeking to distribute it—175 gallons per day for each person in the population; that is the production; that is what is going on.

On the other side of the equation, because of the social pressures, the distribution system has been expanded over time. In talking to the Self-Help Commission last Friday, they were making the point that over the last two years, they have succeeded in completing 78 projects in communities, on water supply, extending distribution systems off WASA's mains—78 projects over the last two years. That is what we have been doing consistently over the last 30 years.

The Member for Oropouche is right, he has been complaining since 1981; and the Member for Princes Town is right, he has complained for several years, and he is saying that the situation is getting worse and worse; and that has to be obvious. Two things are happening to us:

- (i) our transmission mains are getting older and older and more encrusted;
- (ii) the demand, because of the social pressures, and the extension of the distribution system into new areas continually, have increased substantially.

So, today, we find ourselves in a situation and we cannot avoid it. The major problem with the water transmission system. *[Interruption]* We would come to the solution.

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The reality is that we tried to do this by putting in additional booster stations to get more water into the pipelines. The point has been made here that the San Fernando booster station needs a minimum of 9 million gallons. I am an engineer and it does not quite work the way that the Member for Princes Town said. Nevertheless, directionally it is right; the water must reach the booster station before it can be pushed elsewhere.

The reality is that after producing 170 million gallons per day and paying the expense of treating it and making it potable, we cannot account for more than 50 per cent of that production—it is just not there; 4,000 visible leaks: that is the reality. Mains that are 50 years old; mains that were sized without any anticipation of the growth in demand; mains that are too small; 160 kilometres of mains that need to be replaced. That is a long-term situation.

The Member for Oropouche is right; the problem has been studied by experts in that sense—in terms of the long term—we know what the problems are and WASA knows what the solutions are. *[Interruption]* In terms of the finance and engineering, yes. *[Interruption]* In terms of the shorter term; and we hear about capital expenditure.

The St. Patrick project, eight storage tanks, eight booster stations, additional transmission systems: \$6 million for leak repair; more particularly—priority item—the Navet Transmission system, where in addition to the leaks in the sub system the major problem is the need to replace the control valves—12 valves have to be replaced—because they do not give WASA the ability to control, to cut down or monitor.

That is a programme that, in fact, commenced on May 3, the materials are there; WASA says that it will be completed around the middle of June, but as the valves are changed and as WASA gets better control of the systems, there should certainly be some measure of relief to some of the areas.

Let me deal with the schools. This was a critical area, and I certainly share the same concerns of every Member of this House, that the situation should develop in which schools have to be closed because of lack of an adequate supply of water or unavailability of water. The Member for Siparia correctly complains that it takes two weeks to get the thing organized. It is a question of financing, but not only that, it also has to do with the system of moving finance to where it is required.

WASA lost its truckers because of its inability to pay them. In order to get them back, into the system, there was the necessity to, as it were, renegotiate with them,

to persuade them. But just to make the point—I have a list of the schools; 146 schools now need to be supplied with truck-borne water: Schools in Sangre Grande/Tamana, North Manzanilla in the East; in Port of Spain, Bishop Anstey Junior, Belmont Methodist School, Trinity College; Maraval, Moka. One can go across the country; it is not only the schools in Siparia; the schools throughout the country, and a system has been placed—*[Interruption]* Let me say this. *[Interruption]* Neither am I satisfied with a situation in which schools have to be supplied with truck-borne water. Schools should be on a pipe system; there is no question about that—the water is not reaching the schools.

Madam Speaker, if you go to WASA, they would show you area maps and point out the areas in which they recognize that the supply is less than adequate. The point was made that we need to make more water available for transmission to the South; even in a system where the transmission losses are 50 per cent.

What we are proposing to do as another short-term measure is the reactivation of the well-fields in the North to further increase the availability of water that can be, in fact, delivered to make up some of the shortfall that is occurring in the North and allow a greater transmission of water down to the South, into the areas that are short. So, there are, in fact, short-term measures.

However we want to regard the matter—and we have heard much about the finance—even when we have the finance available, changing control valves throughout the Navet system, repairing leaks on mains that are buried 8 to 10 feet below the ground—and very often under the main roads—is a question of time. It does not matter who it is; it is an engineering problem that is going to take a certain amount of time; it cannot be done overnight, with the best will in the world.

We are taking such measures as are available to seek to provide short-term relief: \$6 million on valve replacement, leak repair for better delivery, better control; reactivation of well-fields to provide for greater availability of water for transmission. Short-term measures. The longer term measures, certainly.

Indian Trail: A two-inch cast iron pipeline installed—if WASA's records are correct—some 18 years ago; and given the developments that have taken place since then; there is the very clear need to replace that pipeline with eight miles of four inch diameter pipeline. WASA has estimated a contract cost of \$3.8 million; but what has been made available to WASA to provide the short-term relief is \$6 million. With respect, Madam Speaker, it is difficult to see how WASA can spend \$3.8 million of that \$6 million on that Indian Trail pipeline at this time.

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What we are looking at is a major problem—160 kilometres of distribution mains that now need to be replaced. The recognition that when we repair one leak and as we say in Trinidad "yuh put the water on, it 'buss' out somewhere else". The mains have to be replaced. In fact, not only should the mains be replaced, but they must also be increased in size to cope with the increased demand. There is the job of replacing 160 kilometres of mains—not the entire job, \$238 million—and as the Member for Oropouche says you cannot expect that to come from WASA's funds.

**6.25 p.m.**

It cannot come from Government funds because Government does not have. I hope I am not embarrassing the Minister of Finance. So, you seek to borrow the funds, and when you are talking to the World Bank, you must recognize the constraints. As we go down the road let us recognize that it is a real problem—

**Mr. Hosein:** Madam Speaker, if the hon. Minister would allow me. The new arrangement that WASA has with regard to trucking water to schools, will expire sometime shortly. Can he give this House the assurance that we would not have this long delay again?

**Sen. The Hon. B. Barnes:** I will deal with that directly. The present arrangement will certainly take us to the end of this term. We have the assurance from the Ministry of Education that they will make funds available for the continuance. The list will be looked at again because, hopefully, we can at least get some of these schools back on a reliable pipeline system, so that there is the need to keep the matter under review.

But, let me assure the Member that there should be no disruption in the supply to the schools as occurred the last time, which, essentially came because the water truckers had, in fact, withdrawn their services. Let me just add that I have the assurance of the Minister of Local Government that local government has, in fact, introduced and is maintaining a truck-borne water distribution system.

**Mr. Haniff:** Yes, there is a system supplying water, in the areas where there are no lines at this time, through the local government body. There are certain areas where water cannot reach into the lines. WASA at one time had trucks to service those areas. The trucks that are assigned to the local government body are not servicing those areas, and there is no agency at this time that you can turn to, to get some in those areas.

**Sen. The Hon. B. Barnes:** The Member for Princes Town is quite correct. I was about to make the point that the obligation on local government is to maintain

a supply in those areas which—I emphasize— "have not been serviced by WASA." I emphasize this for particular reasons. The reality is, and particularly on the extremities of WASA's distribution system, there are many areas that are piped up but are also not being serviced.

At the present time WASA's revenue on average is \$12 million per month. WASA needs \$25 million to maintain its operations. It is because of the late payments that the truckers withdrew their services. WASA has been seeking to persuade the truckers back on. It is a slow process, but as more and more people are prepared to make themselves available, that arrangement can be expanded. I am merely trying to convey that it is a real problem. It is a problem of engineering and a problem of finance.

The Member for St. Augustine, if I recall correctly, took the reality of the geography. I believe he was the one who suggested over a number of years that you must manage the watershed areas and you hold the water back during the rainy season and then release it in the dry season. At least he recognizes the geography of the thing, in a way, the reality. It is a physical problem. It is a problem that we know and that we understand. The problem is that we have concentrated on water production.

Under social pressures we encouraged the expansion of the distribution systems, and as Minister I support that. What we have to do now is to get the transmission system right; that has been there for 30 to 50 years, that has grown old, that has not been expanded to meet the requirements of the growing demand and, indeed, the growing production capability. It is a real problem.

**Mr. Haniff:** Thank you very much, Sir. Let me further point out that there are certain areas where there are water lines and no water. URP is supplying but, I cannot get water from the URP. It is turning down my requests. URP trucks are supplying in Moruga and, therefore, it is not supplying throughout the areas where there is water. There are areas which are very hard hit, but the URP is supplying with contractors' trucks in certain areas. Therefore, the suggestion I am making is, why not open up the URP system so you can go to the areas where there are no supplies? Why in certain areas and not in others areas?

**Sen. The Hon. B. Barnes:** Madam Speaker, I heard what the Member for Princes Town has said. I am obliged, however, to constrain my reply to responding on the WASA part of the problem. We will discuss the other matter. To make the point; there is a problem. In every constituency there are people who are less than adequately served by WASA at this time. The problems facing WASA are

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known. We heard the Member for Oropouche outline some of them. The solutions in that sense are identifiable. They are fundamentally finance, engineering and physical problems; problems of pumps, tanks, valves. With adequate finance and adequate time, real progress can be made. What needs to be done is considerable in terms of major mains replacement, major equipment, and above all, the improvement of the control technology.

We are, today, in a situation that if a turncock turns off a valve in any remote part of the country, we only know about it when the village complains or the particular residential areas complain. In this modern world there are systems where the thing is up on a board and a valve that gets turned off throws a light in the control room, and the people there know about it immediately. In the long term that is the real problem that we as a country face.

In the short term let me give this House the assurance—and I understand the concerns expressed by Members on the opposite side—that WASA is making a considerable effort. With funds that have now been provided to do the necessary improvements particularly on the Navet System, on the Daisy Transmission System and on a number of the sub-systems.

WASA is endeavouring to bring back the well-fields to make sufficient water available so that they can get an additional three million gallons per day into the South. And I say that they can get three million gallons a day into the South because, on the present basis to do that it means they have to get an additional six million gallons per day in the North to transmit to the South—and some real effort is being put into leak repair.

Let me make the point to the House that there are 4,000 visible leaks in the system. The leaks that are not visible at the present time are still unknown. And, that, Madam Speaker, is the WASA situation.

I thank you.

**6.35 p.m.**

### **Motion on Adjournment (Deferral)**

**Madam Speaker:** The Member for Tabaquite.

**Mr. Maharaj:** Madam Speaker, by arrangement we have agreed to defer that.

**Madam Speaker:** That is deferred? All right. Member for Couva South. Environmental Protection from the Member for Tabaquite, what is happening with that?



**Mr. Maharaj:** That has been deferred to next week, by consensus.

### **ID Parades**

**Mr. Ramesh Maharaj** (*Couva South*): Madam Speaker, I would not be very long. This Motion has to do with the need for Government to take immediate steps to implement its promise that the one-way mirror system for identification parades will be immediately put into operation by the police service. The Government has agreed that this system of identification should be introduced; this has been announced since June 1993 and a publication made in the newspapers. However, some time has passed.

Madam Speaker, as you know, and perhaps for the enlightenment of the House, when someone sees a crime or someone is the victim of a crime and the victim or the witness does not know the person or had not seen the person before, there is a system which has been devised for the witness or victim to identify that person by going along a parade of men or women who are of similar age, who look alike and are similarly dressed, and the witness actually has to touch the person.

What happens then is that the allegations which were made are repeated in the presence of the identifying witness or the victim, as the case may be. It has been recognized that this is dangerous, especially in a small society, and witnesses are sometimes reluctant to identify criminals for fear of being attacked by the persons on the parade—and they have been. I think the Government has recognized that this needs to be changed.

In the United Kingdom there has been a similar problem and there was legislation under which they could have drafted a code. They have introduced a system whereby they can use a mirror so that the witness does not have to be in the presence of the criminal. Through the mirror the witness can identify the person. Our rules do not provide that. I may be wrong, but from what I have gathered, the system seems to be that these rules are drafted by the Executive and then, as a matter of settled practice, the members of the Judiciary examine them because it has to do with the fairness of a parade and the identification has to deal with the acceptance by the judges of what is fair.

In order for the Executive to be assured that there would not be a collision with the members of the Judiciary, these rules are submitted to the Judiciary and the head of the Judiciary would obviously get the Judiciary together and they would come back to the Executive. I do not know whether this is going to happen

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in this particular case, but I have filed this Motion to get a response from the Government as to how long we will have to wait to get this.

I thank you.

**The Hon. Attorney General and Minister of Legal Affairs (Hon. Keith Sobion):** Madam Speaker, the concerns which were expressed by the Member for Couva South are the exact concerns which led this Government to take this approach in this matter. I gather that the Member for Couva South wishes to know how soon these rules will be proclaimed and I can advise him and this House that the final draft was completed on March 5, 1994. It will be reviewed by the Legislation Review Committee of the Cabinet tomorrow morning and should be forwarded to the Chief Justice next week.

In addition, I must say that this is part of the series of measures which we were dealing with, including the Dangerous Drugs legislation, the Preliminary Enquiries matter, the Corporal Punishment Bill, which are before this House; the Bail Bill which should be laid next week. In addition to administrative matters there is the Witness Protection Programme which is well advanced and the rules and regulations which include these ID Parade Rules. So that, insofar as legislative, administrative, and executive actions are necessary to deal with the problem of crime and particularly in relation to drug offences, we are well advanced in completing the package of legislative, executive and administrative measures. I am sure that assures the Member for Couva South.

**Mr. B. Panday:** How long will it take to introduce the physical mirror?

**Mr. Maharaj:** I wish that the hon. Attorney General had given us something more definite. Is there a deadline, having regard to the long delay of this matter? Should it be returned by a certain time and put into operation? Are the mirrors actually there? At how many centres would they have these mirrors? Enlighten us.

**Hon. K. Sobion:** I do not want to commit the Government to a time frame at this stage. We will seek to have it implemented as soon as possible. We have, however, some difficulty, and we have identified three initial centres, one of which is already equipped; for the other two, arrangements will have to be made. It is not in every police station that these will be available in the first instance because of the very rules which govern the parade as we propose them. In addition, the Member will realize that the rules are finally approved by the

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Judiciary and whilst I know that they are themselves concerned about the situation, I cannot fix a time period insofar as that aspect is concerned.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.43 p.m.*