HOUSE OF REPRESENTATIVES

Friday, July 22, 1994

The House met at 1.40 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

RESIGNATION FROM PUBLIC ACCOUNTS COMMITTEE

Madam Speaker: Hon. Members, I have received a communication from the Member for Chaguanas (Miss Hulsie Bhaggan) dated July 19, 1994 in which the hon. Member has informed me that she has tendered her resignation from the Public Accounts Committee.

TRADE MARKS (AMDT.) BILL

Bill to amend the Trade Marks Act, Chap. 82:81, brought from the Senate *[The Attorney General and Minister of Legal Affairs];* read the first time.

PROTECTION OF WRECKS BILL

Bill to secure the protection of wrecks in the territorial waters of Trinidad and Tobago and the sites of such wrecks from interference by unauthorized persons and for related purposes, *[The Minister of Works and Transport and Minister of Local Government]*; read the first time.

RESCUE MISSION (INC'N) BILL

Select Committee Report

(Presentation)

Dr. Rupert Griffith: Madam Speaker, I beg to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on Private Bill for the incorporation of the Rescue Mission and for matters incidental thereto.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper in the name of the Member for Oropouche:

Esperance Village
(Restoration of Roads)

128. Could the Minister of Works and Transport and Minister of Local Government state why he refuses to give a commitment on a request made

since April 1993 by the Esperance Village Improvement Committee for the restoration of a portion of the S.S. Erin Road between the 1/2 m.m. and 1 m.m. and the Papourie Road between the 0 m.m. and 1 m.m. in order to facilitate the laying of water mains on a self-help basis to relieve an acute water supply problem affecting over two thousand residents in the area?

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, I request a deferral of one week of this question.

Question, by leave, deferred.

National Emergency Management Agency

129. Mr. Trevor Sudama *(Oropouche)* asked the Minister of National Security:

Could the Minister state the following:

(a) The role and functions of the National Emergency Management Agency?

(b) The on-going programmes, if any, established and implemented by the agency in the absence of emergencies, and in preparation for them?

(c) The total annual expenditure by the Government on the Agency?

(d) The number of staff employed and their designated functions?

Madam Speaker, I do not know whether I should direct this to the Minister of National Security or to the Assistant Minister of National Security.

The Minister in the Office of the Prime Minister responsible for Public Administration and Public Information (Sen. The Hon. Gordon Draper): Madam Speaker, the National Emergency Management Agency (NEMA) was established in 1989 as a co-ordinating body, the mission of which is to co-ordinate a network of agencies and individuals who will play a role in disaster preparedness as well as response to, recovery from, and mitigation of disasters within Trinidad and Tobago, in order to direct their efforts to the maximum preservation of life, and the protection of property in times of disaster.

The ongoing programmes established and implemented by NEMA in the absence of emergencies and in preparation for them are as follows.

1. Administration:

   At this time the complete restructuring of NEMA, including filling of all vacancies on the NEMA establishment.

2. Operations:

   a. Training: Updating disaster management skills and techniques of NEMA staff and NEMA Task Force through workshops, short courses and conferences. Training of public officers and volunteers in disaster preparedness, response, relief and recovery activities, e.g. shelter selection, management and emergency planning.

   b. Public Education: Increasing the level of public awareness and disaster preparedness, response and recovery through lectures, brochures and so forth.

   c. Emergency Communications: Maintenance of emergency communications with local government bodies and major emergency response agencies, and the upgrading of NEMA's communication system.

   d. Emergency Operations Centre: Purchase of emergency command and control vehicle; maintenance and upgrading of the centre.

3. Planning, Mitigation and Research including:

   a. vulnerability analysis, examination and mapping of critical facilities, e.g. water,electricity, gas, health facilities and so forth; and preparation of a national risk atlas;

   b. establishment of emergency information systems, including the installation of computer hardware equipment and software; the development of a national inventory of personnel, equipment and materials for disaster response;

   c. disaster and emergency planning, including the annual revision of the national emergency plan; assisting regional, city and borough corporations and the Tobago House of Assembly in the preparation and revision of the emergency plans; preparation of standard emergency operations procedures for NEMA and local government bodies:

      preparation of disaster recovery plans for national and local government levels; annual revision of the National Oil Spill Plan with the Ministry of Energy;

      assist industries in the preparation of industry facilities emergency plan; and the preparation of the Point Lisas emergency plan.

4. Emergency Relief: Formulation of National Emergency Relief Plan; establishment of relief stockpile, and the establishment of relief supplies management team.

5. Work relating to the subregional disaster response unit for Grenada and Guyana:

   the acquisition and maintenance of updated, comprehensive information on the facilities and services available in each of the participating states;

   the maintenance and testing on a regular basis of the communication with the co-ordinating unit;

   maintenance of independent fuel and power supplies and ensuring that relevant physical facilities are in a condition to withstand a major disaster;

   the maintenance of equipment and essential items at the operational point, in serviceable and optimal working condition.

The total expenditure by Government and NEMA is as follows:

In 1992: $608,367; 1993: $728,272; the allocation for 1994 is $785,801.

The present staffing is as follows:

2 Acting Co-ordinators

1 Clerk IV

1 Acting Accounting Assistant

2 Acting Clerk Stenographers I

1 Acting Motor Vehicle Driver

1 Acting Messenger I

1 Acting Cleaner

There are now ten vacancies to be filled.

Thank you, Madam Speaker.

Mr. Sudama: In his response to Part (b) of the question, the Minister outlined a number of programmes and plans. Since there was the disastrous flooding last year in the southern area, especially in the constituency of Oropouche, when no such plans and programmes were in evidence in dealing

with that situation, could the Minister give this House the assurance that if there is a flooding problem in 1994 the National Emergency Management Agency will respond with some effectiveness?

1.50 p.m.

Hon. G. Draper: Madam Speaker, NEMA is preparing itself to respond to all emergencies, including the one alluded to by the Member.

DEFINITE URGENT MATTER

Demolition of Vendors' Stalls

Mr. Trevor Sudama *(Oropouche):* Madam Speaker, I indicated to you earlier today that I intended to seek leave to raise a definite matter of urgent public importance which has to do with the demolition of vendors' stalls on the instructions of the Minister of Works and Transport and Minister of Local Government, in and around Aranguez, Cross Crossing Roundabout, South Trunk Road, San Fernando, and other areas in Trinidad and Tobago.

The matter is definite in that specific action has been taken against a large and identifiable category of wayside vendors in various localities in Trinidad and Tobago, which has been the focus of attention by the public to the plight of this unfortunate group of citizens.

The matter is urgent in that these vendors have overnight, and without immediate warning, completely lost their means of livelihood and have been rendered penniless, destitute and indebted as a result of precipitate Government action. Emotionally, they are shocked, demoralized, deeply apprehensive and uncertain of their very existence. Almost all the vendors are owing creditors for the produce which they had on sale, and which was callously damaged or destroyed in the process of the demolition of their structures.

Many of the vendors have been rendered homeless as these structures also served as a home. They have no place of shelter and, together with their families, must brave the elements during this period of inclement weather. The identification of some immediate means of support for the victims of this action, for such pressing and basic needs like food and shelter, is a matter of the most urgent consideration, especially in light of the fact that no alternative locations were offered in order for them to continue to eke out a modest livelihood.

The matter is of public importance, indeed significant public importance for a number of reasons. Besides the large number of citizens whom the action has adversely affected, including the vendors, their families, dependants and relations

in many parts of the country, the possibility that such swift and brutal action could be taken against other long-settled vendors along other roadways in the country is intensifying the syndrome of fear, apprehension and anxiety which has enveloped the whole country.

There is possible violation of the law by the state in its failure to observe due process in entering and demolishing the vendors' structures in the light of clear judgments delivered in the courts of the land. In light of the above, claims for damages against the state could arise from the action taken, in that property of the vendors was destroyed and/or taken away by officials of the state, that is, the produce and the materials with which the structures were built. In my view, this is an illegal action—the possible violation of the fundamental rights of citizens guaranteed by the Constitution with respect to the right to a means of livelihood; the possible violation of the fundamental rights of citizens guaranteed by the Constitution with respect to equality of treatment under the law.

The structures of some vendors have been demolished and others in the same location have not been.

Mr. S. Panday: For example, KFC!

Mr. T. Sudama: Where structures were demolished, some vendors were served with notices and others were not. Some vendors in the urban areas, prior to the demolition of their structures, have been offered alternative locations for vending and at public expense.

Hon. Member: That is right!

Mr. T. Sudama: The vendors affected by the current Government’s action, who are all from the rural areas have had no such offer.

Mr. Maharaj: Affecting agriculture?

Hon. Member: That is right!

Mr. T. Sudama: Madam Speaker, the larger consequences of a rise in criminal activity and other antisocial activity would follow from the Government's action in light of the large-scale loss of livelihood and income affecting hundreds of families, particularly since alternative means of employment are not available in a declining economy. Here we are depriving people of earning—

Madam Speaker: The Member must not embark on a debate, please.

Mr. T. Sudama: I am not embarking on a debate; I am just winding up, Madam Speaker.

In a declining economy without any possible means of getting alternative means of livelihood, the Government has taken such brutal and insensitive action.

Madam Speaker, for the above reasons I am of the firm view that the matter qualifies as one that is definite and of urgent public importance.

Thank you.

Madam Speaker: I have noted under the limb of "matter of public importance," the possible violation of law and fundamental rights, and that does not qualify as one of public importance. Therefore, the matter does not qualify under Standing Order 12 but may be debated on the adjournment of the House under Standing Order 11.

Mr. Maharaj: No, no, no! *[Interruption]*.

Madam Speaker: Order, please! Proceed.

Mr. Sudama: You cannot tell me what to raise it under. I am not going to raise it under Standing Order 11. They will understand how the Government deals with these matters, and the ruling of the Speaker.

ORDER OF BUSINESS

The Minister of Industry and Trade and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that the House now consider the motion under "Private Business"—item No. 7—on the Supplemental Order Paper before "Public Business".

Leave granted.

RESCUE MISSION (INC'N) BILL

Select Committee Report
Adoption

Dr. Rupert Griffith *(Arima)*: Madam Speaker, I beg to move that this House adopt the report of the Special Select Committee appointed to consider and report on a Private Bill for the incorporation of the Rescue Mission and for matters incidental thereto.

Question proposed.

Question put and agreed to.

Report adopted.

Question put and agreed to, That the Bill be now read the third time.

Bill accordingly read the third time and passed.

2.00 p.m.

PRIME MINISTER'S CAR
(INDEPENDENT INQUIRY)

[THIRD DAY]

Order read for resuming adjourned debate on question [May 27, 1994]:

Be it Resolved that this honourable House consider that an independent inquiry should be instituted into all the circumstances in which a motor vehicle was acquired by the Member for San Fernando East, while a Minister of Government, and was transferred into the custody, care and control of a person or persons widely reputed to be drug dealers.

And be it Further Resolved that the inquiry should extend to the implications of these events for the reputation and integrity of the Office of Prime Minister and for the promotion of exemplary standards of conduct in public life. [*Mr. A.N.R. Robinson*]

Question again proposed.

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, I rise to speak in this debate with a sense of sadness because of my own involvement in an occupation which is generally viewed with disgust and distaste—

Dr. Rowley: Your own doing.

Mr. T. Sudama: —an occupation that is associated with venality and corruption, unscrupulousness and deceit in the minds of the public, with subterfuge and dissimulation, shamelessness and insensitivity; and where there is perceived to be a dearth of principle, integrity, conscience and ideals. Merely by association, I myself have been tarred with the same brush although, over the years, I have maintained my own principles, without compromise, my character has been unsullied, and my integrity unquestioned.

I say this without fear. Yet, I too, Madam Speaker, must bear the burden of a tarnished occupational image in an undiscriminating society which refuses to distinguish between villainy and virtue.

Mr. B. Panday: Language!

Mr. T. Sudama: It is the subject of this Motion before us which further compounds the negative image of politics and politicians, and gives cause for

despair; and the media have been a key contributor to the parlous state of our body politic, by its excesses and its omissions, by its shameless pandering to special interests, and its promotion of hidden agendas; by its undisguised identification of issues for publicity or for suppression.

The media's role in refusing to publish matters embarrassing to the Government has identified the media as an agency of propaganda and manipulation, and none more so than in the present case, where every letter to the editor, with respect to the matter of the sale of a motor car by the Prime Minister when he was Minister of Energy, to a person widely reputed to be involved in the drug trade, is suppressed and not given the publicity that such a matter deserves, and the implications which there are for the politics of this country.

When I read how the media thinks of themselves I laugh aloud. Here we have the Managing Editor of the *Trinidad Guardian*, Mr. Jones P. Madeira, saying:

> "My profession is rooted in accuracy, objectivity, completeness and fairness, and good taste, making clear what is fact and what is opinion, and doing so in an environment of freedom that remains responsive to responsibility."

This is Madeira. I do not know which media he speaks of; which journalist he has in mind.

Mr. Maharaj: The Prime Minister is editor of all the newspapers, you know.

Mr. B. Panday: He calls the editors once a month and tells them what to say.

Mr. T. Sudama: Madam Speaker, long before now, I myself gave some thought to the state of the body politic in this country and where we are heading and the image of politics and politicians.

If I may be allowed to quote from my own—

Mr. B. Panday: From your own publication.

Mr. Maraj: You are quoting from your own book again? That is a bad precedent.

Dr. Rowley: I thought one was enough. Another one?

Mr. T. Sudama: I was writing this in 1990, Madam Speaker; it is so pathetic. I said then:

> "The contempt and contumely indiscriminately heaped upon the heads of all politicians by a spuriously self-righteous society must inevitably redound

to the lasting detriment of the institutions and processes through which they carry out their functions.

With monotonous regularity we hear the refrain that politics is a dirty game and all politicians are either liars, double-dealers, manipulators, self-seekers, megalomaniacs or all of these combined. It is with tiresome frequency that we are confronted with the sanctimonious pontifications of so many in the land that involvement in politics is a fate worse than prostitution. Such a popular conviction can, without much prompting, lead to extreme scepticism of the avowed worth of the institutions of parliamentary democracy—parliament, party, elections, due process, equality before the law, independence of the judiciary, guarantee of constitutional rights, neutrality of the state, etc."

and the role of the media in all this.

"But one is not encouraged by the incompetence, superficiality, bias and, in instances, sheer villainy which seem to characterize its performance and its personnel...But the quality, orientation, commitment and integrity of the media in this country need to be seriously evaluated as an area for self-reconstruction and reform. There exists an appalling incapacity to be discriminating, discerning, disinterested, independent and open. The media is not an abstraction and its worth is determined by those who are involved in its functioning and management."

Madam Speaker, having said that, I anticipate that what I am going to say here this afternoon will not get a single word of reportage.

Mr. B. Panday: True. Unless Mr. Manning informs Mr. Mouttet. Could he ask Mr. Mouttet please to—

Mr. T. Sudama: In the light of that, I want to say that the media are irrelevant to my political fortunes. They have been and it will remain so. Totally irrelevant to my own political fortunes.

Hon. Member: As it was to Eric Williams' political fortunes.

Mr. T. Sudama: As it was, indeed, I am reminded, to the fortunes of the late Dr. Eric Williams.

Madam Speaker, this is because when I came into politics—and this is why I feel a nagging sense of discomfort in this occupation in which I am involved—I came into it to make some little contribution to the cause of freedom, justice,

equality and progressive development; I did not come into politics to satiate any lust for power, to titillate my own ego, to enhance my financial fortunes or to bask in the sunshine of media publicity. I believe that I have served with commitment, with devotion, without fanfare and I have done my duty.

2.10 p.m.

Madam Speaker, when I rise in this debate to speak on matters involving corruption, or references to corruption, or suspicion of corruption, it is a painful exercise on my part, because I, myself, am not involved in any excess activities, I am merely involved by way of association in a certain occupation.

The debate on the Motion involves larger issues. The mystery, misgivings and suspicions with respect to the transfer of a car owned by the Member for San Fernando East, in his former capacity as a Minister of Government to someone who has been charged with drug dealing, is merely an expression of a general corruption of values in the society, and a decline in standards of morality and decency over the years. It is merely one expression of that.

Therefore, this debate not only has to do with the transfer of a motor car owned by the Member for San Fernando East to someone who has been charged with drug dealing; it also has to do with morality in public affairs which was one of the planks on which the PNM Government came into office. I want to say that that plank has become rather rotten by 1994, or had, indeed, by 1984.

I also want to quote the hon. Prime Minster in the *Express* when he was speaking to a graduating class in Port of Spain. This was on October 22, 1992. This is the Prime Minister of Trinidad and Tobago making that admission. He said:

> "There is corruption at all levels and there is no point pretending it does not exist."

If there is corruption at all levels, does that include the Prime Minister of Trinidad and Tobago? And if that includes him, if there is any suspicion of corruption, why is he afraid of a commission of inquiry? What earthly reason does he have to fear the truth, if as he says here, "there is corruption at all levels" in the society? His own admission, not mine.

This Motion has to deal with standards of behaviour and integrity in public life; standards of behaviour and integrity if we are going to restore to public life that modicum of decency and integrity which it demands.

This debate has to do with the use of public office for private gain and private benefits. I will go on to elaborate in this debate how the Prime Minister used his power as a Minister for private gain and how other Ministers of Government—because we have to put this debate and their behaviour in some sort of context—have used their influence in public office for their own private benefit.

It has to do, not only with the sale of a motor car by the Member for San Fernando East; I was reading in the newspapers the other day that immediately on his return from Europe, a secret scholarship was arranged and that his son received a secret scholarship from a German firm which is likely to be or has been an investor in Trinidad and Tobago. Is this a use of public office for private benefit?

This issue points to the inadequacy of the parliamentary system under which we presently operate. Its inability to deal with matters of this kind, its inability to purge itself of any poisonous element—

Dr. Singh: Toxic material.

Mr. T. Sudama: —any toxic material which may have entered the body politic. How does the parliamentary system, as we operate it now, deal with such a situation—have an enquiry to bring the matter out into the open to determine the truth of the matter? Total inadequacy. Because, for any action, this system depends on the approval of the Executive to have an inquiry instituted. Here, the action of a senior member of the Executive is in question, but it depends on the Executive to decide whether the Executive will inquire into the actions of the Executive. This is because of the Executive's dominance of Parliament.

This has been an inherited part of our system: the Executive dominates this Parliament and, therefore, if it comes to a vote, this Parliament merely serves as a kind of rubber stamp for the decisions of the Executive. An independent view cannot be expressed in this Chamber because members of the Executive sit here and dominate it, unlike the situation in other democracies of the world, particularly the United States.

Mr. Valley: You want to change the whole system and the Opposition must govern. The Opposition will form the Executive.

Mr. T. Sudama: No. But will you sit in judgment on yourself? Where is there an independent institution in the system to take the initiative to commence an inquiry into something which obviously needs an inquiry? That is nowhere in this system. There is no power given, for example, like what is given to the

Justice Department, or to the Senate in the United States to institute hearings and to clear the air on such matters.

May I point out here that the President, almost in every matter of administration and Government, merely acts in this country on the advice of the Cabinet. But it is the head of the Cabinet whose action is in question here.

When we compare what is happening in Trinidad and Tobago to what is happening in the United States, what do we find? In Trinidad, what may be conceived as a very frivolous matter, an issue of possible sexual harassment by the President when he was Governor—possible sexual harassment—that matter is now the subject of a public inquiry in the United States. Also possible involvement of the President when as Governor he had dealings with a real estate company. That is now before the public in the United States as a matter to be aired and investigated by impartial authority. Where is the equivalent in Trinidad and Tobago?

This is why an Executive, under our parliamentary system as it now operates, could get away with murder, and we see that there is urgent need for reform of this system if we are going to save our politics, and save our country eventually, from the stigma of endemic corruption. Of course, the nature of the political culture of this country is such that there is a very high tolerance level for corruption and irregularity. I have already alluded to the role of the media in perpetuating this state of affairs; this type of culture that we have had over the years.

2.20 p.m.

One will recall a former PNM Government Minister saying, "All ah we tief." Do you understand the implication of that statement? If "all ah we tief," corruption is the norm. The Prime Minister of Trinidad and Tobago said "There is corruption at all levels." I do not know if he is exempting himself from it at all levels, and there is no point pretending it does not exist. If it exists at all, and there is the possibility that it exists in this instance with respect to his dealings with a drug dealer, why not have a commission of inquiry to clear the air? Why not?

What we have had as a result of the behaviour of successive PNM politicians, governments and Ministers, is a public that has become totally inured to corruption. Therefore, we cannot have any change in the foreseeable future without initiating a change in the political culture of this country.

I was just reading an article on page 6 of the *Trinidad Guardian* of Thursday, July 7, 1994, headlined "TT Society shameless—Deosaran" which has to do with

the image of politics and politicians, which is the heart of the matter in the debate on this Motion. He stated that:

> '"Today, whether in politics, in business or many of the professions, adults feel no shame for public misconduct."'

No shame whatsoever in the behaviour of Ministers of Government, a Prime Minister, for public misconduct.

> "How then can our children feel shame as a means of self-control?"

You have to internalize shame in order to have that self-control. What we have had over the years, and up to today, is an expression of utter shamelessness on the part of members of the Executive.

> "Shame is a psychological condition for civilised behaviour and any society in which shame becomes an outdated commodity soon sinks into criminality and irresponsibility."

Do you understand what is happening in Trinidad and Tobago today, Madam Speaker?

What we are dealing with here is not only the sale of a motor car by the Member for San Fernando East—the transfer of a motor car which was in his name—to someone charged with drug dealing; we are dealing with a style of government which has brought an aura of corruption and misuse into public office—misuse and abuse of public office. We have had allegations with respect to debt forgiveness to a senior Minister of Government.

Mr. B. Panday: The country does not know where that is at the moment.

Mr. T. Sudama: The possible use of his position in order to have his loans and indebtedness written off in institutions—and one of them was a state-owned institution. Did he or did he not use his influence in order to have debt forgiveness? When the banks are trying to push the little man against the wall in order to recover a penny here we have a Minister of Government—with the possible use of his office, for private gain—having a loan of $12 million written off.

It does not matter whether he asked for debt forgiveness. What is important is that he is in a position to influence major political and governmental decisions in the country. Which institution in Trinidad and Tobago is going to bring action and force a judgment against a man who is allegedly the Deputy Prime Minister of Trinidad and Tobago? Which institution?

Then we have had another instance where a Minister of Government, the Minister of Finance and Member for St. Ann's East, used public resources for private romance. Here you have a situation where a person who is employed with a consulting firm acts as lobbyist for the Government of Trinidad and Tobago—and the Minister was one of the men who selected that firm; he said so in his Budget Speech. Then, he had developed a liaison with an attorney attached to that firm. We do not know how many trips to Washington were really business trips or for pleasure and romance. We cannot say.

We do not know how many times his occupation of Grafton Beach Resort or the Hilton Hotel, at public expense, has been for romantic escapades or public duty. There seems to be no distinction. I raised the matter in this House about the grant of a tax exemption to benefit Grafton Beach Resort when the Minister of Finance went ahead—the Minister of Trade and Industry had not given an order that Grafton Beach was an approved hotel project—and granted relief to the interest payable on that loan.

The owner of Grafton Beach Resort happens to be a man called Mr. Galbaransingh. Do you know what happened, Madam Speaker? The very same Mr. Galbaransingh turns up in Washington to be the bestman for the Minister of Finance's wedding. This is the syndrome in which we are operating! Total abuse of public office!

Then we had an attack on the Opposition on the last occasion this debate was in progress by the Member for Diego Martin East. We all know that one of his chief financiers and confidants is a man called Steve Castagne of M&M Insurance, and about the irregularity which surrounded the grant of brokerage to the Port Authority to M&M Insurance. When the Prime Minister was called upon to do something, he said "I investigated it and I found no irregularity." Himself investigating himself to find that there is no irregularity.

The same Member for Diego Martin East comes here to talk about integrity in public life, installs the same Steve Castagne as vice-chairman of the Airports Authority, and then there was this surreptitious deal with the award of that contract to Pegasus. And, they come here and talk about integrity in public life?

The issue of corruption in the Ministry of Works was raised with respect to the Road Resurfacing Programme. Substandard materials were delivered; materials were short and there was a chain of corruption from checker, supervisor, engineer, going right up to ministerial level. When the matter was brought privately to his attention, do you know what was the response of the Member for

Diego Martin East? "How do you expect the fellas to live?" The Member for Diego Martin East, because, presumably, that is how he lives. They come here and talk about integrity in public life, and to defend the indefensible. I wanted to say something about the Member for Diego Martin West who also spoke in this debate, but since he is not here I will reserve it until he is here, and then deal with him and his management of National Quarries. He comes here and talks about my "incompetence." I will deal with him on another occasion.

2.30 p.m.

Madam Speaker, I am just trying to put the action of the Prime Minister into some sort of context with respect to the behaviour of other Members and Ministers of Government, and to show that this is a pattern, because it fits snugly into that context of questionable action, of possible impropriety which they are not willing to face, and which they are not willing to be the subject of any investigation. It is their attitude to providing information.

When information is asked for in this House, they say they have been given a mandate to rule. If you ask for information on divestment and the deals they have been making in selling out the state enterprises, they say they have a mandate to rule. If information is asked for on the NUCOR contract, they say it is private and confidential and cannot be made available to the Parliament of this country. Even if information is requested on who works on an Unemployment Relief Programme, that too, is private and confidential.

We have a Government of privacy and confidentiality. When you have such a government and such a system, then there is the likelihood that there is every opportunity for corruption to flourish. That is what we are dealing with. It is not just a question of the sale of the motor car owned by the Member for San Fernando East by someone charged for drug dealings: that is not a simple question. It has significant consequences for the operation of the body politic.

How has the Government sought to deal with these issues when they have been brought up in this House? When we look at the manner in which they have responded, it adds further grist to the mill in this request for a public inquiry into these affairs.

Let me begin with the statement of the Member for San Fernando East in this House. That statement raised more questions than it answered. It raised more issues than it gave clarification. It deepened the speculation with respect to his conduct.

I am reading from *Hansard* of February 18, 1994. He said:

> "This particular article alleges that in 1994, I sold a motor vehicle PAN 1010, a Toyota Royal Saloon, to one Nankissoon Boodram, also known as Dole Chadee."

He told this House:

> "This allegation is totally false, since I do not know the man..."

Madam Speaker, I want you to note the present tense:

> "I do not know the man and I categorically state that I have never transacted any business whatsoever with Mr. Boodram."

I have a question to ask the Prime Minister. If you did not know Dole Chadee in 1984, did you get to know him subsequently? If you said that in 1994 you still did not know Dole Chadee I ask you a further question: Was Dole Chadee at your house early in 1992, when you were shifting residence from your home in Marabella to your official residence in Port of Spain? On that day was Dole Chadee at your home in Marabella? Was he or was he not? I am not going to take a response from him, and this is why I thought that a commission of inquiry was the best way to try to arrive at the truth.

Mr. Manning: Madam Speaker, just for the record, the answer is no.

Mr. T. Sudama: That record is merely a formality. My information is that Dole Chadee has been to your home in Marabella, that he has frequented your home in Marabella. My information is that you have had drinks with him.

Mr. Manning: That too, Madam Speaker, is untrue.

Mr. T. Sudama: Madam Speaker, do you not see the need for an official inquiry, an independent and impartial inquiry into this matter? The credibility of the Prime Minister is at stake.

Mr. Valley: It is yours that is at stake.

Mr. T. Sudama: Everybody's credibility is at stake. When you question their credibility they do not defend it, they attack my credibility. My credibility is for anybody to investigate. I will put myself up for a commission of inquiry at any time. My credibility is not in question here. I do not hold governmental office. He holds governmental office. The question is whether Dole Chadee frequented his house in Marabella or not. For example, he said he never knew Dole Chadee, but he knew Sankey Subance.

"The sale was effected through purchase by one Sankey Subance, a known car dealer from Cocoyea Village where I was born and grew up."

Sankey Subance is a home-town boy, a good friend apparently, where the Prime Minister was born and where he grew up. Did he know in 1984 that Sankey Subance was also friendly with Dole Chadee? Did he also know in 1984 of Sankey Subance's irregular dealings?

Mr. Manning: The answer, Madam Speaker, is no to both questions.

Mr. T. Sudama: Madam Speaker, a commission of inquiry! Clear your name. Nobody in this country believes you when you get up and say no, nobody—probably the *Guardian*. I do not think your own Ministers believe you.

I want to find out from the Prime Minister, if in 1984 he and Sankey Subance were good pals, whether he knew all of Sankey Subance's transactions, and all the matters in which Sankey Subance dealt? Whether he knew Sankey Subance had a close relationship with Dole Chadee? He does not know. Did he know in 1984 that the actual purchaser of the car was one Dole Chadee?

Did Dole Chadee attend parties or social gatherings in the company of Manning or at Manning's residence? Did he attend parties or social gatherings at a certain Marabella nightclub?

2.40 p.m.

It is only a commission of inquiry that would look into these matters to see if there has been any association between the Member for San Fernando East and Dole Chadee, at any time in the years gone by, up to his present denial in February, 1994, that he does not know the man.

I am saying that his credibility became in question when he made that statement in this House. I would read an article from the *Mirror.* It states:

"Dining with Dole

Whoever said that certain leaders of the PNM never knew drug runner Dole Chadee, should speak to employees of a longstanding Marabella dance spot.

Employees told Shadow Minister that during the mid-eighties, a PNMite who is now an influential national personality was entertained several times at a private room of the night spot.

Other party heavyrollers also enjoyed the Chadee's champagne company, I hear.

Chadee is currently on drug and murder charges."

There are speculations, misgivings and disquiet about the behaviour and actions of the Member for San Fernando East when he was a Minister and now that he is Prime Minister, and he refuses to clear his name. I asked again, and he denied it. I have been told by people who reside near to his home that Dole Chadee was at his home on the day early in 1992, when he was leaving to change residence from Marabella to his official residence in Port of Spain.

Mr. Manning: What day was that?

Mr. T. Sudama: Let us have a commission of inquiry and I would tell him the date. He just denied that the man was ever at his home but now he wants to know the date.

Mr. Manning: Madam Speaker, just for the record, I moved from my residence in Marabella to the Prime Minister's residence on August 8, 1992 and not early in 1992. That is why I asked him what was the day.

Mr. T. Sudama: He moved in August. He was not at his home in August. It was early in 1992 he was at his home. Or, was he at his home in August?

The other question I raise is if, as we have been told, the Prime Minister was impecunious in 1984 and he was so badly out financially that he had to change his motor car as a Minister—if he was so in 1984, I would imagine in 1987-1991 when he was in the Opposition, he was doubly so, because he was not a Minister of Government. He was Leader of the Opposition for some time. If that were the case and he was so impecunious then, the temptation would have been greater in 1987-1991 to receive money from sources which could, in the end, turn out to be questionable

My question is: As rumour has it, was one of those questionable sources of trying to make ends meet, Dole Chadee? If he denies it, let us have some independent inquiry and let us find out what the truth is.

Madam Speaker, there is also the question of the sale of his house. That was raised by the Member for Couva North at some previous time. It is reputed—it came from some sections of the press—that the purchaser of the house was someone who was fronting for Dole Chadee. We do not know. It may be; it may be not. It is surely a matter of the greatest coincidence that in 1984, he could have had a transaction, according to the certified copy, where a car owned by him was transferred to Dole Chadee and in 1993, a house owned by him happens to get into the hands of someone who is fronting for Dole Chadee.

Madam Speaker: The speaking time of the hon. Member has expired.

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

Question put and agreed to.

Mr. T. Sudama: I thank Members of the House.

I tried to do a little inquiry because I thought I must give the Prime Minister the benefit of the doubt. I have friends who live in the area of his former residence. I drove around. I saw a car parked at his former residence. It was a brand new blue Mercedes Benz, PAZ 2130. It obviously raises some kind of question. To own a brand new Mercedes Benz PAZ 2130, you must have a lot of money. I think that would cost in the vicinity of $400,000.

I said I should like to know who owns this. Surely, it has to belong to the person who bought his residence. I took the trouble to get a certified copy of PAZ 2130. This certified copy is only a week or two old. PAZ 2130 is owned by Ms. Annie Chinafatt. For the life of me, I have been trying to trace Ms. Annie Chinafatt—there is an address there—and nobody seems to know. The question in mind is: Who is the real owner of this car PAZ 2130, that nobody could trace? Is it a front for Dole Chadee? I certainly cannot trace. It gives rise to much speculation.

Suddenly, he sells his car and then, the purchaser of the house is reputed to be a front man for Dole Chadee; and parked in that garage is a brand new Mercedes Benz. Does that not give rise to some speculation by ordinary mortals? It does. Therefore, a commission of inquiry would have investigated this matter to find out whether the owner of PAZ 2130 is really Dole Chadee. All this would then build a picture. I do not want to talk.

There are other allegations. For example, when he was Minister of Energy, a motor vehicle was given to him by a man who was in the oil services business in the South, because of a deal he helped the man to negotiate with Amoco. I would not go into that. I would confine myself to the present issue of where we have a certified copy saying there was a transfer of a motor car owned by the Member for San Fernando East to Nankissoon Boodram.

One of the defences made in this matter is that this issue happened 10 years ago, that that is a long time ago, so why are we now bringing up issues from so long? At present in the United States there is a fellow who is being tried for incidents which happened 30 years ago. He is now before the Senate hearing. His

name is Rep. Dan Rostenkowski, Chairman of the House of Representatives' Ways and Means Committee. Those incidents took place 30 to 40 years ago.

2.50 p.m.

These matters are now being brought out in hearings; the man is on a charge and is open to conviction. Regardless of when it has happened, once it has happened, it gives an indication of the character and integrity of that person and of his fitness to hold high office. Even if it happened 20 years ago, if it did happen, it gives an indication of the fitness of the Member for San Fernando East to hold high public office. They laugh it off.

We are told that these are personal matters. If a man sells his car it does not matter to whom he sells it. If I am a Minister of Government and I borrow money from the bank, and the bank wants to write it off, that is a personal transaction, that has nothing to do with one's public life. Such naiveté, Madam Speaker, about the separation of public office and private dealings could only come from people on the other side. These are confidential matters and, therefore, there is no need for an inquiry, they say. Do you understand what is happening in the United States, Madam Speaker?

Let me quote something which has been reported in an article in the *Trinidad Guardian* dated May 31, 1994, which relates to what is happening in the United States now, and the queries directed against the government. It asks of the American public: "Can they respect leaders when their flaws are on such obvious display?" And the flaws of the Member for San Fernando East are more than obviously displayed. "Can they function effectively? And what standards are being set for the future?"

It says about another man, the same Dan Rostenkowski:

> "Rostenkowski, reportedly must decide by Tuesday whether to risk indictment for misusing taxpayers' money or accept a plea bargain that could include jail time."

Do you know what his offence is?

> "It seems inconceivable that a man so powerful and skilled would gamble everything he had achieved by blurring the lines among personal, office and campaign finances."

That is his misdemeanour, and it is possible that he could face a jail term. And when we on this side ask for an inquiry here for obvious irregularities, they laugh

in our faces and at the consequences of what is happening to the political figures in the United States. There is

> "... general speculation about Clinton's personal behaviour and his virtual acknowledgement of past infidelity amount to a potent and damaging brew for the President."

In the United States, just a matter of infidelity is damaging to the occupation of the presidency; here there was the transfer of a motor car owned by the Member for San Fernando East to Dole Chadee and that is being shrugged off as a matter of no consequence. You see the difference in standards we are dealing with?

I would like to ask other questions: Was the import licence obtained by the car dealer, and if it was, at whose request? Was it obtained at the request of the Member for San Fernando East in 1984? There are many nagging questions. He did not buy the motor car for use in his public duties. If so, he would have bought it with all the concessions and he would probably have gotten a loan as well. We are told that he was impecunious in 1984, but an impecunious man who does not get a loan to buy a motor car? Here is a man who is struggling financially, who gets a motor car, not for his public duties, did not get any concessions, and he is telling the public that this was an above-board transaction.

I ask him further: At what price was the car sold? With all the declarations made, he has not said the price at which he sold the car. Obviously, he said he sold it because he could not afford the gasoline. At what price did he buy the motor car? At what price did he sell it? And did he use his public office for private gain? Furthermore, the Inland Revenue Department was involved. If he made a profit, did he declare it in his 1984 income tax return? In one's return one is supposed to declare all one's sources of income. Did he sell the car at a loss or gain? If he sold the car at a gain, I would like to know from the Inland Revenue Department whether, in fact, that sum was declared in his return for 1984. *[Interruption]* This Member for Diego Martin Central whose own dealings are so questionable, yet he would come here and tell me that I am talking nonsense.

Mr. Valley: Madam Speaker, I ask that the Member withdraw that immediately.

Madam Speaker: Will the Member withdraw the statement about questionable behaviour of the Minister!

Mr. T. Sudama: Madam Speaker, I said it in the context of the fact that he would not answer questions in this House about his role in the divestment, and that is questionable.

Madam Speaker: You categorically stated that the Member's behaviour was questionable. What does it take from you to withdraw it?

Mr. T. Sudama: Madam Speaker, let me explain that. I meant questionable in the sense that when he is asked to provide information about his involvement in divestment transactions, he refuses to do that, and that is questionable. Why does he refuse to do that? That is the context in which I am raising this.

Mr. Valley: I am asking once more that the Member withdraw the statement, please.

Mr. T. Sudama: I am not withdrawing it. You do what you want. I am telling you the context in which I raised it.

Madam Speaker: Will the Member withdraw the statement!

Mr. T. Sudama: I would like to know whether the motor car was sold for the same price that it was bought, or whether it was sold for more or less. If he sold it for more, did he declare the profit he made in his income tax return of 1984? Not to declare all one's sources of income is an illegality. If I were to ask a question in this House of the Inland Revenue Department, do you know what they would say? That is confidential.

There is need for an impartial public inquiry. I submit that that motor car was bought for purposes of speculation—to make a profit—and that in those days the people who could afford to pay handsome prices for motor cars were those involved in the drug trade. There is every reason to believe that the Member for San Fernando East knew that that motor car was going to be transferred to a drug dealer in order for him to get the handsome profit that he wanted as an impecunious government Minister.

Mr. Valley: Madam Speaker, I want to record my strong objection to the statement made by the Member, and I am asking once more that you have the Member withdraw that statement.

Madam Speaker: Would the Member withdraw the statement about the Minister!

Mr. T. Sudama: I have indicated the context in which I used that statement. There was a Member from the other side who implied that the Member for Couva South got rid of witnesses.

Madam Speaker: Nobody objected. Will the Member please withdraw the statement against the hon. [*Interruption*]

3.00 p.m.

Order!

Mr. T. Sudama: The other reason given, and this has to be the most puerile of reasons advanced, is that the Prime Minister, then Member for San Fernando East and Minister of Energy, had to sell the motor car because the Minister of Finance raised the price of gasoline—he says—and the Member for San Fernando East could not afford this heavy increase in the price of gasoline, therefore he had to sell the motor car to buy a smaller car.

Madam Speaker, do you know in 1985 this same impecunious Minister bought a Toyota Royal Super Saloon! His circumstances must have changed drastically between 1984 and 1985; in 1984, he was forced to sell.

The Member for Diego Martin East got up in this House and made this great case about how the gas increases were intolerable and the Member for San Fernando East did not know.

Let me tell this House what were the salary, emoluments, perquisites and allowances of a Minister of Government in 1984:

Ministers of Government salary

With effect from January 1, 1983, $8,800 per month.

This was ten years ago—but he could not afford a measly rise in gasoline.

Dr. Rowley: What is a Minister's salary now?

Mr. T. Sudama: Maybe about $16,000.

Dr. Rowley: It is $22,000.

Mr. T. Sudama: It was $8,000 then, so you see the value of money then, but he could not afford a measly rise in gasoline.

Cost of Living Allowance

Should be paid on the same basis as exists in the general public service.

Transport

(i) A revised Commuted Travelling Allowance of $875.00 per month with effect from August 1, 1981.

(ii) A revised Special Travel Allowance of $450.00 per month, with effect from August 1, 1981.

Two travel allowances: a travel allowance, a special travel allowance; salary and cost of living allowance.

Subsistence

With effect from August 25, 1983, the following revised subsistence arrangements shall apply:

(i) For travel beyond a radius of ten miles from Port of Spain on official business, a subsistence allowance of $70 per day;

(ii) Ministers who reside beyond a radius of ten miles from Port of Spain, to be paid a subsistence allowance of $400.00 per month.

(iii) Ministers who reside beyond a radius of twenty miles from Port of Spain,

that is the Member for San Fernando East—

a subsistence allowance of $500.00 per month, but the Minister could not have afforded a little rise in gasoline price.

When one puts all this together, when one puts the substantial salaries obtained in 1984, the cost of living allowance, the two transport allowances and the subsistence allowances paid to a Minister, this argument that the Minister could not afford the increase in gasoline price is cutting no ice, is fooling nobody. I also want to find out, was the Member for San Fernando East the only Minister to sell his motor car and buy a smaller one? Were there any other Ministers of Government so placed, so impecunious that they also had to sell their car? Why did he alone have to sell his motor car?

All I want to say in this is that with all the arguments, rationalizations and defences advanced on the other side, nothing holds water: it convinces nobody in this country! Therefore, whom are they trying to fool? The sale of his motor car to a known drug dealer, his possible involvement with drug dealers in this country all this is hanging like an albatross around the neck of the Prime Minister. He says he is innocent; nobody believes him. If he is so innocent let us have a full inquiry into his dealings to prove his innocence to this House and to this country, and to everybody once and for all. "I, Patrick Manning am innocent of all these charges levelled against me, and I have been so declared innocent by an impartial commission of inquiry established in Trinidad and Tobago."

Madam Speaker, do you know why the Prime Minister does not want to do that? He has something to hide! He has something to hide by behaving in this

rather arrogant and reprehensible manner as the leading figure in the Government and politics in Trinidad and Tobago. The Prime Minister comes here to talk about exemplars, and who should be exemplars, and that we are lacking what should be the integrity of people in public life. When one looks at the behaviour of so many of the Ministers of Government, one sees that the last thing one would want is to have them as exemplars, because over years, they have destroyed the very moral fabric of Trinidad and Tobago.

The Government, by continuing in this arrogant, irresponsible fashion, is going further and further to undermine integrity in public life. That is why I got up to speak in this debate, Madam Speaker. I did not get up to attack the Member for San Fernando East, but the incidents, the allegations, speculations, rumours, the mystery and misgivings, all that is not doing any good to the political life of Trinidad and Tobago. We are all, merely by association, tainted with this very negative image of politics and politicians.

I think leadership should come from somewhere. We cannot force a commission of inquiry, if it is put to a vote in this House, Madam Speaker; you will understand how the voting goes. As I said, there is no independent authority in our political system to initiate such proceedings. If there was an Attorney General whose office was independent, maybe that office could have been approached to have an inquiry as, in fact, there has been in the United States where the Justice Department, having been approached, instituted an inquiry into the conduct and behaviour of the President of the United States. We do not have that.

The Member is not here. I had raised the question about conversion to CNG, and he was the first man who converted his motor car to CNG; there was a picture of him filling CNG at Ross and Sons in Claxton Bay. When the Prime Minister was the Minister of Energy there was speculation about his association with Ross and Sons, whether that was an above-board association. All these things would come out in an inquiry, to show whether the Prime Minister is involved in actions, activities and behaviour which are of an irregular nature, or whether he is clean.

3.10 p.m.

When the Prime Minister got up to give his explanations in this House he disavowed any knowledge of the man Dole Chadee; he had to sell his car because premium gasoline went from 28 cents to 55 cents per litre. He said the sale was effected through Sankie Subance; he does not know Dole Chadee; up to January

18, 1994, he had no knowledge of the man called Dole Chadee. Whether he sold at a substantial profit and whether that was recorded in his income tax return, we are not told. Finally, he has come to the inescapable conclusion that the motive behind bringing this matter to the attention of the public is a deliberate attempt to tarnish the character and sully his good name.

Madam Speaker, by the Government not having an inquiry, that is tarnishing the character and sullying the good name of the Prime Minister of Trinidad and Tobago: not the fact that it is brought to the attention of the public. A political system must have means and mechanisms of purging itself, of resolving these matters when they come up to public view.

Imagine President Clinton of the United States, if when some woman in his past has brought an action against him for sexual harassment, he were to get up and say: "You know, this is a deliberate attempt to tarnish the character and sully the good name of the President." Do you think he could make such a defence in the United States? Or when his involvement in the White Water Real Estate Development came to the fore, do you think he could have made such a foolish defence of his position? That could only happen in Trinidad and Tobago under a PNM Government.

For all the reasons that we have advanced on this side, for all the rebuttals that we have given to the rather slipshod, insubstantial arguments and defences coming from the other side, I wish to support and fully endorse this Motion in the name of the Member for Tobago East. I endorse it because the Member himself is a man of unquestioned integrity in public life and he is merely trying to lift the standards of integrity that we observe in this country.

All these matters should be enquired into, should be dissipated, should be resolved, in the interest not only of the Prime Minister of Trinidad and Tobago and his Ministers, but also in the interest of the political system, the political future and the future development of Trinidad and Tobago. This Motion should be fully supported in this House and an independent inquiry instituted into all the circumstances in which a motor car was acquired by the Member for San Fernando East while a Minister of Government and transferred into the custody, care and control of a person or persons widely reputed to be drug dealers.

Any right-thinking, honest Member of this House, who has the future of Trinidad and Tobago at heart, would have no hesitation whatever in supporting this Motion and in supporting integrity in public life.

Thank you very much.

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, it is with a real feeling of disgust that I join this debate this afternoon. While we know the Member who last spoke represents the constituency of Oropouche, I do not think anybody expected that he would spend so much time in the lagoon and the filth of that constituency. He comes today as though he is completely oblivious of the contribution of my honourable colleague the Member for Diego Martin East on the last occasion. .

For the benefit of this Parliament and the national community *[Interruption]* that Member should be confined to the lagoon for the rest of his life—that is where he ought to be for his behaviour. He is fit for nowhere else but the lagoon. *[Interruption]*.

Madam Speaker: Order! Let the debate proceed. Hon. Members, insulting language is not allowed under the Standing Orders.

Hon. K. Valley: Madam Speaker, as I was saying, for the benefit of the Parliament and the national community, let me simply repeat what is the fact situation that has come out in this debate. On the last occasion it was made quite clear that it was the car dealer who had the import licence with respect to the motor vehicles; that the Minister of Energy, as he then was, was not required to have a licence—he bought the car the same way any individual goes into one of the car plants and orders a car. He did not have to request an import licence. As though the Member was not here.

More than that, with respect to the sale of the car, if you ask anybody in Trinidad and Tobago at this time, they would tell you the facts clearly, because it is known that the car was, in fact, sold to Subance, who said he bought the car. The drug dealer, or the supposed drug dealer, indicated that he bought the car from Subance, according to the court record. Obviously, those facts are not now in question; they are known.

On the issue of the concessions, as is well known, any public officer would tell you that when you apply for the normal concession, there is a time lag—that in fact, the concessions were approved on the same day that the Minister decided to sell the car; all those facts are known. Given all of that, one has to ask: What was the real purpose of this Motion?

Unlike the Member for Oropouche, I do not believe that it was based on any regard for integrity. My colleague the Member for Diego Martin West made the point quite clearly that if the Member for Tobago East was so concerned about integrity then there would have been a number of commissions in the last

administration, there would have been a commission with respect to Mr. Pantin and his bank account; there would have been a commission with respect to the Ambassador to Brazil. So it cannot be a question of integrity.

What is it, Madam Speaker?

3.20 p.m.

Perhaps the *TNT Mirror* of this week would provide a clue. On the front page of that issue one sees, that after the hon. Member for Chaguanas has been in the House now for more than two years, suddenly the *Mirror* finds out that she got a US $3,000 gift from a drug lord. Quite coincidental that she has now taken a particular stand, you see this in the newspapers.

They talk about integrity; they talk about credibility; coming here, a bunch of hypocrites every week. So we know exactly what is happening. There is a certain Caribbean newspaper and there is a certain individual associated with that newspaper. May I say first of all that, basically, I think that the *TNT Mirror* is a good newspaper. However, there are one or two persons employed there who are in the paid employ of certain people.

Hon. Member: Payroll of Ramesh!

Hon. K. Valley: You see certain articles appearing in this newspaper, then you see them in this Caribbean Newsletter. That is the main purpose of this Motion. There are those who believe that you throw mud, put these articles in the international environment so that people outside would believe that certain things are happening in Trinidad and Tobago.

May I tell you something! You ask the smallest child about the Prime Minister of Trinidad and Tobago, and that child would have a certain view of him as an honest, upright citizen. You ask the smallest child in Trinidad and Tobago about certain Members on that side and that child also has a certain view. He would say, they are crooks and nothing but crooks.

Mr. Maharaj: They would say that you are a crook too!

Hon. K. Valley: They would not say that.

Mr. B. Panday: One leaf at a time—one for this side; one for that side.

Hon. K. Valley: Madam Speaker, there is no issue with respect to the Prime Minister.

Hon. Member: Let the country decide!

Hon. K. Valley: The country has already decided on these issues.

Madam Speaker, you heard the last speaker. The Motion talks about a commission of inquiry, but after listening to him you would think that he was judge, jury and executioner. There was no need for any commission of inquiry after listening to the hon. Member. He has already tried the case and concluded.

Mr. Sudama: Do you believe my word?

Hon. K. Valley: Fundamentally he questioned the whole system of parliamentary democracy, as though he wants a new system! The Executive must not come from the party with the majority any longer, as though it must come from the Opposition! So that when the Executive here in Parliament, because it has the majority, can carry a vote, he objects to that. Questioning the fundamental point about our democracy, our parliamentary system!

As I said, there is no issue with respect to this matter. They have wasted their "Private Member's Day" for about four Fridays. One thing we tell them is that the fourth Friday in the month belongs to the Opposition. If at any time there is need, with respect, we would discuss with the Opposition and they would get their day and they can waste it if they like.

They have to account to the population out there. If they want to waste four days debating a non-issue, a total non-issue—you ask the population! You run any poll! But I am sure they will continue with this because that is their way. It is not out of the norm. The chief cook is trying to throw mud, but the way the people dealt with them in 1991 is the same way they will deal with them in 1996, the year 2001 and the year 2006, because they are destined, at best, for the Opposition all the time.

Thank you, Madam Speaker.

Mr. A.N.R Robinson *(Tobago East):* Madam Speaker, this Motion is about two things. Firstly, the promotion of standards of conduct in public life—

Mr. Valley: Nonsense!

Mr. ANR Robinson: —and, consequently, the emphasis upon integrity in public affairs. Secondly, the Motion is about an independent inquiry. Any independent observer could have seen from the course of this debate that what is needed is an independent inquiry. All this sound and fury, all this emotion and heat would have been avoided; all the low level expressions that we had would have been avoided. The country would have been saved that kind of exercise if

there had been a responsible body of people inquiring into this matter in a methodical and responsible fashion. That is what other countries have.

I have in my possession the report of an independent commission against corruption. This is from Hong Kong. Hong Kong had one of the worst reputations in the world for corruption. Hong Kong wanted to be the financial centre of South East Asia, and Hong Kong knew that it had to take some serious action against corruption wherever it was, and it was at all levels, as it is reputed to be in Trinidad and Tobago. Hong Kong set up a permanent independent commission—not an ad hoc one—and the procedure is that any citizen can make a complaint against anybody to this commission.

The commission decides, after a preliminary examination, whether there is substance in the complaint. If there is no substance in the complaint, then the commission throws it out. If the commission considers that there appears to be substance in the complaint, then its investigating arm proceeds to investigate the matter. That is how civilized people conduct their business. Such machinery exists in countries where they are serious about these matters. Machinery exists where any citizen can go to make a complaint and be protected against character assassination or other forms of attack from persons who may consider themselves involved in some way or the other if the complaint is made.

3.30 p.m.

As I look around me I see members of the public gallery, I see policemen listening to this debate. Members of the public service are listening to this debate. What is the pattern which is being established here for members of the public service, members of the police service? How must they react when a complaint is made against them? What is the pattern of behaviour being set by this Parliament and the head of the Government in this Parliament? This is what I mean by "You can set standards only from the top," and if there are no standards at the top you cannot have standards at the bottom.

Miss Nicholson: Solid!

Mr. A.N.R. Robinson*:* You cannot be judge in your own cause.

Mr. Sudama: They do that all the time.

Mr. A.N.R. Robinson: It is a fundamental principle of natural justice that you must not be judge in your own cause, so when there are complaints and

allegations there must be available independent machinery by means of which these complaints and allegations can be investigated and adjudicated upon to the satisfaction of the citizenry, without any repercussions of character assassination, attempted character assassination, or victimization of one kind or another.

Unfortunately, the history of this country has been one—ask any citizen—where people of integrity have become an endangered species. You make a complaint against somebody and you are attacked! That is why there is breakdown of discipline everywhere. The people who are expected to apply the discipline may be complained against and they abuse their authority to oppress the people who are seeking to establish standards of honesty and decency.

Miss Nicholson: Solid, Sir.

Mr. A.N.R. Robinson: I have a number of reports—I quote from two. One is the Annual Report of the Commission on Conflict of Interests from the Province of Ontario, Canada. I quote the last paragraph of the introductory statement. It states:

> "Good government and good ethics are inseparably intertwined. Only the most irresponsible legislator can fail to be impressed by the importance of ensuring that each individual member is accountable to the public for his or her actions. Upon the integrity of the member depends the integrity of the legislature and the trust and confidence of the electors."

If you are talking about integrity you must have standards and you must have enforcement machinery. I was hoping that in the course of the debate the Government would talk about integrity. It is a Government which is supposed to provide leadership. The Government should be pointing a way towards the achievement of standards and maintenance of standards of integrity. The Government should be saying what is its policy in respect of matters of integrity relating to Members of the Cabinet and Members of this Parliament.

The Government should be telling us of any measures it has taken, and measures it proposes to take in order to promote integrity in public life. It is an extremely serious matter, for the absence of standards of conduct and honesty and the presence of corruption in Government can permeate the whole society, can distort standards at every level, and can result in the loss of hundreds of millions of dollars and the destruction of the economy of the country.

This is why if you are talking about a campaign against crime—and I am all for war against crime—standards of integrity in public life are an essential part of

that campaign. It is not the first time I have said that; in 1977, 17 years ago, I moved a Motion for the updating, modernization and strengthening of the Prevention of Corruption Act. The same arguments that were used on that side during the course of that debate, are the same arguments used today—I became the victim. I asked for the strengthening and updating of the Act, but it was the Member for Tobago East who became the victim, who was subjected to the worst forms of vilification and character assault.

But what happened seven years after? We had massive revelations, which I will come to in a while, because there are many new Members of Parliament who, perhaps, have not had the benefit of the knowledge. I have had the good fortune, Madam Speaker—some may say the misfortune—of being in Parliament over a period of 36 years. I started off in the Federal Parliament, and I must say that was a good Parliament. Federal Parliament in 1958 was presided over by former Chief Justice of Barbados, Mr. Erskine Ward. It was an excellent Parliament. There were standards. Since then I have been in parliaments and other parliamentary bodies. I have had the experience.

Miss Nicholson: Ex-statesman!

Mr. A.N.R. Robinson: Let me go to the second report. I quote now from the report to Parliament by the Integrity Commission of Trinidad and Tobago. This is the Integrity Commission of Trinidad and Tobago speaking. This is what it says at page 11 of the 1992 report:

> "I. There should first be comprehensive legislation which should differentiate between those matters of impropriety which offend against the Criminal Law and those breaches of ethical standards..."

Here our Commission talks about ethical standards. We hear nothing about ethical standards from that side.

> "which are not crimes but are breaches of the proper standards of morality in public affairs.
>
> II. In the first category, there should now be a review of all such crimes, so as to present a comprehensive criminal code, complete with the necessary procedures for investigation and enforcement, so as to strengthen the powers of the existing law enforcement agencies."

That is our Integrity Commission speaking.

> "III. In the second category there should now be enacted legislation which would set out in broad outline, the standards of integrity which should

> guide and inform the actions of all persons charged with the duty of exercising public functions. Such legislation should set out the appropriate penalties that should be visited upon persons found to be in breach of its provisions."

The Integrity Commission is going as far as saying, set out in legislation the standards by which persons who exercise public functions should be guided; and there should be penalties for the breach of these provisions. That is the Integrity Commission of Trinidad and Tobago. We have heard not a word about it from the Government—the Government that should set the lead. All they are concerned with is blackening and blackmailing. You would think it is a bunch of pitbulls that you are facing, rather than legislators.

Madam Speaker, I have before me the contribution of the first Member who spoke. I refer to his reference to a letter. At page 5 of the *Hansard* record of May 27, 1994, Member for Diego Martin West:

> "...one thing I can say for the Member for Tobago East is that he is very consistent in his behaviour."

He goes on to talk about:

> "The Member for Tobago East has the unmitigated gall.."

You hear this type of language—

> "to get up in this Parliament this evening and ask the question: Is the Member for San Fernando East speaking the truth? Is he serious Madam Speaker? This is a former Prime Minister who came to this House and said he had a letter in which the names of PNM Ministers involved in drugs were mentioned. And when he was asked to produce the letter he came back to the House and said he could not find the letter. I ask him today: Have you found the letter as yet?"
>
> **Dr. Rowley**: Have you found the letter?
>
> **Mr. A.N.R. Robinson**: Madam Speaker, I then intervened and said:
>
> "Madam Speaker, for the information of the hon. Member, I found the letter and informed the Prime Minister who, at the time, was the Member for San Fernando East in Opposition. When he heard that I had found the letter, he dropped the matter."

Then the Prime Minister, Member for San Fernando East, intervened and said:

> "Madam Speaker, I really want to stay out of this debate this afternoon, but I think I must intervene to say that what the hon. Member for Tobago East has just said bears no relation to the truth."

And there was laughter and general jollification on the other side.

3.40 p.m.

I now refer to the *Hansard* of July 12, 1991—"Oral Answers to Questions".

> "49. Mr. Morris Marshall *(Port-of-Spain East)* on behalf of the hon. Member for San Fernando East (Mr. Patrick Manning) asked the Prime Minister and Minister of the Economy:
>
> Would the Prime Minister and Minister of the Economy kindly state:
>
> (a) Whether the secret and personal letter read into the parliamentary record on Friday, June 16, 1989, that was subsequently described as lost has been located to date?
>
> (b) If that answer is in the negative, have any attempts been made to obtain a copy of the said letter from its authors?
>
> (c) If not, then why?"

The answer then was:

> "Mr. Speaker,—"

This was by the Prime Minister who happened to be myself.

> "—I do not consider it proper that the Prime Minister should be asked to answer questions from a Member asking them *in absentia*."

In other words, the Member for San Fernando East was not present. It was the Member for Port of Spain East who asked the question on his behalf and at that time, my answer was—

Dr. Rowley: Where is the letter?

Miss Nicholson: Keith, what is your problem? Keep quiet and wait!

Mr. A.N.R. Robinson: —that I did not consider it appropriate that I should answer the question in his absence. I wanted him to be present to hear the answer. That is why I said that. On the next occasion, he was present and he asked the question. This is the question he asked:

"49. Mr. Patrick Manning *(San Fernando East)* asked the Prime Minister and Minister of the Economy:

Would the Prime Minister and Minister of the Economy kindly state:

(a) Whether the secret and personal letter read into the parliamentary records on Friday, June 16, 1989, that was subsequently described as lost has been located to date?

(b) If that answer is in the negative, have any attempts been made to obtain a copy of the said letter from its authors?

(c) If not, then why?

The Prime Minister and Minister of the Economy (Hon. Arthur Robinson): Mr. Speaker, I have located a copy of the letter I read into the parliamentary record and I have made several other copies."

Silence. When he heard that, the matter was never pursued.

Dr. Rowley: But where is the letter?

Mr. Imbert: Where is the letter?

Miss Nicholson: Please, go ahead. You silenced that again. He cannot understand.

Mr. A.N.R. Robinson: I am giving him—I thought he was rising. This is the *Hansard* record.

Dr. Rowley: Where is the letter?

Miss Nicholson: He should have asked his questions.

Mr. A.N.R. Robinson: Madam Speaker, when one talks about—see their reaction to the *Hansard* record.

Dr. Rowley: Where is the letter?

Dr. Baboolal: He cannot produce it!

Mr. A.N.R. Robinson: But there is nothing strange about that, that has been the history. That is what we have experienced in Trinidad and Tobago over a period of 20 years, a circle of individuals belonging to that party, the PNM.

Let me read from this record. This is an affidavit from a Forensic Accountant by the name of Mr. Robert Lindquist, submitted in court. Paragraph 91 states:

> "Following my retainer by the Government of Trinidad and Tobago, members of my firm conducted investigations in an attempt to determine the nature and extent of John E. O'Halloran's corporate holdings."

John E. O'Halloran—I will explain who he was in a moment.

"As a result of these investigations, I have determined—"

Dr. Rowley: We know who he is! He was your Cabinet colleague!

Mr. Valley: Your Cabinet colleague!

Dr. Rowley: That is your partner.

Dr. Baboolal: Tainted by association!

Mr. A.N.R. Robinson: Why are they acting up?

Miss Nicholson: Are you replying to Keith?

Mr. A.N.R. Robinson: He says:

"As a result of these investigations, I have determined that since 1973—"

You heard the date, 1973! I left the PNM in 1970. It is when I left that he started with them. That Member then entered in 1970. But do not distract me.

Miss Nicholson: Do not take them on!

Mr. A.N.R. Robinson: It continues:

"As a result of these investigations,—"

Mr. Manning: Madam Speaker, when the hon. Member for Tobago East and Mr. John O'Halloran were Cabinet colleagues, I was in school.

Mr. Palackdharrysingh: Still in school!

Mr. A.N.R. Robinson: When I left the Cabinet because of the corruption, that Member went in.

Mr. Valley: He left the same time with you!

Miss Nicholson: Do not take them on, chief.

Mr. A.N.R. Robinson: They do not want to hear. Do not distract me please.

Mr. Manning: I became a member of the Cabinet in April 1978.

Mr. A.N.R. Robinson: He says:

"As a result of these investigations, I have determined that since 1973 John E. O'Halloran has been associated with at least 48 separate companies which were either incorporated or formed by way of amalgamation during the period May 10, 1973 to May 1, 1987. Copies of the corporate filings made by these corporations since their respective dates of incorporation and/or amalgamation have been obtained from the Corporations Branch of the Ministry of Consumer Commercial Relations and are attached as Exhibit 'D'.

"Full particulars of the dates of incorporation, directors, officers and registered offices of these corporations are summarized in Exhibit 'D', to the extent that same are disclosed in the corporate filings.

My review of the corporate filings discloses that 18 of the companies incorporated between April 5, 1974 and July 9, 1980 bear similar colour-coded names, (i.e. Red File Investments, Blue File Investments, Grey File Investments, etc.).

In addition, John E. O'Halloran appears to have or have had an interest in a series of numbered companies as well as a number of companies bearing variations of the name, 'Trinican'. In particular, the filings disclose that John E. O'Halloran was the sole Director, President and Secretary of the defendant—"

Ontario company,

". . . Ontario Limited—"

It goes on.

"Based on my review of Exhibits 'D' and 'E', it is clear that companies in which John E. O'Halloran was or is associated have been active participants in numerous commercial and residential developments undertaken since 1977 in the Toronto, Ontario area."

Members of the public had been complaining for years and they could get nowhere. They were being vilified, victimized. Character assassination was the tool used. They could get nowhere. It took investigations from abroad—forensic experts. After, evidence came to Trinidad and Tobago from the Exchange Commission in the United States. There is a whole story about that, Madam Speaker.

I have in my possession the *Hansard* of the debate on the Extradition, Commonwealth and Foreign Territories Bill, 1985. In that debate, the Attorney

General was explaining to the House—defending his position to the House—telling the House about the pains he had taken to get evidence in order to support the crime, so it is action against the crime which had been documented against this particular individual. John E. O'Halloran is the son of the individual; he had just come out of school. The DPP had been taking steps as well.

> "Extradition proceedings are entirely out and cannot be sustained without the testimony of the overseas witnesses."

I think one Miss Seapaul was there at the time, Madam Speaker, and you may have had some acquaintance with her. She was in the DPP's Office at the time. While the Attorney General's Office and the DPP were trying to get McDonnell Douglas and members of that company to come to Trinidad to give evidence in the case, the Minister of Foreign Affairs was threatening them with proceedings in Trinidad.

3.50 p.m.

Mr. Manning: Madam Speaker, some Members of the House are understandably uncomfortable. The last occasion on which the Member for Tobago East spoke like that was on July 27, 1990.

Mr. A.N.R. Robinson: I will speak again about it. Why was the Member for San Fernando East not here then? Why was he writing to a Member of the NAR on the other side warning him to stay out of the debate and then he left? Let the Member for San Fernando East get up and explain that. *[Interruption]* We are going to have a commission of inquiry into that later on.

Miss Nicholson: This country is a disgrace!

Mr. A.N.R. Robinson: While the DPP's Office and the Attorney General's Office were making attempts to get the witnesses to come to Trinidad, the Foreign Office, led by that Member for San Fernando East, was threatening them that if they came to Trinidad they would be subject to criminal action. He was telling them to stay out.

I have all the documents here. It is the most massive cover-up I have ever seen undertaken by any government. Listen to how taxpayers' money was spent. This was a statement made by the Member for San Fernando East—

> "39. Honourable Members will now appreciate the difficulties that confronted the Government of Trinidad and Tobago in its concerted efforts to obtain the measure of co-operation necessary with a view to resolving the issues involved."

While they were keeping them out of the country, they were telling the people in the country that they were having difficulty getting them in.

> "40. Within recent times the failure of the north-south dialogue in terms of the development of a new international economic order, the difficulties experienced by the developing countries in the discussions now taking place under the umbrella of the United Nations in relation to a code of conduct for these transnational corporations, the further difficulties experienced in respect of the meaningful transfer of technology to third world countries and the circumstances that gave rise to discussions on the development of a new international communications order, are further international manifestations of what third world countries experience in their quest to improve the quality of life of their people."

This statement was read by the Member for San Fernando East.

> "41. We are satisfied, Mr. Speaker, that our experiences in the current MDD..."

McDonnell Douglas—

> "affair highlight the difficulties which developing countries face in their dealings with transnational corporations and with the governments of developed countries and their agencies.
>
> Mr. Speaker, it is now left for us to add our own quota to the international deliberations taking place on related issues. To this end, the Minister in the Ministry of Finance, the Honourable Overand Padmore, addressed the 26th Conference of the Commonwealth Parliamentary Association recently held in Lusaka; the Honourable John Donaldson, Minister of External Affairs, addressed the 21st General Conference of UNESCO held in Belgrade, and the 35th Session of the General Assembly of the United Nations currently in session in New York; the Minister in the Ministry of Finance, the Honourable Mervyn De Souza stated our position at the recent meeting of the International Monetary Fund and the World Bank..."

Mr. Valley: Madam Speaker, can the Member inform us in which year that was?

Mr. A. N. R. Robinson: Madam Speaker, in 1980—

> "Tomorrow, a high-level Trinidad and Tobago delegation comprising the Honourable Kamaluddin Mohammed, Dr. The Honourable Cuthbert Joseph and the Attorney General, the Honourable Selwyn Richardson, leave Trinidad

and Tobago for discussions with the Government of the People's Republic of China; India, one of the leading third world countries in respect of its experiences in this context, and Nigeria."

A whole smoke-screen sending Ministers all over the world to distract attention from the fact that they prevented witnesses from coming to Trinidad and Tobago in order to give evidence against their colleagues. Fantastic! All the documents are available.

An incredible charade with the use of public funds in order to cover up the matter. These are serious matters. The Member said that it is not true that Third World countries have this reputation that heads of government get away with virtually what they like and cited Venezuela. Venezuela is known to be an exception. There are numerous examples which I already gave from that book on corruption, *Presidential Graft.*

Cuba had seven presidents. Listen to the record:

"*President Gomez* 1909—13: 'known as the Shark...he ended his Presidency a millionaire after having entered it quite poor.'

President Menocal 1913—21: 'was understood to have possessed $1 million in 1913 when he became President; when he left in 1921 he had perhaps $40 million'."

These are people who made profits? The Member for Diego Martin West applauds profits, however obtained. Well, this is profit!

"President Machado...'the President and his friends absorbed a graft equivalent to a fifth of the national product...$10 million a year.'

Fulgencio Bastista, strongman ...in 1953 Fidel Castro denounced Bastista... as 'not content with the $40 million that crowned his first regime'... "

Then Batista is supposed to have had some millions and millions when he was thrown out.

"*President Prio...*President Bastista publicly 'accused Prio and his brother of stealing $20 million from the Treasury: they replied from Mexico that it had been lent to them'."

This is the sort of thing that we are talking about.

What I am saying is that there is no action. The Third World developing countries have a reputation for corruption. It is absolutely necessary that if

Trinidad and Tobago wants to be the financial centre that steps be taken. One can only take proper steps if there is a commission of inquiry; or it need not be a commission of inquiry, but some independent authority that little people can go to. Sometimes little people have very valuable information and they do not know whom to go to. "Whom shall we turn to?" That is a problem in this country. I make no mistake. I am absolutely sure of that.

People have information about drugs, corruption and other forms of wrongdoing, but they feel that if they make a report they would get into trouble. When a country is in that situation, it spells trouble. That is why I say you cannot have any effective and efficient campaign against crime unless you are prepared to show that you can take steps from the very top. If it is the President, then let the President suffer the consequences. If it is the Prime Minister, let him suffer the consequences. If it is the Chief Justice, let him suffer the consequences. If it is a Member of Parliament it would be the same. *[Interruption]* Am I going to be assaulted for saying that?

4.00 p.m.

I raise critical issues. These are critical issues. If the country does not face them today, it is bound to face them tomorrow. If you are not prepared to face them now, the time will come when you will have to face them.

If there is going to be an effective campaign against crime and, in particular, against the drug trade—which has such enormous resources at its command—there has to be co-operation with other countries in respect of exchange of information, co-operation in investigation, in extradition, transfer of prisoners and exchange of judgments. In all these matters, especially in a world which is threatened with such chaos and disorder, the ultimate form of co-operation is in establishing the rule of law. You can establish the rule of law by the introduction of an International Criminal Jurisdiction and International Criminal Court. I made that point and there was laughter by Members on the other side. It was called a childish pipe dream or something like that.

Apart from the fact that knowledgeable people know of the progress that has been made, it is important to state in this Parliament the positions of some countries on this issue. I quote from the record of the Sixth Committee of the United Nations in November, 1993. This is the statement of the Italian delegate, Prof. Mauro Politi to the Sixth Committee of the United Nations.

> "One year ago, we discussed the need to begin defining the text of a Statute regulating its activity."

This is of an international criminal court.

> "Today, instead, we have a text prepared with exemplary speed by the International Law Commission. Not only this: a growing international consensus has emerged on the need to find adequate responses to the increase of war crimes and crimes against humanity and not to let them go unpunished.
>
> In conclusion, Madam Chairman, I would like to stress once again that these remarks are only intended to offer a preliminary contribution to the Commission's work, which I repeat has been outstanding. This increases our optimism that the goal of establishing an effective international criminal court—a goal that Italy has steadfastly pursued—can finally be achieved."

The representative for Italy is saying that the goal can now be finally achieved.

> The representative for Germany, Mr. Christoph Muller said:
>
> "The International Law Commission's work has proven that a permanent mechanism for international criminal adjudication is feasible. Related events in the political sphere have not only confirmed this conclusion, they have also demonstrated beyond doubt that the establishment of a permanent criminal court is a political necessity which does not lend itself to further delay."

So Germany is saying it is a necessity and it must not be delayed any further.

> The representative of Australia Mr. Matthew Ek Neuhaus. He is saying:
>
> "We believe that there has never been a better time for the establishment of an international criminal court. We must ensure, through this Committee and the General Assembly, that having now been given the opportunity of grasping the fruit of our labours in this important area that we do not remain like that creature of mythology Tantalus, seeking to seize this goal but forever finding it out of reach."

Finally from the Commonwealth Heads of Government. There was a Commonwealth Heads of Government Meeting last year attended by the Prime Minister of Trinidad and Tobago, I presume the Minister of Foreign Affairs and delegation. At that delegation it was decided that positive Commonwealth efforts should be pursued in order to achieve consensus on the issue of an International Criminal Court and proposed that law ministers be requested to undertake such further consideration of the issues involved and the means of implementing the proposals as might be appropriate.

What is this Government's position on the matter? We have heard nothing. An essential part of the whole programme is the comprehensive effort to contain,

control and to combat crime, in particular the drug trade. The point I have been making is that you deal with it at all levels. Do not just use force. What we are seeing today is a mobilization of force to deal with force. That may give a temporary respite but it is not a solution to the problem. Force against force is not a solution to the problem. The Government has to mobilize all the moral, ethical and spiritual resources of the country in this fight against crime if there are to be any permanent results. That can only be done if the Government is prepared to demonstrate that it really believes in moral standards and ethics. Whenever I mention those words there is hostility from the other side. I just do not understand it. The message must go home.

There are other things I can mention about why it is necessary to pursue the matter, and why it is necessary to examine statements made and to have them corroborated. Let us look at what has happened in this debate. One Minister got up and said, Oh! He could have gotten the money from his grandmother's piggy bank. Surely that is childish nonsense! Another Minister got up and said, Oh! Somebody else insured his car for three months some time ago, therefore, there is nothing wrong with him insuring his car for three months. I am not saying that there is anything wrong. I am saying there is a chain of events; there is a combination of circumstances which renders this particular case one which cries out for inquiry. Nowhere have they referred to any set of circumstances which are the same, nowhere have they referred to any particular chain of events which is the same as the chain of events disclosed in this matter, where a Minister of Government, first of all, in a very sensitive ministry, obtains a very expensive foreign car with foreign exchange, while the very Government is calling upon the population to purchase local vehicles and to conserve foreign exchange; where he insured it for only three months, and where he did not apply for any financial assistance for the purchase of the motor car.

4.10 p.m.

Mr. Manning: That is not true.

Mr. A.N.R. Robinson: Where he talked about his concession, but he did not tell us when he applied for it. He now tells us without any corroboration, no documents whatever to support his statement that his concession came through on the date the sale was made. What a coincidence! Where in the world would you find a series of events like these taking place together? Tell us! Nowhere! Therefore, the situation demands an inquiry.

The mere fact that there has been this attitude of hostility, total refusal, even to consider that fairness demands justice, and reason demands an inquiry; the mere

attempt to blackmail, threaten and assassinate character is an indication that they protest much too much. They want to be judge, jury, prosecutor and defence all at the same time. It cannot happen.

Serious questions are being raised now about the respect of this Government for the courts and the rule of law. Serious questions are raised regarding the ability of the Prime Minister to take action with respect to his Ministers. Serious questions are raised as to whether the Prime Minister has a moral sense at all. Does he understand the danger of having a Minister in a powerful ministry who is heavily indebted and who consequently is subject to approaches, and his own position is tempting to people to approach him?

The Member for Oropouche mentioned the case of the Minister of Finance. I do not want to repeat that. It is absolutely scandalous! The Prime Minister can sit and grin very happily in that situation—shows he has absolutely no moral sense. Absolutely none! Totally devoid of a moral sense!

Madam Speaker: The speaking time of the hon. Member has expired.

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

Question put and agreed to.

Mr. A.N.R. Robinson: Madam Speaker, this has very serious consequences not only in terms of the tone and pattern set at the top, but also in respect of the attitude and approach to the principal institutions in the country.

For example, I do not know since when the Prime Minister became an advocate of a Caribbean Court of Appeal. I must say, I have always been an advocate of a Caribbean Court of Appeal. I am still. On behalf of the Government of Trinidad and Tobago, I proposed it to the Heads of Government and they accepted it. We offered the Hall of Justice as the seat, and they accepted it. That is a fact.

Look at what is happening today. The Privy Council remains the final Court of Appeal for Trinidad and Tobago. Today, before the Privy Council is the most important case ever to have gone before it from Trinidad: the amnesty case involving the issue of the destruction of Police Headquarters, the centre of law and order, and the assault on Parliament, the centre of the Government of Trinidad and Tobago.

For the first time we heard fundamental questions being asked in that case. The law Lords in the Privy Council for the first time asked fundamental questions.

It is at this time that the Prime Minister is talking about abolishing the Privy Council. Why? Because of a case called Pratt and Morgan he said. If anyone reads the case of Pratt and Morgan—there is a lot of criticism today in Trinidad and Tobago about Pratt and Morgan—it is the expression of a civilized mind. That is what it is. What Pratt and Morgan says is justice delayed is justice denied. If you are going to keep a person "hanging" indefinitely for whatever length of time without a determination of the matter, that is not justice.

I want to make it clear that I entirely endorse that view. One must reform one's judicial system to see that justice is swift and fair. One does not do that by showing contempt for the courts, particularly the Privy Council. When one shows contempt for the court, one sets a pattern that goes below. Remember that! The Attorney General is looking at me. I am not saying anything about his matter at all. That is a matter before both the Court of Appeal and the Privy Council. I have always said—I said it in the Muslimeen case—whatever decision the courts arrive at, I accept. The law is the law!

If he wants to change the law, then change it after the case, not before. He should accept the law as it is and whatever the consequences, take them. I said it from the very beginning.

Mr. Sobion: Madam Speaker, the Member for Tobago East has indicated that the case in the Privy Council to which he referred was a significant case in the constitutional history of Trinidad and Tobago. Having regard to that expression, I wonder whether the Member would indicate what was his involvement insofar as the preparation of that case and presenting himself as a witness was concerned.

Mr. A. N. R. Robinson: That is quite irrelevant. At the appropriate time, he can ask me any question he likes. I advised counsel in the case.

The point I am making is disrespect for the court, whether it be the Court of Appeal or the Privy Council, should not be countenanced in any civilized society. I was one of the early persons engaged in the struggle for Independence, for Chaguaramas, for fair dealing, better dealing for Tobago, for constitution reform and for electoral reform. I am still in the struggle for integrity in public life and I propose to continue whether they like it or not. I say very clearly that it does not in any way deter me, whatever they have to say.

When I leave Trinidad and Tobago, my contribution is recognized. It is recognized within Trinidad and Tobago by sources that matter. It is recognized outside Trinidad and Tobago by sources that matter and by some Members

opposite too, I know. I do not have to defend myself against the venom and the bile.

Mr. Manning: What venom and bile?

Mr. A. N. R. Robinson: A lot of it came from you! Do not disclaim it. Underhand! Why did you send that letter to the Member to stay out of the debate and you left? You get up and explain. Why did you? Get up and answer! Do not sit down and mumble! Get up and answer! Get up and say that you sent no letter!

Mr. Manning: Madam Speaker, the hon. Member for Tobago East, obviously holds on tenaciously to letters. I wonder if he is prepared to make available to Parliament the letter that he had written and he said was lost and which has now been retrieved. Lay it on the Table!

Mr. A.N.R. Robinson: Do not try your tricks. Talk about the letter that you wrote on July 27, that you sent to the NAR Member.

Mr. Manning: Which letter?

Mr. A.N.R. Robinson: Say you did not write a letter! I am accustomed to dealing with more than "tricky" Patrick. I have dealt with his master, let alone with him.

Mr. Valley: And you lost badly.

4.20 p.m.

Mr. A.N.R. Robinson: Let me emphasize that this debate is about integrity in public life. It is about accountability. It is about an independent and impartial authority. I want to say this: whether they vote for or against the Motion, this debate has demonstrated that an independent authority for the investigation of complaints of corruption or impropriety or other misbehaviour by public officials is necessary. I am confident that in the future such an independent authority will have to be established in Trinidad and Tobago.

I thank you.

Question put.

The House divided: Ayes 15, Noes 18

AYES

Maharaj, R. L.

Panday, B.

Humphrey, J.
Sudama, T.
Palackdharrysingh, R.
Bhaggan, H.
Singh, Dr. C.
Panday, S.
Jurai, K.
Sharma, C.
Haniff, M.
Hosein, S.
Hanoomansingh, G.
Robinson, A.N.R.
Nicholson, Miss P.

NOES

Valley, Hon. K.
Manning, Hon. P.
Sobion, Hon. K.
Ramrekersingh, Hon. A.
Rowley, Dr. The Hon. K.
Maraj, Hon. R.
Baboolal, Dr. The Hon. L.
Collis, Hon. K.
Imbert, Hon. C.
Lasse, Dr. The Hon. V.
Pierre, Hon. J.
Griffith, Dr. R.
Casimire, A.

Narine, J.

Hart, E.

James, Mrs. E.

Allum, D.

Bereaux, H.

Motion negatived.

ADJOURNMENT

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon Kenneth Valley): Madam Speaker, I beg to move that the House do now adjourn to Monday, July 25, 1994 at 1.30 p.m.

In moving the adjournment, I wish to inform the House that on that day we will be dealing with the motion on Financial Regulations, the committee stage of the Economic Sanctions Bill, as well as the University Students (Guarantee Fund) Bill.

Madam Speaker: There are four motions on the adjournment of the House. I think that this is a convenient time to take the tea break. As we have five minutes, would Members agree that we break for tea at this time?

Assent indicated.

4.26 p.m.: *Sitting suspended.*

5.07 p.m.: *Sitting resumed.*

Madam Speaker: Hon. Members, I gather that by agreement we will now be dealing with the Motion by the Member for Couva South.

Mr. Maharaj: Yes, Madam Speaker.

Madam Speaker: There is a deferral of the Member for Nariva's Motion?

Mr. Jurai: Yes, Madam Speaker, I asked that my Motion be deferred until next week Friday.

White Paper on Law Reform (Compensation for Victims of Crime)

Mr. Ramesh L. Maharaj *(Couva South):* Madam Speaker, this Motion relates to the proposal made in the White Paper on Law Reform in 1978, which

deals with compensation for victims of crime, and it is for the Government to respond and state whether it intends to accept and implement that proposal.

In several matters relating to debate on crime, the Opposition has called from time to time for some form of machinery for compensation for victims of crime. We have quoted on several occasions this White Paper on Law Reform. I refer to page 8 of the White Paper on Law Reform, under compensation for the victims of crime, where it states:

> "The victims of a crime may seek personal redress through civil litigation in certain circumstances or the criminal court may, if it thinks fit, order payment of limited compensation. Both remedies are equally unsatisfactory where the wrongdoer is impecunious, as they so often are. The circumstance can lead not only to the ruin of the victim, but also to that of his dependant family, e.g. where by negligent driving, an unauthorized and impecunious driver of a truck hits down and seriously injures a pedestrian, neither the owner of the truck nor the insurance company is liable, and the unfortunate victim would go without any redress whatever. In the end the State, in one form or another, carries the burden. Many countries in the western world have provided legislation whereunder compensation is paid to the victim of crime out of the resources of the State. Such legislation exists in the United Kingdom, Australia and New Zealand. Like legislation will be adopted in Trinidad and Tobago."

Madam Speaker, the concept of punishing convicted criminals is that the offence which has been committed is regarded as an offence against the norms of society. There is law, whether by statute or common law, prohibiting that type of behaviour—and if that behaviour is indulged in by an individual, then the society gets redress in having that person punished.

In a crime, however, although one person may be directly affected, whether it is an assault or murder, the commission of the crime is also an affront to the values and rules of society. Since it is an offence against the entire society, the question which has been recognized is: Can society do something in order not only to prevent crime, but to give some form of redress to the victims of crime?

One knows that in normal cases there is always the right of a victim of crime to file an action for damages. This Motion is not about taking away those rights, but for the state to recognize that it has a duty to provide some form of compensation.

When a crime is committed and the person is convicted—the victim might have died or might be a victim of assault or whatever crime it is—the victim would suffer all sorts of injuries, psychological and otherwise. This type of scheme is to try to provide some form of immediate response, monetary and otherwise, in order to deal with this situation.

Early in the 1960s, compensation for crime victims was instituted in certain countries. This concept developed to the extent that, although countries recognized that victims are entitled to take their individual civil proceedings for some form of damages, the state owed a responsibility to the community in providing some form of redress by having a scheme for such compensation.

In the United Kingdom, the Criminal Injuries Compensation Board was set up in 1964. It was a non statutory body and it was set up to compensate victims of violence, including arson, poisoning, rape, assault. In addition, persons who were hurt in assisting or, in attempting to effect an arrest, trying to prevent an offence or trying to assist a police officer, were able to claim under this scheme. The claim could have been made as long as the crime was reported without delay to the police, and was, or could have been the subject of criminal proceedings. As long as damages were above a certain amount, £250, where there was a crime involving robbery, the Board would have made an award for compensation.

Under that scheme where the victim of the crime died as a result of the injuries, the Board would have entertained claims from the spouse or dependants and would provide compensation for the spouse or dependants. That scheme attracted New South Wales and Australia, in that there was a Victim's Compensation Act, in 1987, which allowed primary and secondary victims, close relatives and law enforcement officers to claim for injury, nervous shock, mental illness and/or pregnancy caused as a result of crimes of violence.

5.15 p.m.

Under that scheme the money is provided by the Attorney General's Department and cases are decided by a magistrate sitting as a tribunal. A primary victim is defined under the Act as a person suffering injury as a result of the crime. This person can claim for common-law types of damages, including pain and suffering, medical expenses and lost earnings. In addition, a claim may be made for personal effects lost at the time the crime was committed. The secondary victim is defined as someone who has sustained injury as a result of witnessing the injuries of the victim.

Madam Speaker, you would know that sometimes a person can suffer nervous shock, psychological injury, psychiatric illness as a result of even witnessing a crime. Under that scheme, such person is regarded as a secondary victim and some form of relief is provided. Under that scheme the person may claim under the different heads—Law enforcement victims who are involved in the Law Enforcement Agency and they become victims in the fight against crime can also recover some form of compensation. The maximum compensation under the Australian legislation is $50,000 Australian.

There is another example which I would put on the record. In Victoria, South Australia, the Crimes Compensation Tribunal was set up in 1972. The Criminal Injuries Compensation Acts 1983 and 1988 were subsequently passed, and they are now the Acts which apply to that compensation tribunal. Under that piece of legislation, where personal injury or death has resulted from a crime which is punishable by imprisonment, the victim or someone who tries to prevent the crime, assist the victim or arrest the offender and who was injured may claim compensation. So long as the Tribunal is satisfied on a balance of probabilities that the person was injured during the crime, it is not necessary for anyone to have been convicted of it. Persons responsible for the maintenance of the victim and who were dependants, may also claim.

With the United Kingdom scheme, the Government in the United Kingdom recently published a report. It is entitled: *Compensating Victims of Violent Crimes, Changes to the Criminal Injuries Compensation Scheme*. It will be instructive if I can refer to page 1 of the report. It says:

> "That the Government remains committed to providing a tangible measure of help to blameless victims of crimes of violence, in recognition of the hurt which they have suffered, but it no longer believes that the best way of doing this, is by attempting an individual assessment in each case, which can in any event only arrive at an essentially artificial sum of money".

What the Government was proposing to introduce was a sort of tariff because it was recognizing that that in no way prevented a person from claiming other compensation through the courts. They decided that they were going to recommend a certain kind of tariff which people could then use as a means of getting some form of relief.

To give a little background to the scheme that was introduced in 1964. The Criminal Injuries Compensation Scheme was introduced in August, 1964. It

provides payment from public funds to the innocent victims of crimes of violence, and those injured in attempting to apprehend criminals or prevent crime.

In introducing the scheme, the Government of the day made it clear, that it did not accept that the State was liable for injuries caused to people by the acts of others. But it believed that the public felt a sense of responsibility for, and sympathy with, the innocent victim and that it was therefore right for this feeling to be given practical expression by the provision of monetory reward on behalf of the community. The present Government is of the same opinion.

One sees the rationale in that government of the day being adopted by the present government in the United Kingdom.

I have in my possession an article entitled The Australian Criminal Justice System, written by Campbell and Wilson, 1977. It deals with the whole concept of these matters, but there is a quotation which I want to put on record:

> "Compensating the victims of crime in Australia and New Zealand. It may well be that our penal system would not only provide a more effective deterrent to crime, but would also find a greater moral value, if the concept of personal reparation to the victim were added to the concepts of deterrence by punishment and of reform by training. It is also possible to hold that the redemptive value of punishment to the individual offender would be greater if it were made to include the realization of the injury he had done to his victim as well as to the order of society, and the need to make personal reparation of that injury."

The concept, therefore, is that the state, which represents the public interest, compensates the victim, but the state takes steps for the offender to do things for the benefit of the community, so that the offender works to do whatever is necessary to compensate the state for making the compensation to the victim.

My research has shown that nowhere in this part of the Caribbean has such a scheme been accepted, but we do have a situation where the Government of the day, in 1978 recognized that it was the kind of scheme that we should have in our society. The purpose of this Motion, therefore, is to find out from the Government if it is prepared to accept that kind of policy; and if so, when it intends to implement it.

Thank you very much.

\

The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion): Madam Speaker, this Government, from the time it came into office, has looked at the whole range of difficulties which surround the criminal law. We have brought legislation before this Parliament dealing with all aspects of criminal law, but moreso procedural matters, because one of the difficulties we recognized was that there was a problem with the enforcement aspect of the criminal law.

We have looked also at the question of post-conviction procedures and more specifically, reform of the prison structure with particular emphasis on rehabilitation.

The concept of compensation for victims is one which has been around for some time, and indeed the Motion refers to a White Paper on Law Reform which was presented in 1978. As the Member for Couva South pointed out, while it is a notion that has been around for some time, it is not a notion that has spread very rapidly outside the developed countries. In fact, it was only in 1985 that the United Nations adopted the recommendation dealing with this question of compensation for victims.

5.25 p.m.

Madam Speaker, it was the 1985 *United Nations Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power, United Nations Standards, No. 40/34* and it is dated November, 1985. It reads as follows:

> "When compensation is not fully available from the offender or other sources, states should endeavour to provide financial compensation to victims who have sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes."

In 1993, I requested the Law Commission to again look at the 1978 recommendation as contained in the White Paper on Law Reform, and a paper was subsequently prepared on compensation for victims of crime. That paper was completed in July, 1993. It was considered by the Law Commission in August, 1993. To this point, we have not advanced the position further, and I shall give the reasons for that as I go along. The reasons advanced by the Member for Couva South are, perhaps, sound reasons for the establishment of such a system.

In fact, we did a very comprehensive analysis of the various schemes that are in place. As I said, most of them are in developed countries such as Australia, New Zealand, Canada and the United Kingdom. Perhaps, the Member for Couva South's research did not go as far, but in Cuba there is also such a scheme. We

have looked at and analyzed the various schemes. Most of them take the form of compensation boards which require a separate administrative machinery. Other schemes take the form of a mechanism whereby the victim can, during the course of the criminal trial, make an application to the court so that at the time when criminal liability is being determined, the court, hearing all the evidence, can make a determination as to whether compensation to victims in a meaningful way can be made.

We have analyzed the various types of schemes. We have looked at the benefit of the separate compensation boards and we have noted the administrative burden and costs which are involved in establishing that type of scheme. We have looked at the system whereby both matters are heard at the same time, and we have analyzed the difficulties in both of those situations.

There are a number of variations even within the two main types of schemes—the compensation board type scheme and the joint criminal compensation type scheme. We have also analyzed all the variations contained within those various schemes which might be more suitable to Trinidad and Tobago. For example, in the Cuban scheme there is a provision whereby there is a national fund established to which all prisoners who work within the prison system contribute, and out of that national fund, allocations are made.

We, of course, do not have a system in our prisons whereby prisoners are required to work for remuneration. There is much work to do in trying to unravel and analyze these various schemes, bearing in mind, of course, that they all were first started in developed countries where there are significant differences in the economy and so forth. There are a number of different situations that one has to look at.

In fact, what we did was analyze the several issues and highlight them for further analysis. May I read the relevant portion of that working paper which falls under the rubric "Questions at Issue."

> "Many people have found it easy to call, with force, for compensation for victims of crime but without a thorough analysis of the problems involved or even an appreciation that they exist."

Among the problems listed are:

> "1. The question as to whether the award of compensation should be made against the state in the first place, and, if so, the right of recourse against the offender must be dealt with.

2. Consideration must also be given to such issues as to how far should the remedy be extended. Should it be limited to the surviving spouse and children, or should it embrace all dependents?"

These are some of the issues that we were able to cull from the analysis done on the various schemes.

"3. What is to be the nature of the award. Is it to be a once and for all lump sum, or is it to be in the form of periodic payments?"

In Australia, for example, where a victim of rape becomes pregnant and later has a child, there is a provision whereby the state maintains that child out of the compensation fund, so there is a periodic payment made over time.

"4. Should damage to property be covered?

5. Are traffic offences to be included?"

Then, the significant question I raised was: Should the trial court remain the adjudicating body, or should the function be given to a tribunal? That is the major issue that first has to be determined before the scheme can actually be put in place.

There is the question of appeals: whether appeals should be permitted from the award of compensation to victims. In some of the existing schemes there are provisions for appeals if a victim who has been compensated is not satisfied with the award. Among others, the question of whether contributory conduct on the part of the victim should be taken into account.

The point I am making is that there are a number of issues. Whilst one recognizes the value of having such a scheme, one has to consider, as well, the question of the funding of such a scheme and whether our economy can, at this point, support such a system. When we did this analysis we tried to ascertain whether there were schemes more recently established. As I said, this was first put forward in Trinidad and Tobago in 1978, and, in 1985, it was adopted as a resolution passed by the United Nations. What we have found over the last 10 years is that even in the face of the United Nations resolution no new scheme has been established.

At this point the Government's position is that it would continue the analysis which it started—the issues which have surfaced out of the working paper of July, 1993. We recognize that whilst there is merit in seeking to establish such a system, there are a number of other issues which first have to be addressed.

I can promise the Member for Couva South that we would continue our work, not only in this regard but in all areas relating to crime.

Thank you, Madam Speaker.

Madam Speaker: I see that there are two Motions here: one deals with transport and the other deals with public utilities. We shall first deal with the Motion of the Member for Princes Town. The Motion of the Member for Nariva deals with water. Is the Minister of Public Utilities here? Is the Minister of Works and Transport and Minister of Local Government here? Yes.

5.35 p.m.

Road Repairs
(Princes Town)

Mr. Mohammed Haniff (*Princes Town*): Madam Speaker, this occasion marks the fifth time that I am raising a Motion on the Adjournment concerning the condition of roads in the Princes Town constituency. In addition, I wrote to the hon. Minister of Works on several occasions. Needless to say he did not even have the courtesy to reply to many of my letters. I have raised questions on numerous occasions and the replies were routine.

In those circumstances, I thought I would try again because no one is listening and the roads are, indeed, in a terrible state. I have invited the hon. Minister on numerous occasions to visit the constituency, and one would expect that such a visit would take place so that the Minister may see for himself and try to come to terms with what is happening. It is in that context I say that not all the roads in the constituency are bad and that there are bad roads in other constituencies. I have tried, and continue to try. Of course, there are other bad roads, but some of the roads in the Princes Town constituency are extremely bad.

Since the hon. Minister would not reply to my letters, nor agree to visit, I have also written and had discussions with the Civil Engineer and all senior officers in the Victoria East district. I hope that the hon. Minister and other Ministers of Government saw the pictures on their television sets last night—Channel 2, *TTT* and *TV 6*. It is not very often that these television crews visit Princes Town and areas far from Port of Spain. That was done in an effort to get this Minister of Works and his other Cabinet colleagues to see for themselves the conditions under which residents of Princes Town and other road users have to operate. I hope and pray that he saw what was happening and will take some action to deal with the situation in Princes Town regarding bad roads, landslips, bridges and so forth.

Having taken these initiatives, I raise it here today so that I can again get the attention of the Minister. Twelve roads have been listed under the Road Improvement Fund for Victoria East; these are controlled by the Ministry of Works. Seven of those roads, partly or wholly, fall in the constituency of Princes Town. Of those 12, three roads have received attention to date—parts have been repaired and repairs are continuing on others under the Road Improvement Fund.

There are 16 other roads which fall under the Ministry of Works in the constituency of Princes Town. Apart from the Road Improvement Fund, which is intended for specific roads, as I have just tried to point out, we are accustomed to money being allocated under Recurrent Expenditure which is designed for normal repairs and so forth. It is in that context I ask whether funds are being released to repair these roads. If so, how much, and are they sufficient to deal with the normal, minimal repairs required?

Of these 16 roads, Mandingo Road closed to heavy traffic; Realize Road—these two were highlighted on television last night. Goods vehicles no longer go in there—no taxis, maxis, or what have you, so you have to walk. If there is anyone with a private vehicle you may get a ride. And this Minister cannot understand that, because he would not come to Princes Town.

He knows what is happening in and around Port of Spain, and he goes all over the place saying roads are being repaired. I am saying, yes, there are some roads getting attention under the Road Improvement Fund but there is need to utilize that fund differently because of demands at the present time.

Nothing is being done to these roads in terms of material supply and as a result most of them are not in a usable condition. I raise it here, Madam Speaker, so that the hon. Minister may understand. There are schools in many of these areas. Taxis do not go to drop off school children or teachers. For example, in Nohar Road, teachers have to walk more than two miles to go to the Tableland AC School.

It seems as though the Minister of Education is aware of what I am saying. I am not surprised, though, that the hon. Member for Diego Martin Central is not aware. St. Julien Road: When I said 16 landslips the hon. Minister of Works and Transport says no, his survey says 22. I agree with him. Nothing is being done. These residents must walk, and we are talking about Trinidad and Tobago.

I spoke to the Parliamentary Secretary in the Ministry of Works earlier today and he says he went to Barrackpore and passed through St. Croix Road. I agree with him that St. Croix Road was repaired recently from the Road Improvement

Fund. But just go beyond St. Croix and he would see what I am talking about—Lengua Road, Mandingo Road, Realize Road, Cumuto Road, St. Julien Road—

Mr. Narine: Lengua Road was repaired.

Mr. M. Haniff: In Lengua Road nothing was done! It is listed here under the Road Improvement Fund. I say here now that nothing was done.

Mr. Narine: Barrackpore.

Mr. M. Haniff: So the Parliamentary Secretary, perhaps, does not know where Lengua Road is.

Mr. Sharma: They blindfold you or what?

Mr. M. Haniff: Madam Speaker, I met with the Civil Engineer on June 2, and enquired about releases under Recurrent Services and his exact words were, "Almost nil, no funds for material." It is in that context I ask here and now whether some funds from the Road Improvement Fund cannot now be utilized on roads which have not been listed in the first phase, because there is an urgent need.

The funding allocated under Recurrent Services cannot do what is required because of the bad condition of these roads and, as such, there is need to find some funds. These roads are in such a terrible state that they cannot go through this year in the present condition, far less to wait their turn downstream in this repair programme, which is likely to last for seven years. It cannot wait.

It is because of that kind of situation I rose, again, Madam Speaker. In meeting with the citizens of this country, and many of them live along many of these roads in Princes Town, there was a call last night—there being some mobilization in the area—that if the response today is not one of some measure of relief, they would mobilize themselves and visit the Prime Minister. I am telling this House that I would have no choice but to go along with the suggestion of those people who are affected, because the Minister of Works is paying no heed to what is happening in Princes Town.

5.45 p.m.

Madam Speaker, I also want to point out that the hospital is being closed—that does not fall under roads, I agree. Every single night, we have an outage in Princes Town and no water. I hope that the Minister of Public Utilities would listen, too, because he is here. I know it has nothing to do with the Minister of Works and Transport, who does not know what it is like to live under these conditions.

Rather than using manpower and equipment to break down the stalls of poor vendors who are trying to earn an honest living, take that equipment and the workers, find some material and repair the roads.

Today, the Leader of Government Business, and a few weeks ago, the Minister of Works and Transport, speaking on a particular Bill, referred to Members on this side as hypocrites. They said that they care. I am not going to stand here and return that compliment. I am going to omit some of them from that and ask: Where do they belong in their present action where they are interfering with the vendors of this country without providing facilities for them? I want to find out—

Madam Speaker: I know the Member will return to the Motion. Could we stick to the Motion, please!

Mr. M. Haniff: Yes, Madam Speaker. I will stick to it. The vendors' issue falls under the portfolio of his ministry, and the Minister shamelessly went on television and said that the people who broke down the stalls went to dig and clear drains.

Madam Speaker: I know that the Member is two and a half years in the Parliament now, and I think the Member knows by now that if a Member is raising a Motion on the Adjournment, the Member confines himself to the matters falling under that Motion, and I ask the Member so to do.

Mr. M. Haniff: Madam Speaker, I do not disagree with you at all, because what I am saying is out of the emotions flowing at the present time. What I am saying, however, is that the Minister said that those people who went to break down the sheds actually went to open the drains, but found sheds in the way of the drains. We are saying that some accommodation should be provided for the vendors. They need it since jobs cannot be provided.

Madam Speaker, do you know what is happening in Princes Town? I have a letter of discrimination against people who have registered with the Unemployment Relief Programme.

Mr. Valley: Lord have mercy!

Mr. M. Haniff: URP repairing roads and there is discrimination.

Madam Speaker: I wonder if the Member is deliberately doing this? I think the Member has touched on nearly all the ministries this afternoon.

Mr. M. Haniff: Yes, Madam Speaker, I am doing it deliberately for him to understand what is happening. People who do not belong to the PNM cannot get work in the URP at Princes Town.

Madam Speaker: Will the Member confine himself to the Motion, please.

Mr. M. Haniff: They are dealing with footpaths and roads in Princes Town. Take some of that funding to repair some of the potholes in the Princes Town constituency. That is what I am talking about.

Madam Speaker, I will say no more, but I want to inquire from this Minister whether they are deliberately allowing the roads in the Princes Town constituency to go into disrepair without regard for those who are paying taxes in Princes Town, and without regard for the suffering that is taking place with the school children and what have you, notwithstanding that schools are presently closed. I am asking that they please give some indication as to whether some of those potholes and some of those roads will get some attention, because in this rainy season, the conditions are extremely bad. I await the Minister's response.

Thank you.

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, as I have said on so many occasions, I have the unenviable task of having to reply to foolishness on so many occasions from the Members on the other side.

Mr. Haniff: Madam Speaker!

Madam Speaker: I ask the hon. Member to withdraw that statement.

Mr. Haniff: Yes! Yes!

Hon. C. Imbert: I withdraw that, Madam Speaker.

Mr. S. Panday: He has made up his mind to fix none, Madam Speaker.

Hon. C. Imbert: It is clear to me that there is a strategy of the Opposition to come into this House on every sitting to talk about the deplorable conditions of the roads in this and that constituency.

Mr. S. Panday: Are they speaking untruths?

Hon. C. Imbert: As a matter of fact, today there were two Motions on the Adjournment. I do not know why the Member for Nariva has withdrawn his.

Mr. Jurai: I will deal with you next week!

Mr. Maharaj: He will deal with you next week.

Hon. C. Imbert: They were identical: the dilapidated condition of the roads in the constituency of Nariva and the failure of the Government to remedy the situation; and the deplorable condition of the roads in Princes Town and the failure of the Government— Just about a month ago the Member for Oropouche came with an identical motion. Please, Madam Speaker, would all Members on the other side bring all the Motions they intend to bring next Friday so I could answer all of them?

Now let me deal with the task at hand. As usual, Members on the other side—and the Member for Princes Town is particularly skilled at this—have made a number of statements which are inaccurate, have no relationship to the facts and are complete distortions of reality.

In the Victoria East district, the very same road that the Member for Princes Town has to travel on to go home, the St. Croix Road, under the Road Improvement Fund, we have spent—

Mr. Haniff: I said that the St. Croix Road was repaired.

Hon. C. Imbert: —$823,000 on that road which is in the constituency, the general area, of Princes Town. In addition, on the Naparima/Mayaro Road which is a sub-district of Princes Town, to date we have spent $474,000. In the sub-district of New Grant—again, a related area—$310,000. So that in the general vicinity of Princes Town, on the Naparima/Mayaro Road, we have spent $700,000; $800,000 on the St. Croix Road; $280,000 on Sancho Road and so forth.

I sometimes wonder if the Members on the other side bother to listen when matters are being reported in this House. When I came into this Parliament in January of this year, I indicated that there was a seven-year backlog of road repairs in this country and, for yet another time, I am forced to repeat that seven by 12 equals 84, therefore, there is an 84-month backlog of road repairs in this country with an expenditure of approximately $4 million per month or $50 million per year for the next seven years or 84 months.

The Road Improvement Fund Programme started on January 21. Today is July 22. By my calculations, since I was going to school, that is six months, so we are in month six of an 84-month programme and I am asking Members on the other side to please try to understand—

[*Mr. Haniff rose.*]

Hon. C. Imbert: I am not giving way!

Mr. Haniff: Tell us what is happening with the other roads!

Hon. C. Imbert: I am not giving way to you! Please try to understand that 84 cannot go into six; is a fraction.

Mr. S. Panday: Like your size!

Hon. C. Imbert: Therefore, we cannot work on all the roads in the country at the same time. Madam Speaker, I would also say I made it quite clear that we prioritize the roads of this country on the basis of a number of criteria such as the number of vehicles—

Mr. Haniff: That is exactly the case!

5.55 p.m.

Hon. C. Imbert: Madam Speaker, for your information, I have a list of over 40 roads in the Victoria East district that have been repaired under the Road Improvement Fund and under the Recurrent Programme, so that the information the Member for Princes Town has given is totally inaccurate.

Let me deal with Realize Road. The average daily traffic on Realize Road is 700 vehicles. *[Interruption]* By comparison, the average daily traffic on the Naparima Mayaro Road is 10,000 vehicles. The average daily traffic on the Moruga Road is 5,000 and so forth. Clearly, if there are hundreds of roads in this country with an average daily traffic in the thousands, the 10,000s and the 15,000s, those are the roads that we will do in the first 12 or 24 months of our 84-month programme.

I have said this over and over, and I will say it again. We are dealing with the roads with the highest volume of traffic. The Naparima Mayaro Road is traversed by 10,000 vehicles per day. Realize Road has 700 vehicles; if the Member can do simple arithmetic, he would understand that there are 15 times more vehicles on the Naparima Mayaro Road than there are on Realize Road, so we would do the Naparima Mayaro Road before we got to Realize Road.

The Ministry has spent over $100,000 so far in its Recurrent Programme on the said Realize Road. We have spent millions of dollars in the Victoria East district and in the country at large. I keep hearing this— and I am sorry I cannot use unparliamentary language.

Madam Speaker: Please do not.

Hon. C. Imbert: I am searching for words, Madam Speaker. I keep hearing these ridiculous remarks with regard to discrimination. Absolutely ridiculous!

Because in the district of Caroni, to date, we have spent almost $8 million in the first six months of this year. So, who is discriminating against whom? Absolute nonsense!

In every other district in this country we are paving roads in an equitable fashion; we are using the average daily traffic; the condition of the roads, and those roads that have not been worked on under the Road Improvement Fund, we are using our recurrent fund, our maintenance workers and fixing all the roads to which the Member for Princes Town has referred.

Mrs. Pierre: Not Port of Spain South!

Madam Speaker: The Member for Port of Spain South is protesting!

Hon. C. Imbert: Yes. Madam Speaker, it pained me when I heard the Member for Princes Town on television talking about discrimination and I know that we had spent $820,000 fixing the road that he has to drive home on.

I am asking all Members on the other side to bring all their Motions next week Friday, I will answer them all at one time.

Thank you, Madam Speaker.

Water Supply
(Couva South)

Mr. Ramesh L. Maharaj *(Couva South):* Madam Speaker, one of the means of accountability is a Motion on the Adjournment, and the purpose of this Motion, like so many Motions on the Adjournment, is for the Government to give an account of what it is going to do about specific problems.

The Motion has to do with the breach of duty of the Government in failing to provide a water supply to several areas of the constituency of Couva South, in particular, Freeport, Calcutta, Beaucarro, Springville, Preysal and Indian Trail, which—are shared by my colleague, the Member for Caroni Central—and Esperanza. Whilst it fails to perform its duty, the Government is still charging water rates to people who are not getting water.

Couva South has reached crisis proportions with respect to water supply. In Lower Indian Trail there has been no pipe-borne supply for over six months and a written request has been made to the Ministry of Public Utilities that if a pipe-borne water supply cannot be had, some form of truck-borne supply should be made available.

Lower Indian Trail is a farming area and there was a previous Motion in this House dealing with its problems, and the Minister had promised to look into the matter. The residents looked into it and I know that they had written to the ministry on May 3, 1994, seeking the ministry's permission for the residents to provide pipes which are needed so that WASA could undertake changing the lines—in effect, a sort of self-help project.

My information from the residents is that they have not had any response from the Ministry of Public Utilities and they have tried to get that ministry to assist in getting WASA to undertake part of the project. The purpose of this Motion, at least in respect of Indian Trail, is to get a response from the Government as to exactly what can be done to alleviate the problem because the residents of Indian Trail are becoming very uncomfortable and restless.

Madam Speaker, the day that you visited Springville, I was walking in other areas of the constituency and I could not be at the place that you were. That morning, in Springville, Diamond Village, Claxton Bay and California, there were water problems, and Members of Parliament had to spend their Sunday morning going into the constituency to respond to water problems when they could have been doing other things in the constituency.

Springville from the Springville Hindu School to Mount Pleasant Road—and we are talking about several homes—children have not had water for four months and we have made several requests. If I may inform the hon. Minister of Public Utilities, during the tenure of office of the late Mr. Morris Marshall, that was an area in which there had been problems for years, but over a period of three days the then Minister was able to solve the problem which turned out to be that the valve was not being sufficiently opened—there were not enough turns made to the valve.

I specifically remember, for example, the Springville Hindu School had no water and we visited the Minister of Public Utilities. After a few telephone calls and conversations he had, water was flowing in Springville within a few hours. So, one sees that the problem is not what it is sometimes made out to be—leaks and lines, or that people's water supply is being sabotaged somewhere along the line but really has to do with a better form of administration,

Then there is Beaucarro Village. Quite recently the Minister received a delegation of residents—unfortunately, one of my colleagues had to deputize for me—and they were very happy. As I indicated to his office, however, after seeing the Minister the people got water for a while on a makeshift basis through some

sort of operation of the ministry. That supply has stopped, but in the mean time, they are also trying to do a self-help project.

6.05 p.m.

What I find strange is that sometimes when there is a water problem and you visit the Minister, he is able to make some calls and the area receives water but, after three or four weeks, there is no water. It must mean that it is not solely a question of lines and leaks. It has to do with some kind of operation. Something is happening. With respect to Beaucarro I would like to know whether the Minister could do something that he has done before. I do not know what sort of magic he used, but he did something and the residents were able to get some water.

Sum Sum Hill, Claxton Bay, an area which my colleague the Member for Pointe-a-Pierre shares with me, has had no water supply for the last six weeks. I have been told that there are several leaks in the pipe-line in the village. But, I have also been told that as a result of several complaints made to WASA and to the ministry, when the complaints are made they have been able to get a supply of water. I do not know whether the Minister could give us any information on that.

Esperanza Village experiences a very, very severe problem. A few weeks ago I made a house-to-house visit. I spent the entire Sunday morning moving around. It is only a small proportion of the village which receives a water supply. There is a street called School Street and other parts of the village which do not receive water at all. Although there was a self-help project in the area some years ago in which the people contributed and they put in a pipe-line, they have not been able to receive a water supply.

The children who attend school have to use box carts at nights to transport this water. The people who live along that area cannot sleep at nights because of the noise from the box carts. Can you imagine that children who have to attend school stay up until 3.00 o'clock in the morning when the water comes? It does not come in the afternoon; it comes around midnight and early morning, and they have to spend their nights transporting water in these box carts for miles. I do not know, if in this age of crime these children should be exposed to that.

Mr. Valley: The country will deal with that.

Mr. R. L. Maharaj: When they charge you, you would come to me first. Remember Davidson came to me? He told me about you all.

There is also a severe water problem in Diamond Village, Claxton Bay. I hear, coming from the other side, "Oh, nothing is wrong with that; let the children

transport the water!" Do you know what has happened? Look at the kind of robbery that other side is advocating. Here is a situation where the state is robbing these people. Under the Water and Sewerage Act they have a statutory responsibility to supply water. The state is charging these people money for the water, and on the other side they are saying that robbery is good. I am not surprised some of them belong to the PNM.

Balmain Village, which is an area between Craig Street and the post office, has not been receiving water for the past four weeks. Representation has been made to the Ministry of Public Utilities and to WASA. As a matter of fact, before the Balmain Presbyterian School closed for the holidays it was out of water for some time. I have been told that although they had a supply of water it has been very unreliable during the last 10-12 years.

There have been several complaints with respect to the water supply in the Balmain area. Calcutta areas 1, 2 and 3 have a severe water problem. I am becoming frustrated with the number of complaints, letters written and telephone calls made. Sometimes there is some relief and then it stops. Therefore, every three or four weeks, because of an incompetent Government a Member of Parliament has to spend much time dealing with the same kind of complaint over and over.

As a matter of fact, Members of Parliament spend most of their time dealing with water complaints. The Opposition, under our system, cannot govern the country. If we could have governed the country we would have dealt with and solved this problem. Under this setup the Government governs and we criticize. We have to criticize and we have to expose. When we expose they get vexed.

The Government has a responsibility to supply water; if it can not supply water, stop charging water rates. If it does not stop charging water rates somebody would, in effect, feel the consequences of this. This is robbery with violence. The state is robbing poor people; poor people who have to make a living, and they have to pay fantastic water rates. When they pay, they receive water for a short time when they should be receiving water on a regular basis. It cannot be both ways. If the Government cannot supply the water, it must stop charging water rates so that the people can pay trucks to deliver water to them. Then the law should be changed because if the people pay trucks, that is a criminal offence.

I have contacted WASA myself. I have spoken to people. I have told them this law is construed in this way. The truck drivers have been told if they go to collect

water they will be prosecuted. The truck drivers do not want to go to collect the water and there is a situation where some truck drivers know certain officials and they charge a high price to deliver water. That kind of situation puts the population at ransom. Some officials—I do not know who they are—are able to facilitate a supply of water from WASA. They can go at the line and collect the water; those trucks can supply water but at a certain price. The people in Esperanza, Springville, Indian Trail and those areas cannot afford to pay that price.

In Diego Martin East and Central they can afford that, the kind of income they have, but, these poor people who come from the lagoon and who have to plant rice and sugar cane and who have to work so hard to get a little money, cannot afford that. Probably my rich Friends, Member for Diego Martin, San Fernando and St. Joseph, could afford that. Not these poor people.

I know what I am going to hear this afternoon. I am going to hear about the money problem and the situation at WASA. I sympathize with the hon. Minister. The only unfortunate thing, he is with the PNM. If he joins the United National Congress, in 1996 he would be able to see how things can be done. I would ask him not to tell us this afternoon about the money problems. Do not tell us about the Government's policy with WASA; the lines and the leaks. I would like him, as a Minister of Government, to tell us with these problems confronting him, and, as is his duty, how he is going to use the resources of the state in order to provide immediate relief in such an important area as water. I want him to say from deep down inside his heart he will take to Cabinet a proposal that if they cannot supply water, he thinks it is robbery and people should stop paying water rates.

I thank you, Madam Speaker.

6.15 p.m.

The Minister of Energy and Energy Industries and Minister of Public Utilities (Sen. The Hon. Barry Barnes): Madam Speaker, as this honourable House would recall, on the last occasion I was here, we had the unique experience of having three Motions on the Adjournment on water. In fact, I anticipated my colleague, the Minister of Works and Transport who wants all his Motions together. Be that as it may, and in deference to the admonition and request of the Member for Couva South, I would restrain myself from covering the territory I covered on the last occasion, except to say that if this House was so minded, then I think every Member here, could in fact have a Motion on the Adjournment with respect to inadequate water supplies to certain areas within each constituency.

It has to be made abundantly clear that what we are talking about is the symptom of a much more fundamental problem. Let me deal with some of the specifics which were raised. Throughout the entire system, five million barrels of water is pumped per day. In the system, wherever you go we are scheduling; whether it is Maraval with a water supply for three days per week, or Freeport, or wherever, and we make it sound very professional—'scheduling.'

If we use the common or garden term, we would understand the problem better. We are rationing water; we were doing so in 1965, and in 1975 and we are still doing it today throughout the system. The Member for Couva South said that water comes at night. This is so because at the present time, the Water and Sewerage Authority must pump at the rate of 38 million gallons per day out of Caroni/Arena to the South at night, because it can pump only 31 million gallons during the day.

The Member for Couva South is well-informed. In specific areas such as Indian Trail, there is a one-inch galvanize pipe that was installed 18 years ago and it met the demand at that time. Now, the village has expanded; the demand has grown and the pipe has become older. The Member is right. The pipe needs to be replaced; it needs a four inch diameter pipe replacement to meet the current demand. There is a section of the Government, the Self-Help Commission, that the Members on the other side have used in the past, and they are there to assist in such matters.

I have encouraged everybody in those circumstances to assist the Water and Sewerage Authority in getting the job done by using community projects for such replacements. One approach is the availability of the Self-help Commission which regrettably does not fall within public utilities, as the Member for Couva South is aware.

The specific areas are served by the Freeport Waterworks, Freeport Wellfield, Carlsen Wellfield Waterworks and the Caroni/Arena Water Plant as the essential sources. In these areas, one of the factors is that the infrastructure is old. As the authority sought to boost existing systems to get more water, you arrive at the stage of boost and burst. There is the abundantly clear need for substantial replacement of pipelines. That is the condition in which we, as a country, find ourselves at this time.

A certain amount of work has been done. Members opposite must know that there has been rehabilitation of the Navet system. There is rehabilitation work going on at Arch Trace Off-take; in the Freeport Wellfield. In fact, to touch on

one of the points that the Member for Couva South has made, one well was brought back into service three weeks ago, and ten days later it was vandalized. The electric motor, the cables and the metre were gone. It was almost as if somebody did not wish to see the situation improve.

Mr. Palackdharrysingh: Security was doing their job?

Sen. The Hon. B. Barnes: All of us know about security.

I am saying—and the Member for Couva South and others opposite know—that in the very nature of the geography of Trinidad and Tobago, the water-producing areas are in the North. That makes the South vulnerable. This is not a matter of anything other than pumps, pipelines, valves and other equipment. As the system expanded from 20 million gallons per day, serving 20 per cent of the population in 1965, to 170 million gallons per day, it was added to existing systems, and now find ourselves at a point where parts of our system are 60 and 70 years old.

It happens in the lifetime of every nation, where you come to a watershed and there is a requirement for, not even rehabilitating, but replacing that infrastructure, recognizing that when you have to replace, you cannot look at the demand in 1994 or 1995, but for the next 30 years. That does not help our immediate problem, but in terms of providing some measure of relief, not seeking to promise anybody a 24-hour per day supply, but at least to allow us a certain measure of adequacy and relief.

I think that the Member for Couva South knows that work has already started on both well fields. Some work has been started on the refurbishment and replacement of some of the pipelines. Certainly work has started on leak repair, not only in that area, but also in Santa Cruz and right across the country within the limits of the available financing. Recognizing that in a modern country like Trinidad and Tobago it must be our hope that we can eventually become like any modern country and be able to say that we offer our citizens a supply of water on a 24-hour basis throughout the whole community. That is really the charge that is upon this Government at this time.

Madam Speaker, I thank you.

Mr. Maharaj: Before the Minister takes his seat, Madam Speaker, I would like to ask two questions in relation to the two matters which I have raised. Firstly, in certain areas where there is no water, do they get a truck-borne supply?

Secondly, in areas where there is no water supply but the people are paying water rates, would the Government consider recommending that those rates be suspended for the time being?

6.25 p.m.

Sen. The Hon. B. Barnes: I apologize, Madam Speaker. I should have at least touched on the question of rates. The reality is that under the Act, which has covered us for 30 years—and you have the exact wording—it was water rates. It is based on Annual Rateable Values. It has nothing whatsoever to do with the delivery of a commodity. It was disjointed from the obligation to deliver. It was based on within 500 yards from a standpipe and so forth. *[Interruption]* That is what I was going to say, and in fact that has created one of the problems.

For as long as it was done on that basis, you could get into the situation where WASA's revenues are at the present time 50 per cent of the actual cost of trying to operate a 5 million barrel per day system. When you stop getting water, you are saying you should not pay rates. If it were on any commercial pricing basis you would say: "If I do not get the commodity, I do not pay the price," but that is an entirely different concept, and the Member for Couva South is quite correct that the whole conceptual framework has to be re-examined. If you are saying deliver and they pay or do not deliver and they do not pay, then the whole basis has to be changed from rate to price and that, too, we have to face up to as a country; we have to deal with that. [*Interruption*] Correct, Sir. You are absolutely right.

Mr. Humphrey: Well, deal with it. If people do not get water—

Sen. The Hon. B. Barnes: We are moving from one position to another. With the best will in the world, recognizing that we have 220,000 households—and I recognize the great respect that the Member for Couva South has for me, but I must disabuse him because every letter I get from him says that I must correct the problems immediately.

Mr. Maharaj: Yes. What do you want me to say?

Sen. The Hon B. Barnes: Fine. But with the best will in the world, nobody could put in 220,000 meters in Trinidad and Tobago immediately.

On the question of truck-borne water, the circumstances of WASA's current revenue situation do not afford it the ability to offer truck-borne water across the several areas that are in the situation in which parts of Couva South, Diego Martin Central and Maraval find themselves. If I understand correctly, St. Augustine is probably the only constituency in the whole of Trinidad and Tobago which escapes. They tell me that there is almost a 24-hour supply in St. Augustine.

Mr. Humphrey: That is good representation!

Sen. The Hon. B. Barnes: Madam Speaker, I am going on too long, but we are, all of us, in the same situation. It is a watershed and needs a particular kind of handling. *[Interruption]* Yes, but that is not the problem. There are areas with too much water and we cannot get it to the areas where there is too little. The Member for St. Augustine is one of the country's experts in that area, so really his colleagues should be writing to him and asking him how to fix things immediately.

I thank you, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.30 p.m.