

*Leave of Absence**Friday, March 24, 2000***HOUSE OF REPRESENTATIVES***Friday, March 24, 2000*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from five Members of this honourable House who have asked to be excused from today's sitting. The leave of absence, which they seek, is granted. The members are, the Member for Point Fortin to be excused from March 23 to April 3; the Member for Caroni East to be excused from March 15 to March 24. [*Minister Ganga Singh rose*] I am just stating the communication which I got—[*Interruption*—without doing the Speaker the courtesy. [*Interruption*] Well, that was the communication which I got and it is not necessary to excuse him for the entire period. Leave of absence is also granted to the Member for La Brea who had asked to be excused from March 6 to March 26; the Member for Port of Spain North/St. Ann's West who had asked to be excused from March 17 to April 7 and the Member for Port of Spain South who has asked to be excused only for today.

DISTRIBUTION OF ESTATES BILL

Bill to amend the law relating to the distribution of the estates of deceased persons, brought from the Senate [*The Attorney General and Minister of Legal Affairs*]; read the first time.

PAPERS LAID

1. Report of the Supervisor of Insurance for the year ended December 31, 1998. [*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]
2. The Regional Health Authorities (Amendment of the First Schedule) Order, 2000. [*The Minister of Health (Dr. The Hon. Hamza Rafeeq)*]

SUPPLEMENTAL ORDER PAPER

Mr. Speaker: Hon. Members, I am advised that there is a Second Supplemental Order Paper which is yet to be before hon. Members. I would like to indicate that when it comes we would deal with it at a later stage.

ORAL ANSWERS TO QUESTIONS

The Attorney General and Minister for Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Government is able to answer all the questions today with the exception of the last question. If I may mention, Mr. Speaker, can the hon. Member for Diego Martin Central indicate with some narrowness what he wants? Because it is very wide. It would help. Otherwise, this question would take approximately two months to answer.

Mr. Valley: Mr. Speaker, after appropriate discussions with the Leader of the House I would inform you, if that were okay.

**National Housing Authority
(Pipe Borne Water Supply)**

28. Mr. Barendra Sinanan (*San Fernando West*) asked the Minister of Public Utilities:

- (a) Is the Minister aware that residents of the second, third and fourth floors of the National Housing Authority apartments situated at Lady Hailes Avenue and at Embacadere in San Fernando do not receive a pipe borne supply of water because the pressure is inadequate to reach those floors?
- (b) If the Minister is not aware, would he state what he intends to do about this situation and when?
- (c) If he so aware, what action does he intend to take to fulfil WASA's objective of providing water for all by 2000?

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, the Embacadere area generally receives a supply between 5.00 a.m. to 9.00 a.m. daily. However, due to a combination of elevation of the apartments and the short duration of supply, many residents of the National Housing Authority apartments experience low pressure and, therefore, at times, have no water.

The answers to parts (b) and (c) are as follows. A number of alternatives have been considered to address this problem. Firstly, the NHA has indicated that the problems at Lady Hailes Avenue and Embacadere are due not only to low water pressure to the second, third and fourth floor apartments but also to leaks within the buildings. Repairing these leaks and the installation of storage tanks and pumps at a cost of \$250,000 should solve the problem in the short term. Efforts are being made by the National Housing Authority to source funds to undertake

these works. Secondly, Mr. Speaker, with the imminent completion of certain elements of the salt-water project, a redistribution of flows would be possible, bringing some further measure of improvement to the residents of the apartments.

Finally, Mr. Speaker, the installation of approximately 1.7 kilometres of eight-inch pipelines along Lady Hailes Avenue between Ciperio Street and Embacadere at a cost of TT \$1.7 million is also being undertaken. This proposed new pipeline would allow the area to be served from the Naparima Reservoir system and at a higher pressure. Once implemented, the above mentioned measure should bring an improved water supply to the residents involved.

Mr. Sinanan: Could the hon. Minister indicate how soon construction work will be commenced with respect to the laying of the eight-inch pipeline along Lady Hailes Avenue?

Hon. G. Singh: I am advised that it is expected within the next month.

Stadia

(Engagement of Specific Financier)

31. Mr. Martin Joseph (*St. Ann's East*) asked the Minister of Social and Community Development and Minister of Sport and Youth Affairs:

- (a) With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister indicate whether the action of the Cabinet in engaging the services of a specific financier to undertake the project is in accordance with the provisions of the Central Tenders Board Ordinance?
- (b) If the answer is in the affirmative, will the Minister indicate the relevant section of the Ordinance that vests legal authority in the Cabinet to act on its own behalf in awarding a BOLT Contract to the specific financier?
- (c) If the answer is in the negative, will the Minister identify the authority or the law under which the Cabinet acted in awarding this contract?

The Minister of Social and Community Development and Minister of Sport and Youth Affairs (Hon. Manohar Ramsaran): The answer is yes. The Central Tenders Board Ordinance does not apply in this matter. Cabinet has accepted the offer of a consortium of Royal Merchant Bank and Finance Company Limited, Guardian Life of the Caribbean Limited and Barbados Mutual Life Assurance Society RGM Limited and Concacaf to construct four stadia and renovate the Hasely Crawford Stadium for the championship.

The answer to part (b) is, the Government will not be funding the construction of the stadia. Concacaf, the Confederation, has approached Royal Merchant Bank and Finance Company Limited, Guardian Life of the Caribbean Limited and Barbados Mutual Life Assurance Society to finance the construction. The consortium of Concacaf, Royal Merchant Bank, Guardian Life and Barbados Mutual Life Assurance Society known as RGM Limited are the joint developers and project managers of the project. Cabinet also agreed to the proposal that the Royal Merchant Bank and Finance Company Limited be appointed financiers for the project on behalf of the consortium mentioned. This is not a mechanism for undertaking any work. The provision of the construction applies and this power has been recognized over the years in that Cabinets in the past have taken similar decisions in the development of Trinidad and Tobago. For example, since 1990, substantial capital public investments in infrastructure have been undertaken using special financing mechanisms such as BOLT arrangements. Projects approved by Cabinet under such arrangements include the maximum security prison, the Industrial Court building, Police Administrative Centre and several police stations.

The answer to part (c) is, Cabinet has not awarded any contract. Cabinet has accepted a proposal of the award for financing the construction of the stadia and section 75(1) of the Constitution applies.

Dr. Rowley: Mr. Speaker, if you would permit a supplemental question; is the Minister aware that the Parliament was told that these projects were being built under the BOLT, which is Build, Own, Lease, Transfer?

Hon. M. Ramsaran: Yes, I said that as part of the answer.

Dr. Rowley: Has the Government, through the Ministry of Finance or any other Government agency, provided financial guarantees to any agency or person involved in this construction?

Hon. M. Ramsaran: I am not able to answer that at this time.

Dr. Rowley: Is the Minister aware of any instance where, hitherto, Cabinet has provided any letter of comfort or guarantee for a construction of this nature?

Hon. M. Ramsaran: I am not aware of that but I would have an answer prepared if you would ask the questions at another time, so I could come to Parliament and be very truthful and honest about the answer. I am not aware at this time.

Dr. Rowley: I appreciate that.

Stadia

(Project Manager Appointment)

- 32. Mr. Martin Joseph** (*St. Ann's East*) asked the Minister of Social and Community Development and Minister of Sport and Youth Affairs:
- (a) With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister indicate whether the Cabinet's decision to appoint FIFA as project manager is in keeping with the provisions of the Central Tenders Board Ordinance?
 - (b) If the answer is in the affirmative, will the Minister indicate the relevant section of the Central Tenders Board Ordinance that vests the Cabinet with the legal authority to enter into this contract without reference to the Central Tenders Board?
 - (c) If the answer is in the negative, will the Minister identify the authority under which the Cabinet is authorized to act in its own behalf in engaging the services of FIFA as project manager?

The Minister of Social and Community Development and Minister of Sport and Youth Affairs (Hon. Manohar Ramsaran): Yes, as indicated in the response to question 31, the Central Tenders Board does not apply in this matter. It should also be noted that the consortium of Concacaf, not FIFA, and Royal Merchant Bank, Guardian Life and Barbados Mutual Life Assurance Society, known as RGM Limited, are the joint developers/project managers of this project.

With respect to (b), section 75(1) of the Constitution the Cabinet with legal authority to enter such arrangements.

Mr. Joseph: Is the hon. Member indicating that Cabinet has decided to bypass the Central Tenders Board as it relates to matters involving these stadia?

Hon. M. Ramsaran: I did not say that. I said that the Board does not apply in this matter but section 75(1) of the Constitution was applied.

Stadia

(Financier's Agreement)

- 33. Mr. Martin Joseph** (*St. Ann's East*) asked the Minister of Social and Community Development and Minister of Sport and Youth Affairs:

With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister provide the House with the following details relating to the agreement with the financier:

- (a) The name of the financier;

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- (b) The capital sum involved;
- (c) How that sum has been or will be determined;
- (d) The time-frame within which the payment is to be effected?

The Minister of Social and Community Development and Minister of Sport and Youth Affairs (Hon. Manohar Ramsaran): The answer to part (a) is, the financier is the consortium, Royal Merchant Bank and Finance Company Limited, Guardian Life of the Caribbean Limited and Barbados Mutual Life Assurance Society—RGM Limited.

The answer to part (b) is, the capital sum involved is \$369,503,450. The answer to part (c) is, the sum will be determined at the rate of 12.25 per cent per annum.

The answer to part (d) is, the time-frame for the payment is 15 years.

Land Use
(Huggins Building)

38. Mr. Barendra Sinanan (*San Fernando West*) asked the Attorney General and Minister of Legal Affairs:

- (a) Could the Attorney General state whether any portion of the area of land earmarked for the construction of the vault and car parking area adjacent to the Registrar General's Department situated at Huggins Building, South Quay, Port of Spain has been disposed of by sale or otherwise?
- (b) If the answer is in the affirmative, would the Attorney General state the amount of land involved in such sale, the name of the purchaser and the price paid?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I do apologize for that. I was talking to the Opposition Chief Whip behind the Chair. The answer to (a) is, no portion of the area of land earmarked for the construction of the vault and car parking area adjacent to the Huggins Building, South Quay, Port of Spain has been disposed of by sale or otherwise. In light of the answer to part (a) above, part (b) of the question does not apply.

Mr. Sinanan: Has any area at all of the property that is known as the Huggins building at South Quay in Port of Spain been given up to any private developer?

Hon. R. L. Maharaj: No, Mr. Speaker.

Sunset Drive Properties

39. Mr. Barendra Sinanan (*San Fernando West*) asked the Minister of Works and Transport:

Could the Minister state whether the Government intends to acquire the properties of the residents of Sunset Drive, Green Acres, which are adjacent to the wall which forms part of the Cross Crossing Interchange?

The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Chandresh Sharma): Mr. Speaker, the Government did not intend to acquire the properties of the residents of Sunset Drive, Green Acres, which are adjacent to the wall which forms part of the Cross Crossing Interchange. It was not necessary to acquire those properties to accommodate the construction of the new road complex that is part of the southern roads development project contract No. 2. The properties or parts thereof that were affected by the road development project were identified at the detail design stage during 1995/1996. Acquisition was by Survey Order No. 55 of 1996. Construction work began in January of 1998 and the requisite acquisition notices, as authorized in the Trinidad and Tobago Gazette, Volume 37 No. 31 dated February 18, 1998 were served in the first few months of the construction work.

The Government will, however, consider any claims properly made, justified and supported for damages arising directly out of this project. In the event of damage to third parties, the construction contract provides insurance coverage to pay approved claims. In anticipation of such events, all the properties in the immediate area of the works, including the properties on Sunset Drive, were structurally surveyed before construction started. This would allow for proper verification and assessment of any such claims.

1.45 p.m.

Mr. Speaker, in recent discussions with the Ministry of Works and Transport, some of the residents indicated their preference: that their properties be acquired and that they be relocated. The Ministry gave the undertaking to consider all such requests, and that they be made in writing to the Permanent Secretary, Ministry of Works and Transport. For ease of communication they were further advised to hand in their claims to the Ministry's representative at the site office, Southland Mall, Cross Crossing.

Additionally, officials of the Ministry of Works and Transport continue to be available for any inconvenience, and to establish further communication so as to keep inconvenience to a barest minimum.

**Nipdec Cold Storage Facility
(Tobago)**

41. Dr. Keith Rowley on behalf of Miss P. Nicholson asked the Minister of Finance, Planning and Development:

- (a) Would the Minister of Finance, Planning and Development inform this House whether he is aware that after 17 years of operation without adequate maintenance, the Nipdec cold storage facility in Tobago is inoperable and unable to satisfy the demands to Tobago's fishermen?
- (b) Could the Minister state why the sum of \$2.1 million was not advanced in 1998/1999 to purchase the necessary refrigeration equipment required to sustain the Tobago Nipdec plant?
- (c) Does the Government propose to provide the \$2.1 million to refurbish the Nipdec cold-storage plant in the 1999/2000 financial year?

The Minister of Tobago Affairs and Minister in the Ministry of Finance (Dr. The Hon. Morgan Job): Mr. Speaker, the National Insurance Property Development Company has advised that its cold storage facility at the Tobago warehouse complex is in operation. However, there are insufficient functional refrigeration units to keep more than one room working. The one operating room offers approximately 20 per cent of the capacity of the facility and occupancy ranges from 50 per cent to 90 per cent of that room at the present moment.

The National Insurance Property Development Company has stated that the facility has only been able to maintain temperatures in the vicinity of 22 F to 26 F. This is quite adequate for cold storage, and Nipdec is accepting goods that are already frozen. Fish usually arrive in large quantities and at high temperatures. Further, it is impractical to store fish with the other goods because of scent ingestion and the other factors such as methods of handling.

The cold storage facility at Nipdec's warehouse complex in Tobago is owned and operated by Nipdec. Government does not provide subventions to Nipdec for operating this facility. Moreover, no request was received from the Tobago House of Assembly for funding for the facility in 1998/1999 or in 1999/2000.

No provision has been included in the 1999/2000 Estimates of Expenditure for refurbishing the Nipdec cold-storage facility. However, the Ministry of Finance,

Planning and Development has met with representatives of the Ministry of Tobago Affairs and Nipdec to discuss options for the sustainable delivery of cold storage services in Tobago. The National Insurance Property Development Company has advised that its Board of Directors has recently approved the purchase of equipment to enable a return to normalcy in approximately half of the facility.

Mr. Speaker, thank you.

Development of Commercial Fishing (Tobago)

42. Dr. Keith Rowley on behalf of Miss P. Nicholson asked the Minister of Finance, Planning and Development:

Could the Minister inform the House why no money has been budgeted to the Tobago House of Assembly for the development of commercial fishing in Tobago?

The Minister of Tobago Affairs and Minister in the Ministry of Planning and Development (Dr. The Hon. Morgan Job): Mr. Speaker, The Tobago House of Assembly submitted a proposal under the 1999/2000 Public Sector Investment Programme for capital works totalling \$1,217,817,700. Of this amount, the Tobago House of Assembly proposed that \$1,199,161,100 be funded from the Consolidated Fund; \$8,656,600 from the Unemployment Relief Fund; and \$10,000,000 from the Road Improvement Fund. It should be noted that the Government's entire development programme for Trinidad and Tobago for 1999/2000 amounts to \$1,834,485,000.

The Tobago House of Assembly was informed that its allocation under the Consolidated Fund for 1999/2000 would be \$90,000,000, of which \$28,000,000 represented funding for the construction of a stadium at Bacolet for FIFA's Under17 Championship Tournament in 2001, and \$44,500,000 represented projects which were partially or wholly funded by international agencies.

Mr. Speaker, the Tobago House of Assembly was then asked to identify what projects it proposed to undertake within the remaining allocation of \$17,500,000. The Tobago House of Assembly consequently submitted a revised proposal, which, while exceeding the allocation of \$17,500,000 did not include any submission with respect to commercial fishing in Tobago. As a result, the Ministry of Finance, Planning and Development, acting on the submission of the Tobago House of Assembly, did not allocate any funds to the Tobago House of Assembly for the development of commercial fishing in Tobago.

The following question stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):

**Government Contractors and Creditors
(Money Due and Payable)**

- 43.** Could the Minister inform this House what was the total sum of money that was due and payable to contractors and other creditors of the Government of Trinidad and Tobago as at September 30, 1999 and which was outstanding as at December 31, 1999?

Mr. Kenneth Valley (Diego Martin Central): Mr. Speaker, with respect to question No. 43, I have had discussions with the Leader of the House to try to redraft that question. I would, therefore, withdraw question No. 43 and re-file the redraft.

Question, by leave, withdrawn.

**DEFINITE URGENT MATTER
(LEAVE)**

Current Health Crisis in Trinidad and Tobago

Mrs. Camille Robinson-Regis (Arouca South): Mr. Speaker, I seek you leave in accordance with Standing Order 12(1) to raise as a definite matter of urgent public importance, the current health crisis in Trinidad and Tobago, where the widespread demonstrations by nurses and other ancillary hospital staff throughout the country have left the health institutions in a virtual state of paralysis, resulting in several institutions being unable to provide the requisite health care to the population.

Mr. Speaker, within the last week a serious crisis has engulfed the entire health sector which has resulted in the impaired functioning of almost all the health institutions in Trinidad and Tobago. Throughout this entire crisis, the Minister of Health and the Government appear impotent in being able to resolve this situation.

Mr. Speaker, the matter is definite because although the impasse started last week, it has been increasing in intensity with each passing day and there appears to be no resolution in sight. It is urgent because the nursing staff, which is critical to the health care of patients, have virtually ceased to perform their duties and are now receiving the support of the ancillary staff. This has already resulted in patients experiencing hardship in getting medical care.

It is of public importance because almost all the major health institutions to wit: the Port of Spain General Hospital, San Fernando General Hospital, Eric Williams Medical Sciences Complex, St. Ann's Hospital, St. James Infirmary, Mt. Hope Maternity Hospital, Caura Hospital, Scarborough Hospital and Sangre Grande Health institution are non-functional and doctors are not getting any assistance from nurses to attend to emergency cases, which may result in unnecessary deaths.

Mr. Speaker, I respectfully seek you leave. [*Desk thumping*]

Mr. Speaker: Hon. Members, it is written in the Standing Orders that where a matter is deemed definite, urgent and of public importance one could have an emergency debate and set aside the normal procedures of the House. Other than that, it is regardless of how important the matter is, it needs to have the required time as set out in the Standing Orders. Having regard to the learning on this topic, I do not deem this matter of urgent, definite and important in nature as is required by the Standing Orders. In the circumstances, I cannot accede to the request. [*Interruption*]

1.55 p.m.

Mr. Speaker: Hon. Members, before we get to the item "Motions", I would like to revert to the Second Supplemental Order Paper which I indicated was coming. It is now circulated to Members, I understand, so if we could go back to item (f) Papers. Just call it, please.

PAPERS LAID

3. The Census Order, 2000. [*The Minister of Tobago Affairs and Minister in the Ministry of Finance (Dr. The Hon. Morgan Job)*]

COMMISSION OF INQUIRY (JUDICIARY)

[SECOND DAY]

Order read for resuming adjourned debate on question [February 25, 2000]:

Whereas the Government has announced its intention to establish a Commission of Inquiry into the Judiciary comprised as follows:

Lord Mackay - Chairman

Dr. L. M. Singhvi

Dr. Austin Amissah

Mr. Geoffrey Robertson as Counsel

Be It Resolved that this honourable House take note of the Government's stated intention in this regard.

Question again proposed.

Mr. Speaker: I call upon the Attorney General and Minister of Legal Affairs who was, in fact, speaking when the Adjournment was taken. I note that he has utilized some 23 minutes of his additional or extended time. [*Interruption*] The mathematics of Members of the House today is excellent, but he does have some time left. I call upon the Attorney General and Minister of Legal Affairs.

Hon. R. L. Maharaj: Mr. Speaker, I hope the hon. Member for San Fernando East would be able to use his mathematical skills to check the number of seats.

Mr. Speaker, when this Motion was adjourned on the last occasion, the point I was making was that the Opposition knew of the problems in the administration of justice and recognized these problems, but they did not do anything to resolve these problems. As a matter of fact, it would be fair to say to the Opposition that it recognized that an ineffective and inefficient justice sector contributed to the higher economic and social costs, but an effective and efficient administration of justice would make the justice sector more affordable and accessible.

It was the Attorney General of the last administration who stated in this House on May 15, 1992 that the delays in the judicial system demanded the highest priority on the national agenda and described delays in the justice system as appalling.

The then Attorney General went further and said that the system of justice was continuing on a downward spiral which must be arrested. He further said that the situation was truly bad and that his investigations had shown that there was no area of the system of justice which is free from the horrors of delay.

The then Attorney General went on to say:

“That is one instance on the victim's side, but there are many unfortunate victims who sit in their homes scared and pondering over the horror of their experience. There are some who, year after year, trudge their way to our magnificent Hall of Justice to face adjournment after adjournment only out of a sense of civic duty. There are many, too, who, battered into defeat not only by the crime committed against them, give up in despair, frustrated by the system.”

So, when the then administration talked about the administration of justice and attacked the ills in the administration of justice, no one said that they were not entitled to do that. As a matter of fact, the Opposition recognized that the then government had a duty to ensure that the justice system functioned. As a matter of fact, I am sure that the then government was talking about cases like these. I quote two.

Mr. Peter Isaac is a man 61 years old. He is now in prison. He was charged in 1983 for a criminal offence. He was convicted in April of 1991. He has appealed, but his appeal has not yet been heard.

I am talking about a man like Anthony Mc Sween who was convicted in March of 1991. He was sentenced to nine years' imprisonment. He has appealed and, to date, his appeal has not been heard. He would have been entitled to a release in 1997.

I am talking about civil matters affecting wives, widows, children, persons who are injured in motor vehicular accidents, who, day after day, sit in their homes and have to suffer from trauma of the injustice which they have to suffer.

Mr. Speaker, the administration of justice is not a cloistered virtue. As a matter of fact, in the famous case of Ambard and the Attorney General of Trinidad and Tobago, the Privy Council said that the administration of justice is not a cloistered virtue. It must be able to suffer criticism and the comments of a society.

It is in this context that I have circulated for hon. Members a background to the appointment of this Commission of Inquiry which would show there were statements made by the hon. Chief Justice on September 16; that the hon. Prime Minister addressed the nation on December 16, 1999. Then on February 4, he made in this honourable House, a statement in which he announced the terms of reference of the Commission of Inquiry.

I mentioned the conclusions of the Georges Committee and I mentioned the statements which were made by the Attorney General in that respect. I also mentioned in this statement which I have circulated, the kinds of resources which this administration has given to the Judiciary. As a matter of fact, the records would reveal that this administration has given the most administrative and technological and other resources to the Judiciary than any other administration has done.

When, as I said, the hon. Member for San Fernando East came to this honourable House and presented this Motion, he presented it without knowing

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anything about this Motion. He came here as a robot to carry out the wishes of some other person or persons. Here it is that—

Mr. Assam: He was a conduit.

Hon. R. L. Maharaj: Yes, he was a conduit. He has taken up his role that he thinks he wants to have as a conduit.

Here it is that he has drafted a Motion saying that there is a Commission of Inquiry into the Judiciary. Mr. Speaker, I have given instructions to be circulated to hon. Members, a proposed amendment to the Motion and I will move that amendment as follows:

1. Delete the recital and substitute the following:

Whereas the Government has announced its decision to establish a Commission of Inquiry with the following terms of reference:

- (i) To enquire into and report and make recommendations on the machinery for the Administration of Justice in the Republic of Trinidad and Tobago with special reference to the following and matters incidental thereto or connected therewith:
 - (a) The duties, functions, management and adequacy of the system of Courts and procedure to provide more efficient, accessible, affordable and expeditious justice to all;
 - (b) The qualifications which may be prescribed in the appointment and promotion of judicial officers and the manner of dealing with complaints by the legal profession and the public against judicial officers;
 - (c) The operation of the existing financial and administrative rules and procedure for the release and draw-down of funds allocated to the Judiciary by Parliament, for the approval of travel abroad by judicial and other officers for training and conferences, for the employment, on contract, of staff for the Judiciary, for communications with the Cabinet and Ministry of Finance by the judicial department and whether these rules and procedure impair or derogate from the independence of the Judiciary and the rule of law;
 - (d) Allegations that the Executive is attempting to undermine the independence of the Judiciary;

- (ii) To make such observations and recommendations pertaining to the findings of the Commission arising out of the Inquiry as the Commissioners may deem appropriate.

And the said Commission is comprised of the following persons:

The Right Hon. Lord Mackay of Clashfern who was Lord High Chancellor of Great Britain from 1987—1997;

Dr. L. M. Singhvi, well known international expert on human rights and the independence of the Judiciary. He was a key architect of the United Nations Basic Principles on the Independence of the Judiciary;

Justice Austin Amisshah—a former Justice of Ghana Court of Appeal and is now President of the Botswana Court of Appeal;

Mr. Geoffrey Robertson, Q.C. as Counsel for the Commission—not a member of the Commission.

2. In the resolution, substitute the word “decision” for the word “intention”.

I beg to move this amendment, Mr. Speaker.

Mr. Manning: Mr. Speaker, I thank the hon. Attorney General for giving way. Before he takes his seat, I wonder if he would be kind enough to give the House some indication of the cost of this Commission of Inquiry. In particular, whether those who are serving as Commissioners are doing so on a voluntary basis, or whether there is a consideration attached to it. If so, some order of that consideration.

Hon. R. L. Maharaj: Mr. Speaker, I announced in this House on the last occasion or some previous occasion—I am not too sure—that the Commissioners undertook to do this assignment as a duty for the Commonwealth and the Government of the people of Trinidad and Tobago at no cost. The Government would have to pay their expenses.

Mr. Manning: Is that for Mr. Robertson?

Hon. R. L. Maharaj: Mr. Geoffrey Robertson is an attorney-at-law and he has been retained by the Government as Counsel for the Commission. Obviously, the Government would be supporting the amended Motion.

The Minister of Trade & Industry and Consumer Affairs (Hon. Mervyn Assam): Mr. Speaker, I beg to second this amendment and I wish to reserve my speaking time for some time during the course of the debate.

Mr. Manning: Speaking rights. What is wrong with you?

Hon. M. Assam: My speaking rights. I believe in substance, not form.

Mr. Speaker: Hon. Members, I shall now propose the amendment moved by the hon. Attorney General and seconded by the Minister of Trade & Industry and Consumer Affairs.

Question proposed.

2.10 p.m.

Dr. Keith Rowley [*Diego Martin West*]: Mr. Speaker, I rise to enter this debate because I would like to have it recorded in the *Hansard*, which is a record of this country's Parliament, that I had a position on this matter and I had something to say on it. Because if we are to be guided by the Attorney General and if the Attorney General and this Government prevail in the direction that they are going, I have no doubt, whatsoever, that sometime in the not too distant future there are those who would wish to examine how did we come to this when we get to where we are going.

Mr. Manning: A sorry past.

Dr. K. Rowley: Mr. Speaker, it is a well-known maxim that "the road to hell is paved with good intentions". But it is also well known that "those who wish to do evil, find it very convenient to present the evil pill with a sugar coating," and it is left for those who examine the details to figure out exactly what is going on.

Mr. Speaker, any person in this country who is reasonable and who has been following what has been going on in this country for the last 10 or 20 years, would come to the conclusion that we have a justice system; there are a number of short-comings in the system; it is far from perfect; a case could be made for review, for examination, for changes, for improvement, for reform—whatever you want to call it. In fact, Mr. Speaker, if you look at the amendment provided to us, this afternoon, by the Attorney General: items (a) and (b), if in a different time, in a different place, this, or any other Government had come to the Parliament or the country and say: "Look we wish to have an inquiry into the duties, functions, management and adequacy of the systems of courts and the procedure to provide efficient, affordable and expeditious justice to all, and we wish to determine who should be judges in this country; given what we have experienced to see whether we can change those qualifications—if a Government had come to this country in a different time, under different circumstances, requesting that this be done, Mr. Speaker, I have every reason to believe that there

would have been no opposition in virtually any quarter in this country. But, Mr. Speaker, one has to understand that what we are dealing with here does not stand on its own, it is part of a development and we cannot examine what has been put to us today in isolation; it is part of a process of something that has happened.

The first thing we have to take note of is that this Government was in the Opposition. The main actors in the Government were in the Opposition. So they had an opportunity to see this country at work and they had positions with respect to the Judiciary, and they have been in Government for four years. Never did we hear, anytime during that period, of any intention of the Government to do the things that we are being asked to do today in the amendment. What we do know is that the Attorney General, who is an octopus for power; seeking to put all his tentacles out and grab unto himself more and more control, sought to extend his tentacles over the Judiciary. Of course he would not agree with that, but that is not the point. The point is that the Judiciary was of that view that, whereas we have a system of the Executive, the Parliament and the Judiciary, the Attorney General is seeking to extend his control and he met resistance, thank God. He met resistance from the persons who function as members of that judicial arm. Mr. Speaker, it is only when that issue was brought before the public in September, last year, that this Government suddenly has an appetite to examine the judicial process in all its forms and fashions.

This brings me, Mr. Speaker, to the presentation of the Attorney General. I want to tell you, Mr. Speaker, when one observes what has been presented by the Attorney General in response to the mover of the Motion: the hon. Leader of the Opposition, there were two positions which took up all of his time; one was to attack the Leader of the Opposition, and the other was to seek to justify his guerrilla warfare against the Chief Justice.

Mr. Speaker, it is very difficult, sometimes, to find words to justify something or to state what one is doing when one is being too careful, because one cannot be honest and come out and say what one is doing so one has difficulty and one becomes very unconvincing and makes conflicting statements.

Mr. Speaker, after I have listened to the Attorney General—I have in my possession a copy of his *Hansard*, some 30 odd pages, almost 40 pages. I want to draw to your attention, Mr. Speaker, what the Attorney General said to this Parliament and, by extension, the country in justification for what his Government is doing. He started off by saying that the Opposition Leader; mover of the Motion is wrong, that there is no Commission of Inquiry into the Judiciary.

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2.20 p.m.

Let me quote the Attorney General:

“An inquiry into the Judiciary and an inquiry into the administration of justice are two different matters.”

Immediately having said that, he goes on to say:

“The Judiciary is only a part of the administration of justice...”

So, we have to ask, if he is saying that what we are going to get is not a commission of inquiry into the Judiciary, but we are getting one into the administration of justice, and he says that Judiciary is a part of the administration of justice, how then can he say that we are not inquiring into the Judiciary?

If I go to page 21 of his *Hansard*, just when I was thinking, what does he mean by saying that we are inquiring into the administration of justice; is he then saying that we are inquiring into the whole question of bail, magistrates and their conduct, missing files, the curious Mohipp judgment that went into a file and waited until after an election to surface? Is he saying that we are inquiring into the conduct and behaviour of policemen who conduct surveillance before they make an arrest, because all of this is justice? It is how justice is administered in the country. Is he saying that? How broad is this thing?

He is accusing the Opposition Leader of being wrong and incompetent, and he is saying that we are having an inquiry into the Judiciary and that what we are having is an inquiry into the administration of justice, and then he answers my question. On page 21 of *Hansard* he said:

“It is a much broader thing than that.”

So what we have to prepare for, Mr. Speaker, is the broadest possible involvement of these Members into aspects of the administration of justice. In short, we know where this thing began, but we do not know where it is going to go.

Mr. Speaker, the Attorney General is trying to allay our fears. When the point was made that such an inquiry as conceived and executed by this Government could have devastating consequences on the Judiciary, he said to us:

“Mr. Speaker, if it is that we are having a commission of inquiry, then, as to the practice which exists as to information which can come to the Executive...”

Mr. Speaker, let me read this thing over. Here is the Attorney General trying to tell us what is happening. It is not what the Opposition Leader says; it is the broadest possible situation of administration of justice. Listen to this sentence, he was speaking to you, Mr. Speaker. He said:

If it is that we are having a commission of inquiry, then, as to the practice which exists as to information which can come to the Executive and to the people, it is a matter which must be investigated and recommendations made.”

What in God's name is that? It is a set of words that do not even make sense. That is what the Attorney General said to the Parliament and I want to read it again, so you can understand what we are dealing with, because when you cannot justify wrongdoing and you become a talking head, you talk foolishness!

Listen to this again, Mr. Speaker:

“If it is that we are having a commission of inquiry, then, as to the practice which exists as to information which can come to the Executive and to the people, it is a matter which must be investigated and recommendations made.”

Absolute garbage coming from the Attorney General of Trinidad and Tobago, when we are dealing with a serious matter where he is waging criminal warfare against the Chief Justice, destroying the peace and calm in this country and threatening our future, comes to the Parliament and talks this nonsense! [*Desk thumping*]

But make no mistake about it, his colleagues will get up and defend him. They will join the debate and support it, because all of them are part of the problem. I simply want to make one appeal to the national community, that people must not lose their cool in responding to this Government, just give them time. They have a few more months in office and on election day we will just vote them out of office—[*Desk thumping*—because at the end of it, there should be no talk about bringing yourself down to the level of this Government.

Here is the Attorney General dealing with a matter. The Leader of the Opposition asked him a simple question. What went to the President in the beginning when this commission of inquiry was requested, is it that that request was assented to and signed without change? Have there been changes to the terms of reference? He made a big to-do about the Leader of the Opposition not knowing what the terms of reference were, but he never answered the question. Is the original document which went up with certain terms of reference the one that has been signed by the President?

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Now, we have here today, amendments to the Motion outlining a number of things. I am asking here now, are these the same terms of reference that have been signed? Are they? While I said earlier on that item A and B, in an earlier time, in a different situation, could have got support, Mr. Speaker, item C—let us look at item C. When you bear in mind that we are bringing Lord Mackay of Clashfern, Dr. L. M. Singhvi of wherever, Dr. Austin of Botswana or Ghana or wherever, and his partner, Mr. Robertson, at high cost to taxpayers, listen to what item C says that they are going to do for us.

We go across the world to bring four people, because this country that has been independent for 38 years, proud Trinidad and Tobago, with our own expertise, 38 years of experience, we have to go for Lord Clashfern to tell us if we need to examine the operation of existing financial and administrative rules and procedure for the release and drawdown of funds allocated to the Judiciary by the Parliament of Trinidad and Tobago. What obscenity!

Hon. Member: Can you imagine that?

Dr. K. Rowley: He is out of place! We are the Parliament of this country and to bring anybody from outside this country to find out if we should accept what their point of view is about the drawdown and allocation of funds to the Judiciary; that is obscene! It is an obscenity! He goes further; we have to bring Lord Clashfern and his partner, Mr. Robertson, to pay Mr. Robertson millions of dollars to tell us if we must agree for the approval of travel abroad by judicial and other officers for training and to other conferences. That is what he is asking the Parliament to agree to, and his colleagues will agree to it.

Make no mistake about it, they would all sit there and then they will vote, let us pay Mr. Robertson millions of dollars; let us bring Dr. Singhvi and let us bring Lord Mackay of Clashfern to tell us how officers should go abroad for training and employment on contract account of staff for the Judiciary. Is this man serious? We have a Judicial and Legal Service Commission; we have human resource experts in this country; we have distinguished retired judges; we have human resource experts outside of the government sector that we could use. But this Attorney General wants to bring his partner and a group of international experts to tell us what we must accept with respect to the employment of staff for the Judiciary.

All of it is because he has a vendetta against certain personalities who hold office in the Judiciary. All of it! [*Desk thumping*] That is what it is based upon. There is no other conclusion we can come to. For four years they had no interest

in doing this; it is only when the Chief Justice drew it to the attention of the public what he was trying to do, that all of a sudden this interest arose, and now he goes all the way down to deal with all those persons; the whole question of judicial contact; the whole question of who is hired by whom.

And he, as Attorney General, makes public statements, from time to time, which are derogatory to a public official. Morris-Alleyne this and Morris-Alleyne that; she is a public servant and the Attorney General is quite wrong to be attacking her in public, religiously. He does not like her, fine, but do not wage this war against her. She is doing her job; you might not like the job that she is doing, but that is not the way to do it. Mr. Speaker, I come to the point: even if there is some merit in some of the things that he proposes to do, the way you go about certain things will guarantee that your good intentions can come to nought.

If we say that all teachers who are not performing should be fired, immediately you have set the stage for confrontation. It is possible to say that what we need to do is to examine the production and performance of teachers, ensure that they have proper training, the regulations are in place and that they comply and we get to work with them. You do not get up and say that you want to fire judges and you are going to bring law to the Parliament to fire judges.

I will tell you one thing: do not bring any law like that here and expect any People's National Movement support, because you have no support whatsoever to get from the PNM to change anything in this country with respect to your vendetta. We will not assist you in your vendetta!

Mr. Maharaj: You would not be there; your leader would not put you back up.

Mr. Valley: Will you be here?

Dr. K. Rowley: Will you be here? [*Crosstalk*] Mr. Speaker, he said earlier that we are not dealing with cases. He specifically says that the commission of inquiry is not an inquiry into the conduct of judges. I do not understand that, because every example he gives is an example about the conduct of judges, and it is as a result of the conduct of judges that he many not be happy with, that he is talking about bringing a law to force judges to give judgment in a certain time frame. That has to do with the conduct of judges; how they perform. But he says to us, "Have no fear, this commission of inquiry is not about the conduct of judges".

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Then he goes on to says:

“For years, there are instances where judges do not write judgments. This is not an issue to be swept under the carpet.”

So if you want to deal with this, how could you not be dealing with the conduct of judges? Then he says:

“Mr. Speaker, I would later show this honourable House cases involving drug persons who were in the courts and have never been heard, never been tried...”

But we know that he has written to the Chief Justice asking him for a list of all the judges with outstanding judgments and the names of judges, so how then is he saying that he has no interest in the conduct of judges when all the information we have before us is that that is precisely what he is after?

Then he says, Mr. Speaker:

“it is not to condemn anyone;”

I do not know that. If you are having a commission of inquiry in an objective manner, you cannot up front say that it is not to condemn anyone. Suppose during the inquiry information comes out which is condemnatory of person or persons, what will you do, expunge it from the report, because you have said before that this report from this assignment must not condemn anyone? You cannot say that; we do not know what the inquiry would throw up, if, in fact, it is an inquiry, as an inquiry should be done.

Then he goes on to give us this brilliant definition of a commission of inquiry. Listen to him:

“Commissions of Inquiry exist from time to time, in order to consider whether matters have arisen which should be investigated...”

What nonsense! The commission of inquiry is, in fact, an investigation itself; you are investigating the judicial system. So do not come and tell me that “Commissions of Inquiry exist from time to time, in order to consider whether matters have arisen which should be investigated.” Are you implying that after the commission of inquiry there will be other investigations? This is a Freudian slip, because who he is hoping to get at are the judges, and through the commission of inquiry he is hoping to have his partner ask certain questions and out of that he can zero in on certain persons. He is anticipating over investigations, so his mouth slip here.

How could the Attorney General tell us about a commission of inquiry setting the stage for investigations? All of that is to put us into a state of deep hopes, a state of comfort, that we would not worry; let the thing happen. But he has an agenda and any person in this country who does not know that does not want to know it.

He goes on to say, Mr. Speaker, and he is talking to you:

“Mr. Speaker, as I said, a commission of inquiry is to make findings...”

Is that really what a commission of inquiry is about, just to make findings?

2.35 p.m.

Mr. Speaker, the Attorney General obviously has a problem. He says:

“This Commission of Inquiry is not to make a judgment call on anyone, and not to find anyone guilty...”

But when one looks at that statement in the context of the rest of the speech that he gave in the Parliament, surprisingly, he spent much time trying to give us the impression that the Chief Justice had acted improperly in a particular instance and, in fact, came within a hair’s breath of accusing the Chief Justice of facilitating drug dealers in this country. How then can he say that the commission of inquiry is not to make a judgment call on anyone? In fact, even before we had the Commission of Inquiry, even while he was asking for the Commission of Inquiry and anticipating the result, he is already making a judgment call on no other person but the Chief Justice. [*Desk thumping*] These are the facts before us.

He actually said that when they were in the Opposition they had asked the Manning administration to appoint a Commission of Inquiry into this matter and they refused. Mr. Speaker, that is not true and if that was so, they came into office in November 1995, the previous government having refused to appoint a Commission of Inquiry as he says and it was not done in 1996, 1997, 1998, or 1999. It was not until the end of 1999, when you have been shown to be dangerous to good order in Trinidad and Tobago.

Mr. Speaker, what exactly are we dealing with? Are we having or not having a Commission of Inquiry into the judiciary, or are we having a Commission of Inquiry into the administration of justice? Can one discern a difference? Because when one uses the Attorney General’s own words, it becomes even more confusing. Listen to what he said—and he is attacking the Opposition Leader.

“He comes first and says an inquiry into the judiciary; so that is wrong.”

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“...I am appointing a commission of inquiry into the administration of justice—wrong.”

So what are we having, Mr. Speaker? The Attorney General is on *Hansard* as saying it is not a Commission of Inquiry into the judiciary, that is wrong. It is not an enquiry into the administration of justice, that is wrong. What then are we having? That might have been the only truthful thing that he has said. Because we are not having either. What we are having is an Attorney General’s counter attack against individuals who hold office in the judiciary. [*Desk thumping*] That is what we are having, and if this country does not want to accept that, we would bear the price for not accepting it.

He has told us in his own words in the Parliament what he is about. So if the press wants to believe, and the country and the Parliament want to believe that we are having this altruistic, objective inquiry into the administration of justice, the Attorney General says, “wrong.” If you want to believe that we are having any inquiry with any purpose about improving the dispensing of justice, the Attorney General says, “wrong”. It is for us to ask him now, and in the context of what I am reading from *Hansard*, and since he has already spoken, I want to ask the Government’s spokesperson who would join the debate, to tell us exactly what we are having. What is Lord Mackay of Clashfern coming here to do? And what are we going to pay Mr. Robertson millions of dollars to do? Then he brings an amendment today, having spoken last time and saying what I have just quoted him as saying, which starts off by saying: “To inquire into the Administration of Justice.”

Mr. Speaker, what is the truth? How can we trust these people? If there is unease in the country today, there is good foundation and good reason for it because these statements are made by the Attorney General and this amendment to the Motion I presume, was approved by the Cabinet of this country. So what are we doing?

Mr. Speaker, I go further. You were here when the Member for San Fernando East moved the Motion. I know you did not hear it, because I did not hear it, and I want anybody in this Chamber to say they heard any statement from the mover of the Motion which said that the policy of the PNM would be to put the Chief Justice in the Cabinet of the PNM. Listen to what the Attorney General said when he responded to the mover of the Motion:

“I want the national community to know this because when we go to the election hustings that is what we will say you have agreed to. You have

agreed that the Chief Justice will be part and parcel of your Cabinet. If you agree to the Chief Justice being part and parcel of your Cabinet, then you are going to erode the independence of the Judiciary.”

Mr. Speaker, where in God's name did the Attorney General get it, that those on this side said, or gave any indication that we want the Chief Justice to be a part of the Executive? He flies that kite and says: We are going to tell that to the people of this country on the election hustings.

And make no mistake about it, they are prepared to go out there and lie like that. I was in this House when the Member for Laventille East/Morvant made reference to Sai Baba and made a comment about the behaviour of the Prime Minister saying that obviously he did not have the benefit of an audience with Sai Baba because he could not behave the way he is behaving if, in fact, he had that audience and the Prime Minister said: “Is that so? You are attacking Sai Baba, I will tell the country you have done so.” And we thought he was joking, but lo and behold, the Prime Minister of this country, in the face of the *Hansard* truth, went down South in an election campaign, stood on a platform and told the East Indian community of this country that Fitzgerald Hinds from Laventille East/Morvant, attacked Sai Baba in the Parliament. Understand them! That was the Prime Minister, and today the Attorney General is telling us beforehand on the *Hansard* that he intends to tell the country that the Opposition Leader said that we will put the Chief Justice in Cabinet. All that to justify the mission he is on; to get even with the judges and the Chief justice in particular.

He goes on to say:

“Mr. Speaker, the reason why there is separation of powers is so that the Executive must not even appear to give the Judiciary whatever it wants in order for the impression to be created that the administration of justice is in the pocket of the Executive.”

Now he explains his conduct.

One of the main reasons for the calamity we are in with him and the Chief Justice has to do with allocation of resources to the Judiciary. He is saying here that the reason why there is a separation of powers is so that the Executive must not even appear to give the Judiciary whatever it wants in order for the impression to be created that the administration of justice is in the pocket of the Executive.

So he is saying if the Government gives the judges what they want, it would appear to be beholden to the judges. So he has taken it upon himself to decide what they get and what they do not get.

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Mr. Speaker, I have in my possession a letter written on July 12, 1999 from the Permanent Secretary, Ministry of the Attorney General, to the Permanent Secretary, Ministry of Planning and Development and the subject is: "Disbursements under the Judicial Sector Reform Project". Listen to what the Permanent Secretary in the Attorney General's office wrote to the Permanent Secretary in the Ministry of Planning and Development to say:

"The Honourable Attorney General has instructed that his approval be sought and obtained prior to any requests for disbursements under the PPF re the Judicial Sector Reform Project or under the Judicial Sector Reform Project itself.

Accordingly, I would be grateful if you would ensure that the relevant officers in your Ministry are made aware of this instruction."

Mr. Speaker, permanent secretaries run the Government and they talk to one another. They disburse the funds which are available, they are the accounting officers for funds appropriated by Parliament. Reflect for one moment the thought process that is going on in the Attorney General's ministry which results in him instructing his permanent secretary to write to another permanent secretary instructing him or her that he or she is acting under the instruction of the Attorney General, that funds must first be approved by him.

When I tell you he has tentacles! He thinks he is an octopus and he can control everything, so he is reaching into the Ministry of Planning and Development to give instructions as to how funds should be disbursed to the Judiciary. I want you to see this letter of July 12, 1999 in the context of what he is saying here. That the "separation of powers is so that the Executive must not even appear to give the Judiciary whatever it wants in order for the impression to be created that the administration of justice is in the pocket of the Executive."

What he is trying to tell us does not even make sense. He is saying if the Government facilitates the judges, it will somehow be deemed to be beholden to judges. What nonsense! Then he reconfirms again, according to the hon. Member for San Fernando East, he wants the holder of the office of the Chief Justice to be a member of the cabinet of Trinidad and Tobago. Absolute untruth!

He went on.

"Mr. Speaker, if it is that we are having a commission of inquiry..."

That manner of speech—when one speaks of "if it is", it implies a certain level of uncertainty. If one is certain about one's facts, in the English language,

there is never a predication of “if it is”. In fact, when one uses the phrase “if it is”, one reserves the right to disagree with what follows.

What does he mean by after all that has gone on in this country in the last few months over this matter, and a Motion that he is defending is before the Parliament and he talks about “if it is we are having a commission of inquiry” trying to give us the impression that he himself is not even sure. As I have pointed out before, he has made us very aware that we are not really having any such thing. After all that carrying on, he then proceeds to spend the rest of his time on the Chief Justice and letters that went to and fro.

Mr. Speaker, I want to make a small confession today and that is, all things being equal, and under the different circumstances, and had he not been as objectionable as he had been for a number of years, I would quite like the Attorney General. Basically, all things being equal, he may not be as bad as he appears to be. No one could be as bad.

2.50 p.m.

But the problem with the Attorney General is that he has difficulty differentiating between right and wrong: like a child. You know our laws are such that if a small child commits an offence—even kills somebody—that child cannot be tried for its action because up to a certain age one assumes that while you are a life form and you are a human and so forth, you cannot differentiate between right from wrong. I think that is where our Attorney General is.

How else, Mr. Speaker, does one explain that the Attorney General who, himself, tells us and the public, by way of the media, that he is an accomplished lawyer, an accomplished advocate, he has been through the fires—he has been to jail as a matter of fact; he did not stay there as long as he should—*[Laughter]* but he has that kind of background. *[Interruption]*

Mr. Manning: He has passed that way.

Dr. K. Rowley: Mr. Speaker, he came to the Parliament when he was responding to this Motion and the man volunteered to the country a set of letters which could only have the effect of saying to the country, “I am power hungry, I am interfering, I am destructive, and I am not very sensible.” *[Laughter]* I want to ask, what did the Attorney General expect to achieve by publishing, by way of the Parliament, a set of letters which he took the public’s time and staff to write, to seek to accuse the Chief Justice on the flimsiest of grounds of some wrongdoing which cannot even be discerned. Having done that in the privacy of

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his office, he thinks he has done God service and he should get kudos for it, and he comes to the Parliament and publishes the whole folio of letters.

Mr. Speaker, I want my Friend from Naparima to understand what I am saying, what in God's name did he think he was doing? The only thing he has accomplished is that he got the public to understand that when you think the Attorney General is in the office doing serious work, he is playing the fool; [Laughter] not only wasting his time but wasting the Chief Justice's time because he has to reply.

After he did his carryings on about the Opposition Leader and gave us all these nonsensical statements he then comes to his *piece de résistance*:

“Mr. Speaker, I would like to refer to a public release made by the hon. Chief Justice in respect of something which appeared in the newspaper.”

[Interruption] Mr. Speaker, I thought they do not read newspapers.

Hon. Member: It appeared in the *Express* too.

Dr. K. Rowley: And he goes on to give us the great exposé.

“...was the fact that a cheque had come into his possession.”

Then he goes on and on, on this matter; and he has his peeve:

“May I say that the Attorney General was not informed of this matter until three years after the incident of this cheque being sent.”

And I ask, so what? But he thinks that is a big thing. And then he goes on to say that he was only informed in the Bahamas. As though somebody was hiding something from him. And then he goes on to say:

“...serious questions arise.”

Mr. Speaker, given the folio of letters that we got from the Attorney General, if questions—serious or otherwise—arise, they arise in the context of the Attorney General's sanity and behaviour. [Desk Thumping] And then he asked the question:

“Can the Judiciary keep information in which there is an attempt to pervert the course of justice and know that the police is not investigating the matter, and take no steps to inform the Executive—”

What nonsense! What are these assumptions? First, the assumption is “yes, there was an attempt to pervert the course of justice. That assumption is fine. The

second one is “no, that the police is not investigating.” After you report a matter to the police—*[Interruption]*

Dr. Khan: How that come your concern?

Dr. Rowley: Are you now required to monitor the police to make sure that they are doing their job?

Hon. Member: Yes.

Dr. K. Rowley: If they are not doing their job, you are now to go to the Executive and report on them. I want to ask a question: Mr. Speaker, *[Interruption]* He is saying that after you have reported it to the police you must monitor and when you monitor you must also report to him. I want to ask the Attorney General—he claims that by the Chief Justice not doing that, he was deprived of the opportunity of investigations, to find out whether drug people—his famous story and so on—if he has a private army in this country; or if he has private and special means other than the state’s means? Because I would think that even if he was informed and he sought to pursue inquiries and investigations, if he was going to operate within the law, he would have to use the same arms of the law that the Chief Justice used. Because we are told that the Chief Justice received a letter from somebody with a cheque—which was quite idiotic—because anybody who is serious would not send a cheque to a Chief Justice—and asks: “if there is more” and so forth. *[Interruption]* Anyway, whatever it was, the Chief Justice, quite properly sent it to the Commissioner of Police who is the officer of the state responsible for investigating these matters.

Mr. Manning: But the Attorney General says that all the time, “tell the police.”

Dr. K. Rowley: So what then is the Chief Justice guilty of? The Attorney General says, “he is guilty of not monitoring the police to find out whether the police was investigating or not. He is guilty of not telling him, personally, so that he could conduct his own investigations. The Commissioner of Police is the officer of state, and he relates to the Director of Public Prosecutions who has a nexus with the Attorney General’s office. So I think all the people of this country who are sensible and reasonable—and there are very, very many, the majority of our citizens—would see this as a non-issue, and it is just an attempt. When one read those letters from the Attorney General to the Chief Justice I would say that I was very proud to see the kinds of responses he got from the Chief Justice because other persons would have told him other things earlier o’clock, but he got decent responses from the Chief Justice.

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He came to the Parliament after and was making a case which was made right up to the point where he is virtually saying that you all know that Members of the Judiciary are facilitators of the drug trade and his words— he came right up to the point.

Hon. Member: Nasty. Dangerous.

Dr. K. Rowley: Listen to what he says, he invokes his pet talk of “Dole Chadee and drug gangs, send cheques...”

And then, out of the blue, he says:

“It may be that in this case the Chief Justice tried to do some investigation, himself, to see whether there was money in a bank account.”

Then he moves on to another point right away, leaving the innuendo there; that the Chief Justice inquired as to whether the cheque had funds, and maybe, if the cheque had funds, maybe, he would have cashed the cheque and, maybe, he would have received the other cheques—and you know how drug dealers control the Bench and so forth, because he says, “it may be.” Raising the spectre of the Chief Justice falling into the arms of the drug dealers and then he wages a war saying “that the Government have been deprived of action to catch Mr. Ali because of certain actions of the Chief Justice. That is the behaviour and the conduct of the Attorney General of Trinidad and Tobago.

Then he goes on to say:

“I had occasion during the matter to write to the Chief Justice to have the matter expedited—at that time the Attorney General was not aware of this matter.”

So you see, there was some matter to be dealt with, “this matter”.

3.00 p.m.

Mr. Speaker: Hon. Members, the speaking time of the Member for Diego Martin West has expired.

Motion made, That the hon. Member’s speaking time be extended by 30 minutes. [*Mr. C. Imbert*]

Question put and agreed to.

Dr. K. Rowley: Mr. Speaker, I thank you and my colleagues for the extension. Make no mistake about it, Mr. Speaker. It can be reported without fear of contradiction that the Attorney General has accused the Chief Justice of grave

wrongdoing. Listen to what he said here in the context of that nonsensical matter about the cheque. He goes on to say:

“The position which the Chief Justice has taken is that the Attorney General or Minister of National Security must not get the information.”

That is not true, Mr. Speaker. That is not true and, therefore, it is a lie [*Desk thumping*] because the Commissioner of Police reports to the Minister of National Security and, if a document is sent to the Commissioner of Police, it is, *de facto*, in the domain of the Minister of National Security, and the Attorney General knows that. Why then does he come here and say that the Chief Justice, by sending the cheque to the Commissioner of Police and then getting on with his work, has taken the position that neither the Attorney General nor Minister of National Security must get the information? I do not want the Minister of National Security to get certain information, so I give it to the Commissioner of Police. [*Laughter*]

So I know what I am saying when I tell you that he cannot differentiate between right from wrong. He does not understand what he is doing with respect to the destruction of our institutions because, in an unwarranted, unsupported manner he is accusing the Chief Justice of grave wrongdoing and hiding information from the Executive, and that is not true. That is not borne out by the facts, Mr. Speaker. He is malicious, he is wicked, he is destructive [*Desk thumping*] and this must not be allowed to remain in the *Hansard* unchallenged. [*Desk thumping*] The PNM says we are opposed to this type of behaviour. [*Desk thumping*]

He then went on to tell us the implications of what the Chief Justice had done. Listen to him:

“...he does not give it to the lawyers or show the information to the lawyers, he does not disclose it to anyone.”

So the Commissioner of Police is nobody. Someone sends something to the Commissioner of Police who has in his authority 5,000 investigating officers and the powers of search and arrest, yet the Member tells the Parliament that the Chief Justice has shown it to no one. That is because, unless something is shown to him you have shown no one. He is the only person in the country.

He then goes further, immediately after, and says:

“He calls in a police officer who does not do any investigation and he keeps it, so the police is prevented from doing any...”

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investigation. So something is given to the police yet he is saying that by giving it to the police they are prevented from doing an investigation.

[*Words expunged*]

Mr. Speaker: No, with the greatest deference, we need to maintain our cool in this Parliament. It is all well and good to make a contribution and object to what has been put forward by the other side, but you must refrain from getting involved in sheer invective and personal assassination. I ask you, please, to reconsider. I think you are sailing very, very close to the wind.

Dr. K. Rowley: I thank you, Mr. Speaker, but it was the Attorney General who, in the said debate, told us about missing files.

Mr. Speaker: With the greatest deference, I suggest very gently to you, it is my considered view that you are sailing very close to the wind.

Dr. K. Rowley: Mr. Speaker, I defer. I am guided by you.

Mr. Speaker, having sought unsuccessfully to tarnish the character of the hon. Chief Justice, he goes on to say that a great discovery has been made in his Government. That discovery was made in October of 1999. It was that the Ministers are accountable to the people. He then mentioned about drug people controlling judicial officers. Having laid a case against the Chief Justice in the way he has done in the Parliament, he concludes that piece of his presentation by reminding us that drug people control certain judicial officers. What inference are we to draw from that?

Then, Mr. Speaker, he goes on to tell us:

“—the constitutional system under which we operate;...”

requires that:

“the elected persons are accountable to the people.”

They discovered that at 4.10 p.m. on February 25, 2000. They had not discovered, in the context of that statement, that they are accountable to the people, that they are accountable for the crime wave that is washing the country. Now we are hearing that it is the deportees who are doing it. The home-grown variety are tired so the deportees are doing it. A crime wave is washing the country but they are not accountable to the people for that.

As Attorney General, he advised his Cabinet that the award of the airport contract was *ultra vires*, null and void. The contract has been let and it has now

crossed a billion dollars. He is still in the Cabinet but accountability to the people does not apply to the airport. What we are hearing, though, is that a further \$100 million is to be paid to the contractor to finish the fowl coop by the end of July instead of August 31. Accountability to the public does not apply then. It only applies when the Chief Justice sends a cheque that he received to the Commissioner of Police.

We bought \$30 million in rice on a trip for which the Prime Minister was the head delegate. Some rice came with weevils, some with moths, others came as bicycles and others did not come at all. No accountability to the public, right. We are building a \$2 billion LNG plant—private expenditure. A Government agency jumps into the middle, decides to buy material to sell to the company, trading in aggregate material, and loses \$10 million in the process. Nurses are out of the hospitals today.

Mr. Speaker, I want to advise you. I know you are a man who takes care of your health but, please, let us pray that none of us or any person in this country gets ill with any ailment in the coming days because, what is to happen to us? All of our hospitals are now virtually non-functional because the effective staff, the nurses, are out on the streets asking for money that belongs to them. While they are stopping the provision of health care, while one's life is being put at risk for a few dollars more, this Government can find \$100 million to pay to a contractor who, the Attorney General said, has received a contract that is null and void and of no effect. [*Desk thumping*] Then he has the temerity to come into the Parliament and attack the Chief Justice and talk about accountability to the people!

They are not concerned about accountability to the people. He wants to do his destructive vendetta in the name of the people. If he were concerned about the people he would be concerned about those patients in the hospital now, pain and suffering and life and death. The nurses are out there after they could bear it no more. They are out on the street and the Government does not care. We do not even know if we have a Cabinet, you know, Mr. Speaker. My friend, the Minister of Health, went on television and said that, "Cabinet met, discussed the issue and has agreed to some incentive plan; we think we are getting somewhere and the officers of the health service would be happy with it."

The next item on the news was the Minister of Finance saying, "No such thing happened. Cabinet discussed the matter but nothing has been agreed upon". What do you want us to believe? Does the Minister of Health sit in the same Cabinet

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with the Minister of Finance? So the Minister of Health is saying on television, “We have agreed to an incentive package for the nurses which I cannot tell you about now. I have to talk to Miss Baptiste and the PSA first”, because he has something to tell them about what Cabinet agreed upon, and the next item on the news is the Minister of Finance saying, “No such thing; the matter was discussed but nothing has been agreed upon”. People’s lives are at stake yet you come here talking about accountability for some cheque that some idiot sent to a man of honour!

Mr. Speaker, we had a situation where an officer of the State wrote a letter which was sent to the Prime Minister saying to him, “My life is in danger. I am being threatened by another officer of the State”. That officer was named in the letter. He identified the person as the Minister of Local Government. So here is a man, an officer of the State, saying to the head of the Government, “I fear for my life because one of your appointees is threatening my life”. This is no cheque with zilch in the bank, you know. This is no cheque with any expectation that a man of honour would lose his honour for a few pennies, you know. This is a man saying, “My life is at risk because I am standing up for some principle”.

The Attorney General did not have an interest then in investigating that situation to ensure that Hansie Sumairsingh saved and preserved his life. We know what happened to Hansie Sumairsingh. We know he was assassinated and the Government’s response is to name a community centre after him. You know, Mr. Speaker, I have seen many movies on the Mafia. One of the things one always sees in any Mafia movie is that the fellas wear black suits and dark shades. One other thing they always do is, take the wife and children into their organization as they cry for the dead man. That is a classic trademark in any Mafia movie. They come to the church, they are all dressed in black, they wear dark shades, they drive long motor cars and they are weeping and mourning with the wife.

Mr. Speaker, as he tells us about the elected people being accountable, where was this knowledge of being accountable when the Cabinet was illegally instructing T&TEC to award the contract to InnCogen? The court has ruled recently, as we always knew—those of us who served in this Government before, whether it was PNM or NAR, including my friend from Naparima, we always knew—that the Cabinet has no authority to instruct any Government agency to award a contract to any agency which is not an arm of the State. If the Cabinet purports to do that, the Cabinet is acting illegally. That is the ruling that came

down from the court in the matter with *Junior Jusamco vs the Ministry of Works and Transport*. That is now law in this country. We always knew that.

Jusamco knew their rights, so when they went to court, the court reaffirmed those rights by ruling that the Ministry of Works and Transport cannot do certain things. However, we saw, contained within a letter that we brought to this Parliament, the signature of the Minister of Public Utilities. That letter told T&TEC that the Cabinet had instructed him to delete from the arrangements the so-called four plants that InnCogen should have come with and award the contract for the InnCogen plant to those particular persons. The Cabinet, my friend from Naparima, Mr. Speaker, through you, was acting illegally.

3.15 p.m.

Hon. Member: Contrary to the law.

Dr. K. Rowley: If any of you on the other side missed it, try the editorial at page 10 of the *Newsday*. But that does not matter to any of them, Mr. Speaker. They do not care. They have taken the position that, "Nobody could do us anything. If you do not like it, do what you want." What can you do? What can the Opposition do? What can the press do? What can the church do? We are the only ones that have power in this country and the Attorney General's tentacles would seek to reach far and wide because nobody can do us anything. That is their philosophy. They subscribe to no principle. They do not observe the laws. [*Desk thumping*]

Then, the Prime Minister got up and told us that the only mistake he made was to have halted the airport contract for a period of time, even as we are told that the contract, on the advice of his Attorney General, was null and void. When we ask him here what advice he gave, the Attorney General hides behind privilege. But he should have kept those letters that he wrote to the hon. Chief Justice in the same place he was hiding because they have done serious harm. It has shaken the confidence of this country and if this Government were a stock market, that action would have seen serious decline of government shareholding, because when you see an Attorney General doing that, you are asking yourself: What manner of man is this and does he understand what the job is about?

And, accountability. Where is the accountability, when today, as a result of the illegal InnCogen contract, T&TEC has moved from a position of a small surplus to one of virtually permanent deficit? Because, last September, when they were seeking in a similar manner to justify what they were doing, they were telling us of the need to expand the power base by September of 1999 and we

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asked them: What is this artificial deadline of September, 1999? We could see no demand for any excess power. In fact, if power was required in excess of what we were using then, PowerGen, of which the Government owned 51 per cent, was in a position to meet that gap.

Do you know what they said, Mr. Speaker? They said, "No. We have deadlines to meet. September 1999." At that time, T&TEC was requiring almost 800 megawatts and we could not see where the demand was going to jump from. They went ahead and they gave the InnCogen dealers. They did, illegally, to their friends and today T&TEC's consumption—

Mr. Speaker: Hon. Member, you must help me. I am having difficulty in connecting that with the Motion. I am really having difficulty.

Dr. K. Rowley: I am treating with the hon. Attorney General's principles about accountability and I am saying accountability cannot only be when you want to attack the Chief Justice. [*Desk thumping*] I am asking: Where was this interest in accountability when the public interest was being subverted by way of the InnCogen deal? I am saying consumers are facing—

Mr. Speaker: I do not know about you and the Attorney General, but I am concerned with the Motion which we are in danger of losing track of, which is:

“Whereas the Government has announced its intention to establish a Commission of Inquiry into the Judiciary comprised as follows:

Lord Mackay - Chairman.

Dr. L. M. Singhvi.

Dr. Austin Amissah.

Mr. Geoffrey Robertson as Counsel.

Be It Resolved that this honourable House take note of the Government's stated intention in this regard.”

And then the amendment which reads—[*Interruption*] No. I am not going to read it through because I do not want to bite into his time.

Dr. K. Rowley: Mr. Speaker, will I get injury time?

Mr. Speaker: No. You are not getting injury time. What I am saying is that I am really having some difficulty with all of the branches that you are going out onto. I feel you should try to narrow it back to the Motion before us, and the amendment.

Dr. K. Rowley: I thank you, Mr. Speaker, but while the Motion as printed is as you read, I am responding to what a senior officer of the Government has said to the Parliament. I am responding to the positions taken in the debate by the Attorney General.

For example, Mr. Speaker, what I am saying is, he said that:

"—the constitutional system under which we operate; the elected persons are accountable to the people."

And I am taking issue with that statement. It is in that context that I am raising it.

Mr. Speaker: Go ahead, Member.

Dr. K. Rowley: Because, Mr. Speaker, the Attorney General cannot take that position in response to the Leader of the Opposition who moved a Motion asking the Government to cease and desist from a destructive action and not have me ask him: What happens in other situations? Is there something peculiar and special about this situation which only now requires that accountability be part of the Government's responsibility? That is what I am asking. Does accountability only arise when Chief Justice de la Bastide is involved? Or, only when judges say, "We all agree, save one, with his position"? I am saying, "No." Accountability ought to be the yardstick and it is fundamental for every governmental action. [*Desk thumping*]

I made the point that in his instant case where he, as Attorney General, had cause and reason to advise the Cabinet that the Cabinet was about to act illegally and improperly, accountability should have come to the fore and I am showing him to be a hypocrite. [*Desk thumping*]

Mr. Valley: That is right.

Dr. K. Rowley: Because even when approached by citizens who have no political agenda but who felt wronged and aggrieved, went to the President, the President of the Republic said he thought an inquiry was required. We do not have the inquiry, but we are having an inquiry into the Chief Justice and the administration of justice to please a vendetta which is being fuelled by the Attorney General. That is what we are having.

In any country, under any decent situation, regardless of how you feel about it—I remember when I was indoctrinated into the Cabinet, my colleagues were given advice by the oldest person in the Cabinet—service-wise I mean—the then Prime Minister. He said to us, "If you receive an invitation from the President, it

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is tantamount to an Order." So, barring unforeseen circumstances and something really out of the way, if you receive an invitation from the President, it is virtually an instruction. That is how the PNM operates. [*Desk thumping*] That was told to us in the Cabinet very early when those of us who were greenhorns entered the Cabinet and, in any country with our kind of Constitution, when our fellow citizens go to the President and they feel aggrieved so to do, and the President says, "I do not have the power to do it but I think that one is required", any decent government would have taken that as an instruction. [*Desk thumping*]

But, instead of that, what we got was the Prime Minister saying, "Not only am I not going to have an inquiry as the President may wish, but I am sorry I have stopped the project at all and I have named him as one of my enemies." Do you understand? Can you see any difference between us and them, Mr. Speaker? [*Desk thumping*]

Mr. Manning: "Dem is dem" and we is we.

Dr. K. Rowley: That is why I am saying that this whole matter of a Commission of Inquiry that we are about to embark upon, to invite foreigners to come and tell us nonsense as to who should be employed on contract, what staff we should have for the Judiciary and how funds should be drawn down and allocated to the Judiciary. When you add "allocated by Parliament", Mr. Speaker, you have been in this Parliament much longer than I have. Once funds are allocated by the Parliament, it is the public service and the Minister of Finance that manages that. We do not need Dr. Singhvi or "Lord Hawhaw" from anywhere to tell us that. We do not need that and all that is the screen that the Attorney General is hiding behind as he seeks to drive lances into the back of our institutions.

Mr. Valley: Aided and abetted by the Prime Minister and his colleagues.

Dr. K. Rowley: But I want to reiterate the point that in recent times, we have gone through a number of months, years and weeks of disturbing administration in Trinidad and in Tobago. The one thing that all of this comes to, what all the happenings of recent times point to, is now that we are 38 years old as an independent country, we have had two Constitutions, we are now living in a period of disturbance and trauma. We have seen behaviour that we have never anticipated and we have seen our public officials pushing the envelope on public behaviour. It is saying to us as a people that we need to reform our Constitution in its entirety. [*Desk thumping*].

Hon. Member: Oh yes!

Dr. K. Rowley: What all of this points to, whether it is the behaviour of the Chief Secretary in Tobago, the behaviour of the Prime Minister, or the behaviour of the Attorney General, the experiences of the people of Trinidad and Tobago in the last four years, point to a need for dramatic, drastic reform of our Constitution. I am not talking here about somebody who is credited as coming to the Parliament with some bill of some kind, I am talking about—

Dr. Job: Mr. Speaker, could the Member for Diego Martin West enlighten me, and I guess the honourable House, with any particulars of the Chief Secretary's behaviour that would warrant a reform of the Constitution?

Dr. K. Rowley: I told you before, he ought not to be receiving the public funds he is receiving. Because, if as Minister of Tobago Affairs, getting a salary of \$20,000 a month or how much, he is coming here to ask me about the Chief Secretary's behaviour when he holds the portfolio of Minister of Tobago Affairs, I tell you, "Hand back the people's money." [*Desk thumping*] [*Crosstalk*]

Mr. Speaker, the people of Trinidad and Tobago are being traumatized by the behaviour of these people. They are showing us what can happen when people get office without commitment and they are not governed by any principle and that they are convenient, vindictive and spiteful. Unless the people of this country intervene as they would in the not too distant future to remove these individuals from the corridors of power, we are going to end up in a situation where the quality of life in Trinidad and Tobago would be like Hansie Sumairsingh, short and brutish. That is where we are heading.

If you do not believe me, Mr. Speaker, I want to end on a note by advising those of you on the other side and those who are listening, to read Ken Gordon's book and the description he gave of his former Cabinet colleagues. Because, there is a view in this country that Hansie Sumairsingh was the first person who was assassinated. I say we cannot start there. He was the first one we know about, but I can tell you, as a former member of the Cabinet of Trinidad and Tobago, he has written a book outlining his experience where his life was also threatened. He escaped but Hansie Sumairsingh did not.

Understand, Mr. Speaker, we are on a very slippery slope and when you cannot find good reason as to why any Attorney General with any sense would want to be attacking the Chief Justice in this way and bring his letters to the Parliament to show the public, then we are taking a leap in the dark. I say to the country: Do not support this Government in its destruction of Trinidad and Tobago.

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

3.30 p.m.

The Minister of Trade and Industry & Consumer Affairs (Hon. Mervyn Assam): Thank you, Mr. Speaker, for giving me an opportunity to join in this debate on the Motion that was piloted by the Member for San Fernando East, and further amended by the Member for Couva South.

Mr. Speaker, one of the things I have said repeatedly in the introduction to my contributions over the last four years, is how I lament the sad state of debate in this honourable House, particularly, from Members of the opposite side. One of the reasons for that, Sir, is very simple. It happens in the newspapers: one is attacked for the shape of one's nose, the suit one wears, one's accent, the car one drives, the way one walks, or the size of one's abdomen—whatever it is, that is what. They do not analyze the substance of ones contribution. Similarly, over there, instead of trying to analyze the substance of the contribution, it is a style of, what is said in Latin, *ad hominem*. It is always *ad hominem*. Do you know the reason for that, Mr. Speaker? Because the Opposition lacks any philosophical position, it has no ideational foundation upon which to advance its cause. [*Desk thumping*] That is the problem of the society at large. It is a sad reflection that when this party that is in opposition, had 30 years to mould the society, and then four years, almost, by the Member for San Fernando East, to help shape a society, they lost the opportunity.

Now that we are in a moral state of decay, the Opposition is trying to hoist itself on its petard without any moral authority. Because I suspect, if one were to go back and find out some of the Opposition's machinations, all of them should now be before the baptismal font being cleansed from their original sins. [*Desk thumping*]

Mr. Speaker, what is this debate all about? The debate is a subtle trick, a very subtle trick. Because if one looks at the Motion, itself, moved by the Member for San Fernando East, one would see that he says very glibly that he wants the House to note that the Government intends to appoint a Commission of Inquiry into the Judiciary, which is very misleading. It is really a Commission of Inquiry into the Administration of Justice. So the Member for San Fernando East misleads the country and the House by saying it is into the Judiciary. But very glibly the Member for San Fernando East said, he wants the Parliament "to note". What does the Member means by "to note"? Let us go into the *Hansard* and see the hidden agenda of this "to note" by the sly Member for San Fernando East.

Hon. Member: He feels he is sly.

Hon. M. Assam: And to use his expression which he has used several times in his contribution: “he tried to be clever by a half.” That is exactly what he tried to be. He accuses other people of trying to be clever by a half, and that is precisely what he demonstrated in this whole Motion that he attempted to move a couple weeks ago.

Do you know what the Member for San Fernando East said here? He said:

“Mr. Speaker, you will notice that the Motion seeks and asks this honourable House merely to take note of the stated intention of the Government.”

It was not a stated intention, it was a decision, but—he said: “merely”. It was a decision of Cabinet a long time ago, but it was being delayed in its implementation. *[Interruption]* Well the Member must find out before he makes a fool of himself. Then he moves on—*[Interruption]*

Mr. Speaker: Order please.

Hon. M. Assam: The Member for San Fernando East moves on and he thinks he is clever by a half. He said he wanted to be purely mature in his discussion, he did not want to score any points, he wanted to be dispassionate. The Member for San Fernando East wants to give the impression that he is acting as a statesman—which he is not. He then moves on with his trick that becomes so obvious as it manifests itself as he speaks to the House. He spoke about the irony of establishing a Commission of Inquiry. The word “irony” has a particular connotation. *[Interruption]* I am not going to teach the Member English. If he does not know English—he was a teacher at one time in Tobago, was he not? So the Member used to mislead the children. *[Laughter]*

Hon. Member: In different ways. Domestic violence.

Hon. M. Assam: Page 4 again, he goes on:

“It becomes even more ironical when one takes into consideration the fact that in May 1998, the Executive of the Judiciary took possession of a report entitled...”

He goes on:

“So that a review has already taken place.”

In other words: why are you interested in a Commission of Inquiry? All this has been done. Although the Member wants to be dispassionate, although it was merely to note, he tries to argue a case against the Commission of Inquiry.

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“a review has already taken place in respect of the civil procedures in the court and that particular review was conducted in a manner that was threatening to no one.”

Do you see the implication? The Member for San Fernando East is trying to suggest that this Commission of Inquiry would be threatening to everyone. The first one was threatening to no one, but this one—this contemplated inquiry—will be threatening to everyone. Do you see how the Member for San Fernando East is weaving the mischief, Mr. Speaker? Clever by a half, as usual.

Then he goes on to say:

“...the report places the administration in a position to rectify whatever defects exist against the background of the IADB’s assertion...”

He said:

“...the Judiciary has worked extremely hard in this country at reducing the backlog of cases.”

He said all of these cases have been done within the time-frame. All of these things would seem to suggest that the courts are working and doing well. That is the words in the *Hansard*. He goes on here—I do not know if it is a typographical error in the *Hansard*, I am prepared to give him the benefit of the doubt. He said:

“I will be the first to admit that the court system in no country is perfect...”

Mr. Manning: That is not perfect.

Hon. M. Assam: That is why I said I am prepared to accept that it may be a typographical error or that you were misreported. I said so, because the Member went on to contradict himself by saying that:

“...as long as it is administered by human beings, there will be imperfections.”

Clearly—*[Interruption]* I am giving the Member the benefit of the doubt.

Mr. Manning: It is an unrevised version.

Hon. M. Assam: But the Member went on to say:

“Mr. Speaker, there is nothing in the system that requires a commission of inquiry. *[Desk thumping]*”

Desk thumping on the other side, like Rumpelstiltskins because their leader says: “there is no need for a commission of inquiry.” Do you know what is very

interesting? I am not here to heap scorn, Mr. Speaker, or any imputation of anybody, or to impugn anybody's character. I would call no names. I am here, merely, like the Member for Diego Martin West when he stood up saying that he wants to put on record in the *Hansard*, his position. I do not know what position it is up to now except all the invective and vituperation heaped upon the Attorney General of this country. That was his entire contribution for 75 minutes—vituperation and invective. The same words that the Speaker used when he pulled the Member up during his contribution. That is all the Member for Diego Martin did. He did not say anything about justice, administration, and competence, this or that. All it was is invective and vituperation, that is all the Member engaged in for 75 minutes and he tried to develop a moralistic approach which he does not possess. He does not have that quality in him, Mr. Speaker.

[MR. DEPUTY SPEAKER *in the Chair*]

Hon. Member: Rottweiler technology.

Hon. M. Assam: I want to put my views on record in this *Hansard*. Before I do so I want to make a few observations on some of the statements made by the Member for Diego Martin West. The Opposition made the same mistake over and over. As I said to the Member for Diego Martin East once, they have short memories—very short memories. But I am a resident historian, although that is not my first discipline. I want to remind the Member of his sins so that he can say, somewhere along the line, as the late George Weekes intoned in this Parliament when he was a Minister in the National Alliance for Reconstruction Government: “Until you apologize to the people of this country, you will never be forgiven.” He said so in this Parliament. I was present. One has to do it some time.

Just how the Pope had a mass last week asking for the forgiveness of the Catholic Church for whatever wrongs they have done to Jews, women, minority groups, whatever, the People's National Movement must do the same thing for them to be accepted in this country for the sins they have committed, the destruction they have wrought, the standards they have destroyed and the values they have raped in this country.

3.40 p.m.

They talk about the Attorney General trying to erode the independence of the Judiciary, Mr. Deputy Speaker. When we had an election for the President of the Republic, when the Electoral College, of which I was a member, assembled here just three years ago, just around March 20, 1997—it was about three years ago

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that it happened—they tried to erode the independence of the Judiciary by having as their candidate a judge of the Supreme Court. [*Desk thumping*]

I wonder if the memory of this country is so short as to have forgotten mere three years ago that the PNM led by the Member for San Fernando East, a former Prime Minister who was supposed to be the guardian of democracy in this country and, by extension, the independence of the Judiciary, his candidate was not a retired judge, but a sitting member of the Supreme Court? And he talks about eroding the independence of the Judiciary. That is hypocrisy; speaking from both sides of their mouths at the same time!

They say that we are bringing in foreigners here and they tried to pooh pooh some of the most renowned men of the law in the Commonwealth; imagine that! It is very sad that the Member for Diego Martin West, a fellow with a Ph.D. could behave like that! How could a man with a Ph.D. behave like that, pooh pooh three of the most eminent legal minds, luminaries, jurists in the Commonwealth? Then the Member for San Fernando asked, “Who is Lord Mackay, I never heard of him?” He said so publicly, “Who is Lord Mackay?” A former Prime Minister, “Who is Lord Mackay?” A man who was Chancellor for 10 years. Who is Lord Mackay? Could you imagine that? The display of such abysmal ignorance, but still, more than that, indecency and obscenity in the kind of remarks he makes against eminent persons! But they talk about foreigners!

Mr. Deputy Speaker, you may have been too young to remember 1970, 30 years ago, when they, the PNM, brought in foreigners to try the military of this country. They brought judges from Nigeria, India and from every where to try the military men of this country.

Dr. Rowley: There was good reason for that.

Hon. M. Assam: The very men that they brought in here, Ignatius Acham Pong and Danjuma, overthrew the administrations in their own country as soon they went back. That is the quality of the foreigners that they brought to try the military of this country, and they want to talk about bringing in foreigners! [*Desk thumping*] What amazing shame that you display in this Parliament!

Imagine when he was Prime Minister and wanted to get rid of the then Commissioner of Police whom did he bring in to inquire into the police service, was it not Scotland Yard? Where is Scotland Yard from? Where is Scotland Yard? Is Scotland Yard from Belmont, Embacadere or Diego Martin West? [*Laughter*] Where is Scotland Yard from? I want to know, who is O’Dowd—Mr. O’Dowd; I want to be respectful. Who is Mr. O’Dowd or Sir O’Dowd? Who is

he? Is he a citizen of the Beetham, Morvant, or Never Dirty? Where is Sir O'Dowd from?

Hon. Member: England.

Hon. M. Assam: Mr. Deputy Speaker, do you know that they put an advertisement in foreign newspapers for a Commission of Police when they were in office?

Mr. Maharaj: And they are criticizing foreigners!

Hon. M. Assam: And they are talking about bringing in foreigners! I am not against it, but if you look at the composition of the Benches of the People's National Movement from 1956, many high offices went to people who were not born in Trinidad. The first Speaker under the People's National Movement 1956 was not a Trinidadian; there is nothing wrong with that.

If you could bring talent from the Caribbean and other parts of the world to assist us in our development process, I have no difficulty with that, but do not come today and be hypocritical and say that we are bringing in foreigners, when you did it from 1956 until now, because there are Members on your Benches today who were not born in Trinidad, but I have no difficulty with that, because I am a Caricom man. I am prepared to take from any part of Caricom or the Caribbean to assist any part of the development of Trinidad and Tobago and *vice versa*, if we can send to them, people who can help them through technical assistance or whatever, we should do it also; but he is attacking foreigners.

Do you know, Mr. Deputy Speaker, that the Catholic Church, the Anglican Church and other denominational sects have been the principal developers of education in this country? Had it not been for these foreigners where would we have been today? Who started the University of the West Indies? The Minister of Health went there; when he was at Mona who do you think taught him? Who do you think taught the Deputy Speaker? Many foreigners who came here to assist us in the development of our university. Had it not been for foreigners—in fact, I think that foreigners taught the Member for San Fernando East, although they did not do a very good job. [*Laughter*] They taught him at UWI and they must have taught the Member for Diego Martin West, as well; they also did not do a good job on him.

Why are you so xenophobic? Why are you criticizing foreigners when they have helped you, me and all of us? I studied in the University of Toronto in a foreign land, and I am grateful that I studied in a foreign land to have gained some

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exposure, opportunity and experience that has helped me in my own personal development. What is wrong with foreigners? But they always like to beat you on your back and head when it is convenient to them, and talking about foreigners and foreigners.

When you possess a wicked mind it is a terrible thing, you know.
[*Interruption*]

Hon. Member: Tell us.

Hon. M. Assam: I often wonder if these fellows have families and small children and if they pray; although some say that they are born-again Christians and go to the Trinity Cathedral every midday. I hope when you go that you will prostrate yourself before God and say, “Lord, I am a sinner, forgive me my sins for all the wickedness I do in the Parliament and all the wickedness I have done throughout the country in my 1971—2000, 29 years of parliamentary live.” I hope you do that.

Mr. Deputy Speaker, do you know what the Member for Diego Martin West said, “The Member for Couva South is not such a bad fellow.” He said, “I have to make a confession.” I was amazed; I almost put on my stole and ready to intone my Latin and say, “I forgive you your sins.” I would say it in English rather than Latin so as not to confuse you, because you would not understand it. He said that he was prepared to make a confession. Do you know why he is not agreeing with this? He said that he agrees with (a) and (b) of the amended Motion. He said, “I have no problem with (a), but we have a problem with (c), and you want to bring foreigners here to tell us how to deal with parliamentary appropriations.” But we do it all the time. Do you know how many people have come down here from the Commonwealth?

We recently had—and I am not ashamed to say it, I think it was a good thing—people from the Commonwealth Fund for Technical Co-operation who came and lectured to this Cabinet for three days in terms of a number of areas including Cabinet reform, which we have implemented, to some extent, and which is working very well in terms of efficiency and decision-making. They came from Australia, New Zealand, England and all the different parts.
[*Crosstalk*] Mr. Deputy Speaker, do you know the reason he cannot accept this is because he has a grudge? He is so malevolent; he is so mean spirited against the Member for Couva South, and that is bad; you must not hold grudges, it will kill you.

Dr. Rowley: Really!

Hon. M. Assam: The grudges will kill you. *[Interruption]* Yes, the grudges; he is not and “it”. *[Laughter]* It will kill you; they will kill you, the grudges. When you harbour all that bile in your mind and body it will destroy you! *[Crosstalk]*

Mr. Deputy Speaker, they are talking about the fact that we came into office in November 1995 and it was only in October 1999 that we decided to appoint a commission of inquiry. But how can they justify appointing a commission of inquiry immediately upon the assumption of office? You have got to have the empirical evidence and data to support such a decision. They wanted us to appoint a commission of inquiry after six months or one year; we could not do it. We had to collect the empirical evidence to justify such a very important decision, therefore, that is why it took four years. But they do not want it. *[Dr. Rowley stands]* Yes, I will sit; sure man.

Dr. Rowley: Are you aware that in my contribution I pointed out that the Attorney General said that when he was in the Opposition, his Opposition had asked for a commission of inquiry, therefore, there would be no need for any four years to collect any empirical evidence?

Hon. M. Assam: Do you believe that governments work like Opposition? *[Laughter]* I am amazed! *[Desk thumping]* Oh my goodness, I am amazed. Do you know, Mr. Deputy Speaker—*[Interruption]* *[Crosstalk]*

Hon. Members: He is going; sit down man!

Hon. M. Assam: Mr. Deputy Speaker, I have a clipping of the *Trinidad Guardian* of September 8, 1994, just before the People's National Movement was thrown out of office as a consequence of a premature, ill-advised calling of an election but, of course, it turned out not to be so ill-advised after the election. The headline is, “Crime Commission looks at justice system Monday” and this was September 8, 1994. Do you know what it reads?

“The Cabinet-appointed Crime Commission would be turning its attention to the administration of justice in Trinidad and Tobago when it meets Monday, Prime Minister Patrick Manning announced on Tuesday, speaking to reporters. Shortly after he met with Commission Chairman, Sir Ellis Clarke, Manning said the team would look into the establishment of the office of a Chancellor of the Judiciary to handle the administrative and managerial functions of the judicial service.”

Hon. Member: What! *[Desk thumping]*

Hon. M. Assam: You see, Mr. Deputy Speaker.

“The relationship between such a person and the Chief Justice varies from country to country and the committee will examine how best to work this out.”

That is in quotation marks; the then Prime Minister was speaking. [*Laughter*] [*Interruption*] I have a long way to go.

Mr. Manning: When you are finished.

Hon. M. Assam: Hear this:

“The current Chief Justice will be retiring...”

They had a plan and I am coming to that sinister plan.

“next year and as we change personalities at the top then we will also be taking the opportunity to make administration changes. The PM pointed out that the Commission would look into the implementation of several short-term measures aimed at reducing the delays in the administration of justice and make recommendations to that effect.”

Mr. Manning: Will the Member kindly give way?

Hon. M. Assam: Yes, of course.

Mr. Manning: Mr. Deputy Speaker, I thank the hon. Minister for giving way. I just want to advise him and hon. Members that the model of organization that talks about a Chancellor was considered by the government which I had the honour of heading for a while, and the model was rejected. In fact, a model has been implemented in the Judiciary, at this time, and we are watching that model closely to see how effective it is in achieving the objectives for which it has been established.

Hon. M. Assam: Mr. Deputy Speaker, having advised us on this side, I will crave the indulgence of the Member for San Fernando East to provide me with any written Cabinet documentation with respect to what he just told us.

It is important that he said, “the current Chief Justice will be retiring and as we are changing personalities...” As I said, I am not calling names, that is not my business here this afternoon. I am dealing in general principles and giving you the benefit of what I think is correct in terms of the appointment of this, although it has been given widespread approval. Even the newspapers, the editorials have given widespread approval to the appointment of this commission of inquiry.

The first time in the history of this country that someone outside of the system and who came from the Bar was appointed Chief Justice, is on the attainment of independence, when a very eminent legal practitioner—he was not a jurist yet—was appointed to head an independent Trinidad and Tobago Judiciary.

3.55 p.m.

Hon Member: Who was it?

Hon. M. Assam: Sir Hugh Wooding. The only one and it never happened in the history of this country until the Prime Minister made this startling announcement that the current Chief Justice will be retiring. We are changing personalities, we have problems in the administration of justice. He was signalling to the population what he was doing. I have no difficulty with the incumbent, do not get me wrong, I think he is a bright fellow, he went to a good school like myself, St. Mary's College. No problem, but I am saying you knew at the time why you did not want someone in the system to be promoted because you knew there were problems within the administration of justice and you thought that bringing in someone fresh from outside would have helped you to correct some of the problems.

Mr. Manning: Mr. Deputy Speaker, I wonder if the hon. Minister is aware that the appointment of a Chief Justice is a matter for His Excellency, the President which is a decision he takes in his own deliberate judgment even if he consults the Leader of the Opposition and the Prime Minister. In fact, the role of the Prime Minister in that matter is purely advisory as indeed, is the role of the Leader of the Opposition.

Hon. M. Assam: I am fully aware of the constitutional provision, Mr. Deputy Speaker, but the Member for Diego Martin West accused the Attorney General—you know, he fell into the trap. I knew he was going to fall into it. The Member for Diego Martin West anticipated me and accused the Attorney General of being an octopus and having tentacles. Who is more octopole in their activities for 34 years in this country than the PNM administration? It has interfered with everything and in everybody's business. [*Desk thumping*] He tells me constitutionally, yes, it is the prerogative of the President, but this octopole activity that you PNMites engaged in for 34 years, where you strangled the country in every possible way. In order to get a 10-days you had to surrender your body and soul and mind and you are telling me about the constitutional provision as if I am ignorant of it. I know of it, but you had a plan and I know how that mind works. You demonstrated in this Parliament when you were the Prime Minister locking up Speakers and so forth .

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He made another point when he was saying how could the Attorney General expect that a report is made to the police, nothing happens, why should it be the business of the Attorney General?

Mr. Deputy Speaker, I read from excerpts of the committee appointed by the Governor on the Administration of Justice of which The Hon. Sir Albert Napier was the Chairman. Do you know what an excerpt from this report says? It says:

“The chairman would like to stress here that keeping the machinery of justice in working order is the responsibility of the Executive Government.”

That is Sir Albert Napier you know.

Mr. Imbert: Who is he?

Hon. M. Assam: I know who he is. What do you know about anything but concrete, bricks and mortar? You cannot even build a proper wall and you have Emile Elias dealing with you because of your gaffs in the stadium in Grenada.

Mr. Deputy Speaker, the Attorney General is right. I am not taking sides. The Attorney General is right in that if a complaint is made to the police, and the police fails to take action, it is the duty and responsibility of the Executive to ensure that it is monitored and action is taken if there is evident to support that some misdemeanor, or some malfeasance has been committed. So do not come today and say he wanted to be told about it, or he wants to know everything and he wanted to be hounding down this person; that is far from the truth. I remember the same thing happened, and I do not want to say it, but a certain individual was reported to the Fraud Squad where I had some tangential responsibility, perhaps more than tangential because they quizzed me in this Parliament about it and no action was taken for months. I had to get on it, and get the Minister of National Security to enquire why the Fraud Squad was not doing its job and eventually they took action after several months. If the Executive does not do it, who will? So we have a responsibility and if, God forbid, you ever come into office any time in the year 2020 or whatever it is, make sure that is one of your responsibilities.

Mr. Deputy Speaker, even in the time of Plato which is several hundred years B.C, there was the famous argument in Plato's Republic with one of the intellectuals called Prosimicus and they were debating what is justice and they were telling him that justice was all kinds of things because they were not interested in the essence and substratum of what made up justice, because in the final analysis, they came up with justice was in the interest of the stronger. That human condition has subsisted even perhaps before that, but it has certainly

subsisted to this day that justice is in the interest of the stronger: Who knows who; who can pay more, who can retain the best lawyers, who can go from the Magistrates' Court to the Supreme Court, to the Appeal Court, to the Privy Council. Justice is in the interest of the stronger. *[Interruption]* That is why he beat you, because he has more money than you.

Mr. Imbert: Now I know.

Hon. M. Assam: That is right. He could take the best lawyers and go to the highest court in the land. It does not mean that he was not right, you know, but I am saying, he can go the distance and that is one of the things we have to be very careful about as an Executive. We must ensure that justice must be meted out at the cheapest possible price and it must be most accessible to the most ordinary citizen in Trinidad and Tobago.

As a Minister of Consumer Affairs, I want to put it in sharper release, focus and context. Many people do not realize that when justice is not done and delayed, it affects consumers. Let me give you some practical examples. When people break the law, whether it is a traffic law and they damage vehicles, or people burn down places, or thieves burglarise homes and so forth, it causes the price of insurance to rise. Whom do you think it impacts upon? Consumers. So if you do not have a justice system that is well-administered, swift and fair, it means to say that criminals will get away and the price to the consumer rises all the time. You can apply that to anything, in terms of the commission of crime and the delay of justice, or the lack of justice in the society. The consumer pays for every act of omission or delay, or denial of justice in the society. That is why justice is so important, but justice also impacts on people's attitudes. When a woman is raped, for example, or domestic violence occurs, do you know what that does to the psyche of a woman? A young girl who is raped, or a woman who is a victim of domestic violence and you do not have swift accessible justice that is transparent?

Mr. Deputy Speaker, I do not like to quote newspapers, but on this occasion, I will do so, because sometimes the *Newsday* is reasonably balanced except for Mr. Nanton.

Mr. Imbert: Why do you have to call names?

Hon. M. Assam: I like to call names because the quality of your journalist is critical to the quality of the society. If you have great journalists, you will have a better society so you have to call names to pull them up, to make sure that Nanton and the others whose name I have called before, do a good job.

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On page 3 of today's *Newsday*. Friday, March 24, 2000 "19-Years Waiting for Justice". I am so happy that I am speaking today because it is today's newspaper. "19-Years Waiting for Justice" Could you imagine that?.

"Shamiroon Mohammed has been waiting 19 years for justice."

Mr. Valley: Who wrote the story?

Mr. Assam: I do not know. It does not have an author, as sometimes pieces do not have authors.

"Injured in an accident, an assessment to award her monetary compensation must now be re-heard in the High Court because the judge who completed the hearing in 1996, did not give a judgment."

The judge who heard it in 1996 did not give a judgment and this poor woman who has been aggrieved, wronged and damaged psychologically, physically, financially and otherwise has been waiting for 19 years. Is this right? And when the Attorney General says that we must do something about it, they say the UNC Government is attacking the independence of the Judiciary.

Let me tell you, there was a fella by the name of Owen Baptiste, I think he is now working in China and he was one of the editors of many newspapers. I think the last assignment was the *Express* and then he went to Jamaica to establish a newspaper there and then he went off to China. He used to have a column—I do not know if you remember it, but the memory is excellent—called "No Sacred Cows". Do you remember it, Mr. Deputy Speaker? No Sacred Cows, and Mr. Owen Baptiste wrote pieces almost every day on every aspect of society in this country including the Judiciary, but nobody ever said anything that Mr. Owen Baptiste was attacking the independence of the Judiciary. He was not. Do you know why? I will tell you what the Commonwealth Law Journal July—October 1998 says.

A code of ethics and conduct should be developed and adopted by each Judiciary as a means of ensuring the accountability of judges.

It goes on to say in another area. I cannot find it now, but in essence, it was saying that there should be no criminal contempt procedures preferred against the citizen for legitimately criticizing the conduct of a judge or the conduct of a proceedings in a court. It is somewhere in here. I am paraphrasing it, but it is somewhere in here. I cannot find it. That is what the "Commonwealth Law Journal July—October 1998" says.

What I was relating this to with Mr. Owen Baptiste's article that there are no sacred cows and what this very Commonwealth Law Journal is saying is that really, there are no sacred cows and everybody, irrespective of his station in life, must reduce himself to the principle of accountability.

Why do Ministers have to come here and give an account of their stewardship either at budget time or in debates, or in the questions that the Members of the Opposition ask, or in the Public Accounts Committee or in the Public Accounts (Enterprises) Committee? Why do directors have to go to shareholders' meeting at the Annual General Meeting? The Member for Diego Martin Central knows that. He is a businessman. You have to submit yourself to the scrutiny and criticism of your peers, of your shareholders every year.

Do you know academics have to do the same thing? Academics have to submit their theses, scripts, journals and their books for criticisms of their peers. I remember when I was at the University of Toronto and there was a person there whose name I would not call. He was on the editorial committee and one of the books that came to him to edit or do a comment on, he said very curtly: "This is a non-book." That was a hell of a blow to his colleague who took probably months and years to write a book, and his comment was: "This is a non-book."

4.10 p.m.

That is correct. If this is how the professor saw this book, he was right to comment, notwithstanding, caustically and harshly that "this is a non-book."

The medical profession has a disciplinary committee; the accounting profession has a disciplinary committee; the legal profession has a disciplinary committee; the engineering profession has a disciplinary committee and other such professions. Why is it? And we knock the newspapers; we have a right to knock the newspapers as the newspapers knock us. Nothing wrong with that! Knock for knock—once it is a fair knock. Once the criticism is warranted there is no problem in knocking politicians and politicians knocking the newspapers. That is okay. That is the nature of democracy and democracy will grow and be nourished because of that fair interchange.

Why is it there is one estate of the realm that should be above scrutiny? I am not saying so because I am a member of a Government, I have said so all my life; all my life I have held these views, that there is no sacred cow. When we were doing the Freedom of Information Bill I traced the whole history of democracy from the Greek times right down; going through all the various evolutions, Mr. Deputy Speaker, and I showed you where I stood in terms of my philosophical

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underpinnings with respect to democracy, the rule of law and the role of the Judiciary. This is not the first time. I have said it over and over, throughout my life, that there should be no sacred cow. It does not mean, however, that the Executive should interfere in what are the correct and proper functions of the Judiciary or any other arm of Government and vice versa. I am not saying that at all, but I am saying no arm of Government—in fact, nothing private or public—should be without that element of scrutiny if we are to conduct a transparent, democratic, honest, and qualitative society.

I remember when I was a little boy in elementary school, in particular, they used to call them inspectors. Now I understand they are called supervisors. They used to come into the classroom and they would do two things: they would inspect for the students but they would also ensure that the teachers are teaching properly, so the teachers had to give a lesson and they would mark that lesson that the teachers gave, and send it back to the Ministry of Education to ensure that the teachers are teaching up-to-mark. And they would also do something on the students to see that the students are also up-to-mark.

[Mr. Speaker in the Chair.]

What do you think the Nuncio of the Roman Catholic Church is here for? He oversees the Archbishop; to see whether the Archbishop and his priests are behaving in a papist fashion. They have to be papist or else they will be in trouble. That is the reason he is here. You toe the Vatican line, the Holy see line. That is what it is all about.

So why do we get so nervous? Why do we get so emotional? Why do we want to attack each other's character and become so vicious and vehement, throwing invectives at each other because we are trying to discuss the Judiciary, and to discuss how we can make the Judiciary more responsive to the needs of our people, and to make the Judiciary part of the developmental process in terms of the delivery? That is what we are talking about.

The Minister of Public Utilities has to deliver water; I have to deliver trade; another one has to deliver health care; another one has to deliver distance learning; another one has to deliver agriculture, why can we not talk about people who have to deliver justice? What is wrong with that? What is wrong in discussing ways and means of people who have to deliver justice? *[Laughter]* What is wrong with that? Does that mean that you hate the Chief Justice, or, you are attacking judges or you do not want to do this or that? Why is this a sacred cow? Why? I do not understand it. That is the kind of argumentation that was

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undertaken by the Member for Diego Martin West, by attacking the Attorney General. And this is the attitude adopted by the Member for San Fernando East when he said that there was no need to get into a commission of inquiry because they are working well.” The Inter-American Development Bank (IADB) Report said so. They have been doing this and that, they have looked at the *Pratt and Morgan* decision and they are keeping in line with *Pratt and Morgan* and all kinds of things like that—as if he knows what is *Pratt and Morgan*. [Laughter] [Interruption] Eh, Mr. Speaker? As if this geologist knows what is *Pratt and Morgan*.

Mr. Manning: I have been here long before you came and I will be here long after you leave.

Hon. M. Assam: Because the only thing the hon. Member knows how to make a living by is politics. I could make a living by many other things. [Laughter] That is his problem, not mine, Mr. Speaker. Mr. Speaker, I do not have a problem, I could make a living outside of politics. I did it before and I will do it after! Poor fellow from San Fernando East; from the time he was about 21 years—with perhaps nothing behind the ears—[Laughter] [Interruption]

Mr. Speaker: I am sure that the hon. Member is sticking to the Motion before us.

Hon. M. Assam: Mr. Speaker, thank you for your guidance. I would like— [Interruption] It does not matter. Mr. Speaker, we are dealing with something that is very, very important to Trinidad and Tobago.

Mr. Speaker, sometimes I listen to call-in shows or television programmes and every time people call in on these radio programmes and television shows—just like when you pulled me up because I was a bit irrelevant—sometimes they, too, are irrelevant in terms of the topic that is being discussed and they invariably— [Interruption] Do you want to rise, Mr. Speaker?

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired

Motion made, That the hon. Member’s speaking time be extended by 30 minutes. [Mr. P. Manning]

Question put and agreed to.

Hon. M. Assam: Thank you, Mr. Speaker. Let me give a special thanks to the hon. Member for San Fernando East for his abundant generosity. I see my words

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are falling on not so deaf ears anymore. But, Mr. Speaker, invariably, notwithstanding the topic that is being discussed, people introduce matters with respect to the administration of justice in the country. Why is that so? You read in the newspapers the letters to the editor. People continually raise the topic about the administration of justice, why is that so? Why is this so uppermost in the minds of the citizenry? Do you know why, Mr. Speaker? Many people in this country feel that they do not count; feel that the system of justice is not for them; feel that only the “big” men and women count; rich men and rich women; powerful men and women can access, successfully, the justice system in the country. That is so dangerous! You know we talk about AIDS and many ills afflicting the society, but if there is a system of justice that is not properly administered and people do not feel that it is transparent, that could be as dangerous as AIDS or any other ill in the society.

So, what do we have to do, Mr. Speaker? We have to ensure that we respond as a Government. Government has to respond! Do not tell me that this is not the role of the Executive. Whose role is it if it is not the role of the Executive? The Government must respond! Just as how people protest about not getting water or protest about health care—and they were talking about health care just now, Mr. Speaker. Could you imagine that that Opposition, when they were in Government, criticizing this Government about health care? Health care! I wonder if they realized when the late Dr. Eric Williams was alive, that is what killed him. Nurses were marching around the Parliament morning, noon and night, in 1981.

Mr. Manning: In 1980!

Hon. M. Assam: Mr. Speaker, in 1980 and 1981. [*Crosstalk*] They killed the poor guy!

Mr. Valley: Mr. Speaker, I just want to ask the hon. Member whether he is suggesting that if the nurses started marching around the Parliament now it may kill the existing Prime Minister.

Hon. M. Assam: Mr. Speaker, of course, that question has too much inanity in it, it is not worth responding to.

I was saying that in 1980 and 1981, the teachers and nurses were marching so he did not take his insulin and he kicked the bucket.

Selwyn Ryan was moved to write in his *Express* column that Dr. Eric Williams committed technical suicide. I have the piece in my library still. If you think I am not speaking the truth, I can bring it for you. Selwyn Ryan said so, “Eric Williams committed technical suicide”. [*Interruption*]

4.20 p.m.

Today, they are talking about the health sector. Do you know that at one time babies were wrapped in brown paper in this country? Do you know that they were reusing those needles—what do you call the needles—hypodermics, and perhaps that is one of the reasons we have some cases of aids today. It is quite possible, Mr. Speaker, and perhaps you could lay the blame at the PNM's feet, but I do not want to go that far. Perhaps, I said, just perhaps, when they were reusing hypodermic needles in this country because one is supposed to use one needle and then dispose of it. They were reusing them and also wrapping babies in brown paper.

Do you know what is the *coup de grâce*? “All yuh kill so many people in St. Ann's with egg-nog”. [Laughter] Also, do you know, the commission of inquiry which this Government had to pay for, they would not pay for it? It is when we came into office that this Cabinet had to make a decision to pay to the late Dr. Quamina and all these people what you refused to pay them. Sir Isaac Hyatali, I think, was the Chairman of the commission and up to now they have done nothing about it. They were in power, the report was handed to them, you know, yet they did nothing about the negligence. So many people were killed. Do you know why? It is because “All yuh figure they mad and they ain't worth nothing”.

It is like justice. You feel the ordinary people do not need justice in the country and, therefore, justice for you is a cloistered virtue. It is only the big, the rich and the powerful who must access it and this must not be spoken to except in hushed tones, like in the Victorian era when they spoke about sex. One had to speak about sex in hushed tones in the Dickensian era, you know, Mr. Speaker. That is the kind of hypocrisy that permeates the benches of the People's National Movement and that characterized their system of governance for 34 years. [Interruption]

Yes, “give it to me, nah”. It is all right. [Interruption] Yes, I know that. I know for a long time now you want to kill me off. However, I have told you that this voice is strong and whether or not I am in this Parliament it will resonate throughout the length and breadth of this country. [Interruption] It is all right. It will resonate. I do not have to be in Parliament to speak my views. I have many avenues for so doing and I want to warn you.

I come back, Mr. Speaker, to the topic in respect of so many ordinary people. You know, I have had an opportunity to visit now and then, not often, the Magistrates' Courts of this country. [Interruption] When you want to “know mih

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business”, ask me in private because you may not like the public answer. [Laughter] It is amazing, you know, what one sees when one goes to these courts. They are just calling names—“(unintelligible sound) stand down, (unintelligible sound) stand down, (unintelligible sound) stand down, (unintelligible sound) stand down, (unintelligible sound) stand down”. I am amazed. The prosecutor, or whoever he is, just calls name after name, “Stand down”, “stand down”, “stand down”. The Member for San Fernando West knows that I am speaking the truth. “Stand down”, “stand down”, and these “stand downs” are repeated every day that the Magistrates’ Courts are convened.

Now, Mr. Speaker, I am not knocking magistrates. Do not get me wrong. I am not knocking anybody. I am merely saying, objectively, something is wrong with the system. I do not know. I am just a layman but I believe that in the interest of the delivery of justice, in the interest of development, in the interest of sanity, in the interest of fair play and in the interest of equity, we must have a system of justice that responds to all, irrespective of who you are. Whatever echelon of the ladder one may be on, it must respond to the needs of everyone in the society.

As a matter of fact, when the Lord Chancellor was here, I am not too sure whether it was last year or the year before, I went to a lecture at the Central Bank auditorium, and I think you were there, Mr. Speaker, where he was advancing a very interesting concept. It is very similar to investment banking—I think the Member for Diego Martin Central, even though he was a junior Minister in the Ministry, will understand the concept—the concept of success fee. It is a very interesting concept. I do not know if it is a good concept applicable to the law. I do not know if it will work in the law but, as I said, I thought as a layman it is an interesting concept, that one only pays a lawyer when he or she is successful or one only pays some portion of the fee if he or she is not.

I think it is a good concept because the administration of justice does not only have to do with judges, and that is the mistake they make. They feel that it only has to do with magistrates and judges. It has to do with lawyers too. It must deal with lawyers because we must have a system whereby—and the rules of the court impact on all of this. I am sure the Attorney General—[Interruption] No, no, no, no. The administration of justice must have something to do with the practice of the law, the private Bar. It has to do with the private Bar, in my opinion. It has to do with Rules of the Supreme Court. It has to do with all of these things.

It must encompass a wide spectrum of considerations in terms of the delivery of justice in a society. As I understand it, because lawyers are officers of the

court—I am sure I am right—they must be part of the scrutiny, tangentially, even though it may not be the remit, but tangentially they must be brought into the whole consideration with respect to the inquiry into the administration of justice.

Mr. Speaker, I have had the opportunity to be a chairman of a county council for four years and now I am a representative for a little over four years. One of the many problems that people complain to me about, in the hope that we will be able to solve it, is legal matters. This is why I was very fortunate in that, when I became a Member of Parliament, I was able to get a lawyer to come every Thursday into my constituency office to deal with matters of law with which I cannot deal, but on a free basis, so he can give advice and direction to people who have serious legal problems, whether they are of a domestic nature, land, a police matter, whatever it is. I am very happy that I was able to have the service available to them. I thank the lawyer—he knows who I am talking about—a million times for offering himself and giving this free service because it is one of these services to which many people do not have access.

I mean, for example, even in terms of the administration, we know that we present the Ombudsman's Report here every year. What happens with all of these complaints in the Ombudsman's Report? We present the Police Complaints Authority Report here every year. What happens to that report? We have much administrative injustice in this country, not perhaps maliciously or deliberately but many errors are committed, many delays are undertaken in decision-making and people suffer from these—[*Interruption*] What is that? Occasioned, thank you for the correction. You are right this time. Many delays are occasioned.

So, Mr. Speaker, I feel that an inquiry into the administration of justice is not an attack on the Judiciary. It is not an attack on the Chief Justice. He is a man for whom I have the highest regard and I will say that over and over publicly and privately. He was one of the most brilliant scholars St. Mary's College produced. He was an island scholar. He received first-class honours at Oxford. He was a fantastic sportsman and athlete. I have the greatest respect for him. I do not know much about the other judges but I know a couple of them very informally.

We have no quarrel with the judges, the personalities. What we are interested in as a Government, as an Executive, is to ensure that every service to which a citizen is entitled, including the delivery of justice, must be done expeditiously, in as affordable and transparent a manner that no one must be aggrieved, no one must be marginalized and no one must suffer from the hard hand of the state or the state agencies. It must be justice for all.

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With these few words, Mr. Speaker, I join in this debate and hope that the level of debate will not descend to that where the Member for Diego Martin West attempted to carry it, but it will be elevated to such an extent that when we leave these hallowed chambers, no one outside there will ever think that this Government or anybody is attacking anybody in the Judiciary, far less the hon. Chief Justice. I thank you.

Mr. Speaker: Hon. Members, the sitting is suspended for half an hour.

4.30 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

ARRANGEMENT OF BUSINESS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I have indicated to the Opposition Chief Whip that what we were going to do was move the Motion for the Adjournment, but the Clerk has just pointed out to me that there are three Private Members' Bills which we can take. I understand they are not very long. Then, we will do the Motion for the Adjournment and there is an issue to be debated on the Motion for the Adjournment.

Mr. Speaker: We then go to "Bills Second Reading", Bill No. 1. The Member for Fyzabad.

UNITED ISLAMIC ORGANISATIONS OF TRINIDAD AND TOBAGO (INC'N) BILL

The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Chandresh Sharma): Mr. Speaker, I beg to move,

That a Bill for the incorporation of the United Islamic Organisations of Trinidad and Tobago and for matters incidental thereto, be now read a second time.

The United Islamic Organisations are basically involved in social and community work and engages the teachings of the Holy Qur'an as its basis. They have been in existence for a period of time and have been throughout Trinidad and Tobago, doing social and community work and educational programmes. They have indicated a willingness to continue serving people regardless of religious affiliations or ethnic groupings.

I beg to move.

Question proposed.

The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Chandresh Sharma): Mr. Speaker, I thank Members for their silent support on same.

I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Question put and agreed to, That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

**TRINIDAD AND TOBAGO EMERGENCY
MUTUAL AID SCHEME (INC'N) BILL**

Mr. Barendra Sinanan (*San Fernando West*): Mr. Speaker, I beg to move,

That a Bill for the incorporation of the Trinidad and Tobago Emergency Mutual Aid Scheme and for matters incidental thereto, be now read a second time.

Mr. Speaker, the Bill before us talks about the short title, the incorporation and the aims and objectives which are set out in clause 3:

- “(a) to establish and develop mutual aid assistance in case of industrial or community emergency situation, natural or man-made;
- (b) to provide timely and organised assistance to cope with an emergency which is beyond the ability of the affected member to handle;
- (c) to sensitize and educate its members as well as the general public to disaster threats and the benefits of pre-incident planning;
- (d) to provide more efficient emergency response services for all members of TTEMAS;
- (e) to establish uniform operations and practices for use by members of TTEMAS;

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- (f) to encourage and promote Loss Control Procedures as they relate to hazards associated with industry.”

Clause 4 of the Bill deals with “Powers of the Association”; clause 5, “Transfer and vesting of property”; clause 6 deals with the “Mode of execution of documents”; clause 7, “Service of documents”; clause 8 deals with “Powers to make rules” and clause 9 is the savings clause.

Mr. Speaker, I commend the Bill to the House and I beg to move.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Question put and agreed to, That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

**ASHTANG YOGA ASSOCIATION OF
TRINIDAD AND TOBAGO (INC'N) BILL**

Question put and agreed to, That a bill for the incorporation of the Ashtang Yoga Association of Trinidad and Tobago and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill referred to a Special Select Committee of the House appointed by the Speaker as follows:

Mr. Razack Ali, Chairman

Mr. Chandresh Sharma, Member

Dr. Fuad Khan, Member

Mr. Edward Hart, Member

Mr. Barendra Sinanan, Member

Adjournment

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ADJOURNMENT

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House now stand adjourned to Friday, March 31, 2000 at 1.30 p.m.

On that date, we propose to debate the Motion relating to the Census Order which was laid today. Under section 5 of the Statistics Act, there must be an affirmative resolution of Parliament and there is a time frame for the matter so we will debate that matter. We will also debate the Bill to amend the Minimum Wages Act, the Bill to consolidate and revise the law and to make new provisions to facilitate the enforcement of maintenance orders and there is a Motion in relation to the Customs Act which is on the Order Paper. We propose to debate those four matters.

Mr. Speaker: Hon. Members, before we deal with the Motion for the Adjournment, I had given leave to the Member for Tunapuna to raise a matter. I now call on the Member for Tunapuna to proceed.

**Tunapuna Police Station
(Atrocious Conditions)**

Mr. Edward Hart (Tunapuna): Mr. Speaker, I rise to raise a very critical matter on the Motion for the Adjournment in accordance with the provisions of Standing Order No. 11.

Not so long ago, I came to this honourable House and brought to the attention of the House the atrocious conditions under which the officers at the Tunapuna Police Station are operating. I also pointed out the fact that the building itself, being a very old building, was deteriorating rapidly.

I understand that a move is afoot to renovate the said building and I am happy for that, although I felt that there was a need for a new brand building seeing that we are going to have a new brand airport and we have a new brand building for the Attorney General.

5.20 p.m.

However, seeing that work is going to start immediately, based on what we hear, the Government has decided to redeploy some of the officers to the Arouca Police Station, and others will go to the St. Joseph Station. As far as I understand, Mr. Speaker, the St. Joseph Police Station is already overcrowded; there is no room to accommodate other officers. It is the same thing with the Arouca Police

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Station. Hearing this, the police and the residents are also concerned about what would happen as regards the response time.

Not so long ago, criminals went up to the peaceful village of Caura Valley and held the villagers under siege for the entire night and did all sorts of ugly things. Not so long ago also, I had the experience where a young man was slashed—right across the road where I live—it took 40 minutes for the E-99 to arrive to take this gentleman to the Mount Hope Hospital. He was refused entry because he could not pay the money. He ended up in the Port of Spain General Hospital where he received 240 stitches.

Mr. Speaker, we have a population shift with the new housing areas and crime has escalated in Tunapuna as well as other parts of the country—we have a crime rate sweeping through—and the businessmen, bank managers, owners of fast food outlets, residents and principals of schools—I tried to contact all these people. They are saying if they have to redeploy these policemen, send them out of Tunapuna, they are scared stiff of what will happen because this is going to send mixed signals to the criminals at large.

I then started to look around to see if we could get another location in Tunapuna—similar to what happened to the Besson Street policemen; they have been relocated not too far from the old Besson Street Police Station. In looking around I discovered that the old Tunapuna Post Office, which is now housed at the new Tunapuna Administrative Complex, has been refurbished. I asked a couple of the policemen to take a walk with me to see what it looks like. We had a tour of the building. They feel that is the appropriate place where they could be relocated until such time—I understand that this renovation might be completed by the end of November or sometime like that.

On further inquiry, I understand that this building is to be given to the Member for St. Augustine.

Mr. Humphrey: Has been given.

Mr. E. Hart: I am being corrected, Mr. Speaker, has been given to the Member for St. Augustine for his MP's office. This is probably his fifth year in office, or his fifteenth year—whatever—representing St. Augustine.
[Interruption]

Mr. Humphrey: Twenty years.

Mr. E. Hart: Twenty years, I am being corrected again. Suddenly, probably on the eve of a general election, the Government sees it fit to give this building to the Member of Parliament for St. Augustine.

I am saying, if we really care about the policemen, if we care about what is happening in Tunapuna, with crime and all that is taking place, instead of sending these policemen to Arouca and St. Joseph—as a matter of fact there is rank dissatisfaction among the police officers because they do not want to move. As I am speaking here, they are awaiting to hear their fate because today some furniture has been removed to Arouca Police Station, but none of the policemen are being redeployed at this moment. I am saying to take the old post office and to assign it to the Member for St. Augustine for electioneering purposes—*[Interruption]* I do not know, I cannot speak for him, but I do not think he needs an office for the elections. I really do not think so. But I know for a fact, we need the police officers to be housed in Tunapuna. *[Desk thumping]* We cannot think about one individual as opposed to the entire police staff. We are thinking about all the business houses there. We are talking about the schools. We are talking about all the major institutions.

The Tunapuna Greater Chamber of Commerce had a meeting last night and they have expressed concern about this new development. Not so long ago, at Upper Fairley Street, the Briggs family were under siege and they tried, they made frantic efforts, to contact the police. Because of the fact that the policemen were immobile they could not get to the scene swiftly.

I am making a stirring plea on behalf of all the residents of Tunapuna, all the businessmen, all the schools, all the churches, all the major institutions in Tunapuna. We are saying that we want the police officers to be relocated in Tunapuna. The old Tunapuna Post Office is ideally located and suited to house the policemen. *[Desk thumping]*

I hope the Government would allow good sense to prevail and make the old Tunapuna Post Office available to the policemen and forget this electioneering campaign because the records will show—by the Member for St. Augustine's own admittance; he is not usually in the constituency—*[Interruption]* He said that, not I. I am not fabricating anything, it is on record. He said one can contact him by phone or fax. That is what he said. I am saying that we would be very, very glad if the old Tunapuna Post Office is given to the Tunapuna police officers, temporarily, until the police station is refurbished and then they could be rehoused once again.

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

The Minister of National Security (Sen. Brig. The Hon. Joseph Theodore): Mr. Speaker, I must say I am very impressed with the stirring plea

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from the Member for Tunapuna. This move certainly did not take place without the knowledge of the police station there. Again, the Member pointed out that it was he who brought it to our attention sometime ago: the dilapidated state of the building. In fact, he insisted that the police should not stay there. This is the move that has come about as a result of refurbishing the accommodation.

What we have found in the Ministry of National Security is that the effort to rebuild stations takes an extremely long time from the planning stage to the execution stage and it is far more costly than refurbishing stations and bringing them up-to-date, almost like new.

This station at Tunapuna will be dealt with in two phases. I mentioned this on the last occasion. Work is expected to commence on March 27, 2000, which is next Monday, Mr. Speaker. Surely, it would have assisted if the Member for Tunapuna had, maybe, given me a phone call or given me some indication of what he had discovered, because plans are in place.

5.30 p.m.

As far as the deployment of the police is concerned, I would like to deal with the perception being created that all the police have been moved from the Tunapuna Police Station; that is not the case. The office of the Superintendent of Police will continue to operate on the compound of the Tunapuna Police Station in the Criminal Investigation Department. The Assistant Superintendent, Inspector and civilian office staff will operate from the Piarco Police Station. Other officers from the Court and Process Unit and the Criminal Investigation Department will be deployed to the Arouca and St. Joseph Police Stations during the period.

However, a police mobile unit has been established on the compound of the Tunapuna Police Station, with adequate manpower, under the supervision of a Sargeant of Police to accommodate reports made by members of the public, to facilitate licensing of firearms and enable the public to obtain certificates of good character. This unit will operate on a 24-hour basis. Mr. Speaker, one of the problems that the hon. Member sees, is being dealt with by not vacating the police station entirely and leaving no police in that area.

I am told that reports received from the mobile unit will be promptly dispatched to either the Arouca or St. Joseph Police Stations. What is important is that the length of time it will take to do phase one will be six months and we expect that the work will be completed by the end of September 2000. Phase two, which is an annex, will be taken care of in the fiscal year 2000/2001.

To address the immediate concerns of the Member for Tunapuna, first of all, the work is about to start; arrangements have been put in place and the station will not be closed down. As far as the matter of response, there will be vehicles located at the station. While I appreciate the efforts made by the Member for Tunapuna to find the police an alternative accommodation, I am afraid that that accommodation, on enquiry, has already been allocated to the Member for St. Augustine. However, I will make every effort to see whether there is any other accommodation.

Perhaps, I could enlist the help of the hon. Member to see whether or not larger accommodation can be acquired, rented or otherwise, to maybe put a larger police presence in Tunapuna. But I must insist that the work will start on Monday so we could get on with the renovation and deal with the major complaint that the police cannot live under those intolerable conditions, and I agree. In fact, it is the desire of this Government to ensure that the Tunapuna station remains in keeping with our commitment to maintain our buildings and equipment and, by extension, improving the accommodation for police officers in Trinidad and Tobago.

There will be other stations to be repaired. I assume that similar instances will occur where officers will have to be relocated, but this relocation in no way is designed to reduce the security being provided for the residents in the area, the businessmen and other people who are somewhat concerned for their safety.

Mr. Speaker, I would assure this honorable House—[*Interruption*]

Mr. Valley: If the Member would just give way; I know it is not the norm, but I wondered if he would consider talking with his colleague, the Member for St. Augustine, to see whether he would be prepared to delay the move to that office for the six-month period during the renovation.

Mr. Humphrey: Pay me \$5,000 a month rent.

Sen. Brig. The Hon. J. Theodore: Certainly, Mr. Speaker, I am quite prepared to hold discussions with the hon. Minister, Member for St. Augustine. In fact, we do speak on a regular basis; I certainly do not need this opportunity to speak with him. [*Crosstalk*]

I assure this honourable House that the comfort of the police and the security for the area will be addressed and, if necessary, efforts will be made to see whether or not there is any other accommodation in the area which can

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accommodate more police in the Tunapuna area while the station is being refurbished and brought up to standard.

Thank you. [*Crosstalk*]

Mr. Speaker: Order please!

Question put and agreed to.

House accordingly adjourned.

Adjourned at 5.35 p.m.