

HOUSE OF REPRESENTATIVES*Friday, November 15, 2002*

The House met at 1.31 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**SESSIONAL SELECT COMMITTEES****(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, in accordance with Standing Order 72(2) of the House of Representatives, I have appointed the Sessional Committees of the House of Representatives for the year 2002/2003 as follows:

Standing Orders Committee

Mr. Barendra Sinanan	Chairman
Mrs. Camille Robinson-Regis	Member
Mr. Fitzgerald Hinds	Member
Ms. Diane Seukaran	Member
Ms. Gillian Lucky	Member
Mr. Subhas Panday	Member
Dr. Fuad Khan	Member

House Committee:

Mr. Kenneth Valley	Chairman
Mr. Colm Imbert	Member
Mrs. Eudine Job-Davis	Member
Mr. Anthony Roberts	Member
Dr. Adesh Nanan	Member
Mr. Manohar Ramsaran	Member

Committee of Privileges

Mr. Barendra Sinanan	Chairman
Mrs. Camille Robinson-Regis	Member
Miss Penelope Beckles	Member
Mr. John Rahael	Member

Committee of Privileges (cont'd)

Mrs. Kamla Persad-Bissessar	Member
Mr. Subhas Panday	Member

Regulations Committee

Mr. Barendra Sinanan	Chairman
Mr. Roger Boynes	Member
Mr. Stanford Callendar	Member
Mr. Fitzgerald Hinds	Member
Mr. Harry Partap	Member
Dr. Roodal Moonilal	Member

PAPERS LAID

1. Annual Report of the Trinidad and Tobago Securities and Exchange Commission for the financial year ended September 30, 2001. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Annual Report and annual audited Statement of Accounts of the Central Bank of Trinidad and Tobago for the year ended September 30, 2001. [*The Minister of Health (Hon. Colm Imbert)*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Institutional Strengthening Programme of the Women's Affairs Division of Ministry of Culture and Gender Affairs (now the Ministry of Community Development and Gender Affairs) for the period January 01, 1998 to September 30, 1998. [*Hon. C. Imbert*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Central Marketing Agency for the year ended December 31, 1995. [*Hon. C. Imbert*]

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

**DEFINITE URGENT MATTERS
(LEAVE)**

Independent Counsel

Mrs. Kamla Persad-Bissessar (*Siparia*): Mr. Speaker, I hereby seek leave of this honourable House to move the adjournment of the House for the purpose of

discussing a definite matter of urgent public importance, namely, the immediate need for independent counsel to be retained to represent the State in a case involving a government minister and the State, so as to ensure transparency and the conduct of a proper defence by the State on behalf of taxpaying citizens.

This matter is definite in that it relates to the need for independent counsel to be retained to represent the State in the specific case of a government minister and the State. The matter is urgent because the attorneys at present representing the State in the proceedings are retained by the hon. Attorney General and their conduct of the defence in this case could possibly be prejudiced and compromised by the utterances, actions and directions of the hon. Attorney General.

This matter is of public importance because it involves the carrying out of ministerial functions, which are public functions, namely, the functions of the hon. Attorney General and an award of compensation made in the said case would have to be paid for by the State out of public funds of taxpaying citizens.

I thank you.

Mr. Speaker: I have considered the Motion as moved by the Member for Siparia and have declined to accept it. I wish to advise the hon. Member that she can consider the use of Standing Order 11(2) and please pay particular attention to subsection (3) of that Standing Order which states that the Speaker must receive three clear days' notice of such motion.

Mrs. Persad-Bissessar: Mr. Speaker, that is under Standing Order 11. Today's notice was received in proper time.

Mr. Speaker: I know, but I am reminding the House generally.

**Giselle Salandy
(Honouring)**

Mrs. Kamla Persad-Bissessar (*Siparia*): Mr. Speaker, again, I seek leave of this honourable House, through you, to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the necessity for the Government on behalf of the people of Trinidad and Tobago to honour Miss Giselle Salandy for her outstanding achievement in winning the Women's International Boxing Association's championship.

This matter is definite in that it relates to a single specific matter, that is, the honouring of Miss Salandy for her outstanding achievement in the world in boxing. The matter is urgent because Miss Salandy has recently won the title and

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opportunity should not be lost for the Government, on behalf of the people of Trinidad and Tobago, to give due recognition and honour to her.

The matter is of public importance because it involves honouring one of the young daughters of our soil who, in her outstanding achievement, has made Trinidad and Tobago proud and stands as a role model for the youth of our nation.

I thank you.

Mr. Speaker: Hon. Members, the Motion as moved by the hon. Member for Siparia is denied.

Nation's Hospitals (Violence at)

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, in accordance with Standing Order 12, I seek leave of this honourable House to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the recent acts of violence at the nation's hospitals resulting from the failure of the Government to provide adequate security measures at the public health care institutions.

The matter is definite since it relates to specific instances of violence at the nation's hospitals. It is urgent because acts of violence at the hospitals seriously affect the ability of the medical staff to give proper care to patients and put the lives and safety of the patients and staff at risk.

The matter is of public importance since more than 90 per cent of the population of Trinidad and Tobago seek attention at the public health care institutions and acts of violence cause serious disruption in the services as evidenced by the closure of the Casualty Department on one occasion and one of the clinics on another occasion for many hours, due to incidents of violence.

Mr. Speaker: Hon. Members, I have given consideration to the Motion as moved by the hon. Member for Caroni Central and the Motion is denied.

Flooding

Mr. Ganga Singh (*Caroni East*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing the following matter as a definite matter of urgent public importance, the flooding of several areas of Trinidad.

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The matter is definite because it refers to a specific matter, that is, the inundation of several communities, homes, farms and business places throughout Trinidad by floodwaters and the report from the meteorological office is that more rains and floods are expected. The matter is urgent because people are marooned, families have been displaced from their homes and people are affected without food, clothes and shelter.

The matter is of public importance because this flooding has disrupted the livelihood and welfare of households and farmers and destabilized commercial establishments and represents a clear and present danger to the health, social and economic well-being of our citizens.

Mr. Speaker, I thank you.

Mr. Speaker: Hon. Members, I have spent considerable time considering this particular Motion as moved by the hon. Member for Caroni East and, of all the Motions presented to me today, it caused me the greatest trouble. However, I regret to advise that after careful consideration, I have decided to decline to accept this Motion.

Mr. Ramnath: It is a total waste of time coming here!

REGISTRAR GENERAL (AMDT.) BILL

Bill to amend the Registrar General Act, Chap. 19:03 [*The Minister of Legal Affairs*]; read the first time.

STAMP DUTY (VALIDATION) BILL

Bill to validate the cancellation of certain postage stamps [*The Prime Minister and Minister of Finance*]; read the first time.

PILOTAGE (AMDT.) BILL

Bill to amend the Pilotage Act, Chap. 51:02 [*The Minister of Works and Transport*]; read the first time.

FREEDOM OF INFORMATION (AMDT.) BILL

Bill to amend the Freedom of Information Act, 1999 [*The Attorney General*]; read the first time.

INCOME TAX (AMDT.) BILL

Bill to amend the Income Tax Act, Chap. 75:01 [*The Prime Minister and Minister of Finance*]; read the first time.

**SESSIONAL SELECT COMMITTEES
(APPOINTMENT TO)**

Public Accounts Committee

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I beg to move that the following five Members be appointed to serve with an equal number from the Senate on the Public Accounts Committee:

Mr. Fitzgerald Hinds

Mr. Eric Williams

Ms. Diane Seukaran

Mr. Gerald Yetming

Mr. Winston Dookeran

Question put and agreed to.

Public Accounts (Enterprises) Committee

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I beg to move that the following five Members be appointed to serve with an equal number from the Senate on the Public Accounts (Enterprises) Committee:

Mr. Colm Imbert

Mr. Hedwige Bereaux

Mrs. Eudine Job-Davis

Mr. Kelvin Ramnath

Dr. Hamza Rafeeq

Question put and agreed to.

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

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I beg to move that the following six Members be appointed to serve with an equal number from the Senate on the Joint Select Committee established under section 66A of the Constitution to consider and report on the operations of municipal corporations and service commissions, with the exception of the Legal Service Commission:

Mr. Hedwige Bereaux

Mr. Anthony Roberts

Mr. Franklin Khan

Mrs. Eudine Job-Davis

Mr. Chandresh Sharma

Mr. Nizam Baksh.

Question put and agreed to.

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I beg to move that the following six Members be appointed to serve with an equal number from the Senate on the Joint Select Committee established under section 66A of the Constitution to consider and report on the operations of Government Ministries (Part I) and on statutory authorities and state enterprises which fall within the purview of such ministries:

Dr. Keith Rowley

Mr. Hedwige Bereaux

Mrs. Eulalie James

Mr. Fitzgerald Hinds

Mr. Ganga Singh

Mrs. Kamla Persad-Bissessar

Question put and agreed to.

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I beg to move that the following six Members be appointed to serve with an equal number from the Senate on the Joint Select Committee established under section 66A of the Constitution to consider and report on the operations of Government Ministries (Part II) and on statutory authorities and state enterprises which fall within the purview of such ministries:

Mr. Fitzgerald Hinds

Mr. Jarette Narine

Mr. Anthony Roberts

Mr. Hedwige Bereaux

Mr. Kelvin Ramnath

Dr. Hamza Rafeeq

Question put and agreed to.

POLICE SERVICE REFORM

The Prime Minister and Minister of Finance (Hon. Patrick Manning): Mr. Speaker, I do not propose to move the second reading of the bills listed on the Order Paper at this time. With your leave, I would instead make the following statement arising out of a meeting held last Wednesday with the hon. Leader of the Opposition and his team.

Mr. Speaker, on October 17, 2002, on the occasion of the convening of the Eight Parliament of the Republic of Trinidad and Tobago, I laid in this honourable House, for the information of Members, a package of legislative proposals on police service reform which included the following three draft Bills: the Constitution (Amdt.) Bill, 2002, the Police Service Bill, 2002 and the Police Complaints Authority Bill, 2002.

On November 08, 2002, these Bills were introduced for first reading with the Leader of the House indicating, prior to the adjournment of the House, that debate on the Bills would commence on November 15, 2002, which is today.

The Bills before this House are the result of an exercise which began in 1999, involving a process which I believe should be shared with all Members of this honourable House and, through this House, with the entire national community.

During August 1999, I, as then Leader of the Opposition, publicly articulated the value of a bipartisan approach to tackling the urgent need for reform in the police service, an issue which we, of the PNM, considered to be of vital national importance. The hon. Member for Couva North, the then Prime Minister, undoubtedly recognizing the significance of the proposal, responded immediately by inviting me for consultations on the matter. Present at those consultations were, in addition to the Prime Minister and the Leader of the Opposition, the then Attorney General, Mr. Ramesh Lawrence Maharaj, the then Minister of National Security, Brig. Joseph Theodore and the Member of Parliament for Arouca South, Mrs. Camille Robinson-Regis.

The discussions centred on the disturbing revelation on the state of the police service, which emanated from the Commission of Enquiry into the escape from legal custody of convicted prisoner, Deochan Ramdhanie. The Office of the Prime Minister advised the national community of the outcome of these discussions by way of a news release on the day of the discussions, August 18, 1999, which stated, *inter alia*:

“The discussions which lasted some three hours took place at the Office of the Prime Minister.

The Prime Minister and the Leader of the Opposition expressed their great concern at the disclosures during the hearings of the Commission of Enquiry.

They agreed that with immediate effect, the group which took part in today's meeting is constituted to work out measures, including any legislative action that may be required, to provide solutions to the problems besetting the Police Service.”

Mr. Speaker, the statement continued:

“They agreed that while the bulk of the police service are honest, well-meaning and hardworking...there appears to be evidence that there are personnel within the police service whose unlawful actions are likely to bring the entire service into disrepute.”

The bipartisan team agreed that matters requiring urgent attention included:

- (1) corruption within the police service and appropriate methods of investigating same;
- (2) the system of recruitment, discipline and promotion in the police service;
- (3) management of the police service;
- (4) other areas of concern regarding the administration of the police service, including those as may have been identified by the Commission of Enquiry into the escape on September 17, 1998, of convicted prisoner, Deochan Ramdhanie, from lawful custody and other related matters.

The news release ended thus:

“The Prime Minister and the Leader of the Opposition considered today's meeting to have been very significant and productive indeed, and each expressed the view that the spirit of cooperation that the meeting demonstrated augured well for the future safety and security of the people of Trinidad and Tobago.”

Mr. Speaker and hon. Members, apart from the evidence of corruption and serious police misconduct in respect of the substantive issue of the enquiry at the institutional level, the commissioners found serious deficiencies in the system of management, leadership and supervision, which suggested that corruption, such as it exists in the Trinidad and Tobago Police Service, was an institutional problem

and was as much a result of organizational deficiencies, as have been found to be the same in other police services around the world, when they came under public scrutiny.

The commissioners expressed the view that :

“...it would be contrary to the public interest if the assorted instances of misconduct, misfeasance, conspiracy and exploitation of weaknesses in administration in...the Police Service, were to be left unattended...”

The commissioners also went on to state:

“A cursory glance at the available procedures under the Police Service Commission Regulations, Chap. 101, would seem to be productive of delay and although we have no evidence as to the administration of the regulations, it is well known that they lack expediency and efficacy... One is therefore driven to conclude that a revision of the Police Service Commission regulations is necessary in order that offenders within the Police Service may be brought to book promptly under a procedure less cumbersome and more efficacious.”

Furthermore, among the areas that the commissioners considered urgently in need of examination were an apparent weakness in the system of promotion as exemplified in the apparent lack of knowledge of police procedures by senior officers as appeared to their juniors; the frequent allegations of lack of basic equipment necessary for effective policing; the need for changes in intelligence, management of human resources and the use of modern forensic technology in penetrating fraud and corruption, especially in relation to drug trafficking; whether assistance, human and technological, should be sought from countries better and more effectively equipped to deal with policing and intelligence in relation to the drug menace in Trinidad and Tobago.

Since it was clear that the bipartisan team would need technical support to properly fulfill its mandate, with my concurrence as the Leader of the Opposition, the Cabinet agreed to the appointment of a technical team under the distinguished chairmanship of former President, Sir Ellis Clarke TC, GCB, GCMG, to work with the bipartisan team in seeking solutions to the problems identified.

Other members of the technical team were: Mr. Justice Guya Persaud SC, Chairman of the Law Reform Commission; Sir David O'Dowd, Her Majesty's Chief Inspector of Constabulary in the United Kingdom—and, incidentally, a gentleman who had made a study of the Police Service in 1990—Mr. Eustace

Bernard, former Commissioner of Police, Trinidad and Tobago Police Service, Colonel Trevor MacMillan, Chairman, Security Advisory and Management Services United and former Commissioner of Police of the Jamaica Constabulary Force, Mr. Alwyn Daniel, a management consultant, Mrs. Joan Massiah, Permanent Secretary Office of the Prime Minister, as member/secretary.

Mr. Speaker, the bipartisan team held its first meeting with the technical team on Monday, January 10, 2000, and mandated the technical team, within the above-mentioned Terms of Reference, and in close consultation with the bipartisan team, to examine the issues, make appropriate recommendations, formulate a plan of action and prepare the necessary draft instruments which, subject to approval, would give effect to the recommendations. By May 2000, the technical team had presented an outline of its findings, proposals and plan of action to the bipartisan team and obtained its approval to proceed accordingly. Again, the national community was kept informed of progress by way of a media release issued by the Office of the Prime Minister.

In seeking to fulfill its mandate, in addition to the Ramdhanie report, the technical team addressed existing reports and studies of the police service and, in particular, the O'Dowd Report, their recommendations and the level of their implementation, the need for adjustments and the reason for non-implementation, in some cases. The team also held numerous consultations with the principal stakeholders in this matter and considered the written comments of other relevant, current and former office holders, the names of whom I have listed as an appendix to this statement and which will be made available to this honourable House and, of course, to the media and the national community.

In November 2000, the technical team submitted an interim report containing its findings and recommendations for directions as the bipartisan team deemed fit. The bipartisan team accepted the interim report in principle and mandated the technical team to draft legislation as necessary for the implementation of those recommendations requiring parliamentary approval and to propose a way forward. This exercise again involved the widest possible consultation. The team went back to the principal stakeholders. The technical team submitted the following draft legislation to the bipartisan team in June 2001: The Constitution (Amdt.) Bill 2001, the Police Service Bill 2001, the Police Service Regulations 2001 and the Police Complaints Authority Bill 2001.

On receipt of the legislative proposals, the bipartisan team agreed that, one, they should be circulated to key stakeholders together with a summary of the recommendations of the technical team, with an invitation to submit comments to

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the technical team; two, they should be laid in Parliament as a package for the information of Members; and three, they should be made available for public comment. All these were done on the dates detailed below.

On June 25, 2001, in accordance with the directive of the bipartisan team, the legislative proposals, together with a summary of the recommendations, were circulated to the major stakeholders with an invitation to submit written comments. These stakeholders included the Chairman of the Police Service Commission, the Chairman of the Police Complaints Authority, the Permanent Secretary in the Ministry of National Security, the Commissioner of Police, the President of the Police Service First Division Association, the President of the Police Service Social and Welfare Association and the Chief Personnel Officer.

On July 13, 2001, the legislative proposals were laid in both Houses of Parliament for the information of Members. In his statement to this honourable House on that occasion, the then Prime Minister, my friend, the hon. Member for Couva North, acknowledged that the majority of officers in the police service were men and women dedicated to their motto "To Protect and Serve". However, he also stated:

"There was need...to investigate the operations, functions and all other activities of the Service with a view to ascertaining the areas of deficiency, and to deal with these deficiencies in order to bring the Service in line with modern realities, and to enable the Service to cope with problems that have grown to alarming proportions, particularly within recent times."

Mr. Speaker, I too shared those views.

Further, the then Prime Minister illustrated the urgent need to embark on an exercise which would, *inter alia*, re-examine such questions as the general management of the police service, the induction of suitable persons and the need to develop a system to deal swiftly and adequately with corruption in the service by quoting, as follows, from the O'Dowd Report:

"Having reflected on our findings, it is very clear to us that the police have for many years suffered from neglect as a result of under-funding, the policy priorities of successive governments and through lack of good management and skills training at all levels within the service.

Other areas, including excessive bureaucracy, inefficient and outdated systems and procedures and undue concern over issues such as nepotism have also inhibited progress and modernization."

On July 25, 2001, the legislative proposals were brought to the attention of the public at large. The Office of the Prime Minister arranged for an invitation to be issued to all members of the media to attend a media briefing hosted by the Chairman of the technical team for this purpose.

You will recall, Mr. Speaker, that the Chairman of the technical team was Sir Ellis Clarke. The bipartisan team had agreed that the legislative proposals should be brought to the attention of the public in this way. The method was adopted by the bipartisan team to emphasize the fact that the technical team was solely responsible for the proposals and was not to be influenced by partisan considerations. The briefing was attended by over 30 journalists who were addressed, at length, by the Chairman.

They received copies of the legislative proposals and a detailed brief summarizing the recommendations of the team. Additionally, the Chairman invited the media's cooperation in disseminating the information, indicating how the package could be obtained and to whom the public comments should be submitted. The media conference was videotaped and aired repeatedly on television courtesy the Information Division for several weeks. The print media were faithful to their promise and brought the issue to the attention of the public, thereby generating some degree of public debate.

Requests for the documents were received from 36 individuals and organizations; these were supplied. Comments were, however, received only from individuals who were police officers and who were not among those who requested the documents from the secretary. One might legitimately conclude, therefore, that those persons who were supplied with documents but did not comment, were satisfied with the proposals and with the process.

Mr. Speaker, between July 23 and November 27, 2001, the technical team considered all the comments submitted and where it deemed appropriate amended the draft legislation accordingly; in some cases, after further consultation.

The events of December 2001 and their immediate aftermath delayed the submission of the amended legislative proposals to the bipartisan team. They were, however, submitted to the Prime Minister and to the political leader of the UNC under cover of letters dated February 18, 2002. The document submitted entitled Report of the Technical Team to the Bipartisan Team to Seek Solutions to the Problems Within the Police Service—Legislative Proposals, contained the Constitution (Amdt.) Bill 2002; the Police Service Bill 2002; the Police Complaints Authority Bill 2002 and the Police Service Regulations, 2002.

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These proposals were also laid in Parliament for the information of Members on Thursday, October 17, 2002. The three Bills are now before this honourable House for second reading.

In the interest of maintaining the integrity of the bipartisan process, proposed amendments recently received from the Chief Parliamentary Counsel were submitted to me and to the hon. Leader of the Opposition for consideration through the Secretary/Member of the technical team, Permanent Secretary in the Office of the Prime Minister. We both agreed that they should be referred to the technical team for its consideration and submission of recommendations to the bipartisan team, so that a bipartisan position might be arrived at before the debate scheduled for today. That was the purpose of the meeting convened on Wednesday, November 13, 2002.

The hon. Leader of the Opposition and his team expressed the view, however, that the agreed process adopted in July 2001 for consultation with the national community on the legislative proposals was inadequate and that a further opportunity for such consultation on the Bills should be offered. The Bills, together with the comments received from the national community and the amendments proposed by the Chief Parliamentary Counsel should then be given due consideration by a joint select committee of Parliament with which the technical team would work closely.

Mr. Speaker, I wish to advise hon. Members and the national community that we, on this side, throughout this process, have not only advocated the widest possible consultation, but have held the bipartisan approach to this matter to be sacrosanct in the conviction that the public interest demanded no less. This approach was intended to take an issue of supreme importance to the entire national community, that of safety and security and a high degree of confidence in the police service, out of the partisan political arena. Members are reminded that throughout the entire decision-making process leading up to the introduction of the Bills into Parliament, we were in Opposition.

This was the reason, notwithstanding that we were then in Opposition, that we had no difficulty in pursuing the bipartisan approach with the then ruling party. We continued to be committed. This is why we have agreed to the procedure now being proposed by the Opposition and which we expect would be completed in the agreed timeframe of six weeks for public comment and a further six weeks for the passage of the legislation.

The future of the police service as a modern, efficient organization, capable of serving our nation in the manner it deserves, depends on the successful

completion of this process. This Parliament has an obligation to the people of Trinidad and Tobago to treat with these anxieties by fulfilling this promise.

In a statement to this honourable House on July 13, 2001, the hon. Member for Couva North, then Prime Minister declared:

“As co-leaders of the Bipartisan Team, the honourable Leader of the Opposition and I are of the view that the necessary legislation should be enacted as a matter of urgency after due consideration of the anticipated comments.”

If, therefore, a three-month delay for the purpose of further consultation with the national community enables us to serve the public interest by maintaining intact this bipartisan approach to the enactment of this vital package of legislation, then the delay would have served its purpose.

Accordingly, I beg to move that the following five Members be appointed to serve with an equal number from the Senate, on a joint select committee to be established to consider and report on these Bills:

Mrs. Camille Robinson-Regis

Mr. Fitzgerald Hinds

Mr. Anthony Roberts

Mrs. Kamla Persad-Bissessar

Ms. Gillian Lucky

Mr. Speaker, I further move that this committee be mandated to publish these Bills for public comment, to receive public comment on the Bills over the next six weeks, to consider such public comments and report back to the Parliament no later than February 21, 2003 and be empowered to send for persons, papers and records, sit in public—if the committee so wishes—and receive expert advice and assistance.

Mr. Speaker, I beg to move.

Mr. Speaker: Hon. Members, before I put the question, there is agreement on both sides of the House for the hon. Leader of the Opposition and Member for Couva North, to make a statement.

Mr. Basdeo Panday (*Couva North*): As the hon. Prime Minister has said, following upon the escape of prisoner Deochan Ramdhanie from police custody on September 17, 1998, the then government appointed a Commission of Enquiry

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under the chairmanship of Justice Zainool Hosein to enquire into the circumstances surrounding the said escape. Upon the conclusion of the Ramdhanie enquiry, the then Leader of the Opposition publicly articulated the value of a bipartisan approach in tackling the urgent need for reform of the police service. I immediately responded with an invitation to the hon. Leader of the Opposition, as he was then, for consultations on the problems plaguing the police service.

In August 1999 the then Prime Minister and the Leader of the Opposition agreed to establish, as the Prime Minister said, a bipartisan team and this was done. Subsequently, the bipartisan team agreed to appoint a technical team to look at the problems of the police service. The technical team, under the chairmanship of Sir Ellis Clarke, began meeting on Monday January 10, 2000 and in November of that same year submitted an interim report. Having accepted the interim report of the technical team, the bipartisan team mandated the technical team to draft legislation to implement the recommendations contained therein.

In June of 2001, the technical team submitted a package of draft bills and on Friday July 13, the package was laid in this honourable House for the information of Members. In so doing, I stated as follows and I quote verbatim from that statement, Mr. Speaker:

“I wish to emphasize that this draft legislation is not the final word in this matter. It has been agreed that the views of various stakeholders and the general public should be invited and will be accorded due importance in the construction of the legislation which is ultimately laid for the consideration of Members of this honourable House and those in the other place.”

In the same statement, I also said, and I quote again:

“The proposals should be made available for public comment.”

I also said in that statement and it was referred to by the hon. Prime Minister:

“As co-leaders of the Bipartisan Team, the honourable Leader of the Opposition and I are of the view that the necessary legislation should be enacted as a matter of urgency after due consideration of the anticipated explanation.”

Which included the comments of the public.

Mr. Speaker, it therefore came as a surprise when I read in one of the newspapers that the hon. Prime Minister had got the impression, after last Wednesday’s meeting,

that we had withdrawn our support for reform of the police service. If that conclusion was arrived at because we insisted that the Bills be put out for public comment, then it is a pity. I could not imagine that my insistence on public participation would be viewed as a withdrawal of support.

There is a procedure for dealing with public consultation which was not followed. We believe that among the stakeholders in any exercise for constitutional reform, the public is the most important stakeholder. We also believe that Members of the Senate should have a serious input, hence the need for a joint select committee of both Houses to receive and consider the views of the public, since the support of Members of both Houses is necessary for the successful passage of amendments to the Constitution; whether that amendment be with respect to the public service, the police service, the fire service, the defence force, it must be seen as an integrated whole.

We are not against these Bills. What we are saying is that there is need for fundamental constitutional reform without which this nation cannot go forward. The majority of people in this country agreed that there is need for reform; not piecemeal reform, not on the basis of adhocery, a piece here and a piece there, but whether it be amendment to the police service, the public service, the fire service or the defence force, it must be part of an integrated system. We must look at constitutional reform with the holistic eye; that is all, Mr. Speaker. So we believe that the joint select committee is very important since it would be a useful instrument when we come to this urgent exercise of fundamental constitutional reform as, indeed, we must.

So I repeat, we have no intention of withdrawing our support for police service reform, just as we insist on fundamental constitutional reform. Thank you.

Thank you, Mr. Speaker.

Question put and agreed to.

ADJOURNMENT

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, next Friday is the day reserved for Private Business. Since the other side has not tabled any matter which qualifies for debate next Friday, we shall be proceeding with Government Business on that day.

I beg to move that this House do now adjourn to Friday, November 22, 2002, at 1.30 p.m. on which day we shall be doing the bills on the Supplemental Order Paper: Registrar General (Amdt.) Bill, 2002; Stamp Duty (Validation) Bill,

Adjournment

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2002; Pilotage (Amdt.) Bill, 2002; Freedom of Information (Amdt.) Bill 2002 and Income Tax (Amdt.) Bill, 2002. [*Interruption*] Yes, in that order.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 2.26 p.m.