

HOUSE OF REPRESENTATIVES*Friday, May 07, 2004*

The House met at 1.47 p.m.

[MR. DEPUTY SPEAKER *in the Chair*]**PRAYERS****LATENESS OF OPPOSITION MEMBERS**

Mr. Ganga Singh (*Caroni East*): Mr. Deputy Speaker, I wish to apologize for the absence of several Members of the Opposition. There is a strange traffic jam and we were met by policemen at the entrance to the Red House. I understand that there is a bomb scare in the vicinity. It was not meant in any way to affect your rulings as Deputy Speaker at today's sitting.

Mr. Deputy Speaker: I appreciate that, hon. Member.

LEAVE OF ABSENCE

Mr. Deputy Speaker: Hon. Members, I have received communication from the following Members, requesting leave of absence from today's sitting of the House: Member for San Fernando West (Miss Dianne Seukeran); Member for Barataria/San Juan (Dr. Fuad Khan).

The leave that the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended December 31, 1993. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended December 31, 1995. [*Hon. K. Valley*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended December 31, 1996. [*Hon. K. Valley*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended September 30, 2003. [*Hon. K. Valley*]

Papers Laid

Friday, May 07, 2004

5. Report of the Auditor General of the Republic of Trinidad and Tobago on a Special Audit of the Segment of the National Road Enhancement Programme (NREP) administered by the Urban Development Corporation of Trinidad and Tobago Limited (UDCOTT). [*Hon. K. Valley*]
6. Report of the Auditor General on the public accounts of the Republic of Trinidad and Tobago for the financial year 2003 (October 01, 2002 to September 30, 2003) and on other selected audit activities. [*Hon. K. Valley*]
7. Public accounts of the Republic of Trinidad and Tobago for the financial year 2003. [*Hon. K. Valley*]

Papers 1 to 7 to be referred to the Public Accounts Committee.

8. The National Commission for Self-Help Limited Financial Statements for the year ended September 30, 2000. [*Hon. K. Valley*]
9. The National Commission for Self-Help Limited Financial Statements for the year ended September 30, 2001. [*Hon. K. Valley*]

Papers 8 and 9 to be referred to the Public Accounts (Enterprises) Committee.

ORAL ANSWERS TO QUESTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, the Government is able today to answer questions nos. 72, 78 and 79 and is requesting a deferral of one week for the other questions. Mr. Deputy Speaker, you would note that on the Order Paper there are a series of questions by the same Member. Some have been deferred before but, as you know, normally a Member is limited to three questions.

Mrs. Persad-Bissessar: Mr. Deputy Speaker, those questions are the questions I have filed. The reason they are so many on the Order Paper at one time is that time after time the Government has refused to answer them. They came on the Order Paper with the requisite number and were deferred. There is one question—the very first one—that has been deferred for over five weeks. There is nothing improper with what is happening here. The only thing improper is that the Government keeps refusing to answer them each week.

Mr. Deputy Speaker: Is it that you are able to answer questions No. 72 and 78?

Hon. K. Valley: Mr. Deputy Speaker, they are 72, 78 and 79.

Mr. Deputy Speaker: And you require deferrals?

Hon. K. Valley: Of one week.

Mr. G. Singh: I just want to be very clear, Mr. Deputy Speaker. Is it that he is requesting deferrals for Nos. 68, 73, 76, 77, 82, 83, 99, 86 and 88?

Mr. Deputy Speaker: Hon. Member, I think it is quite clear.

Mrs. Persad-Bissessar: Mr. Deputy Speaker, the procedure where the Government asks for a deferral has to be put to the House. It cannot be that the Government asks for it and you just accept it. The vote should be put.

Mr. Deputy Speaker: I take your point.

The following questions stood on the Order Paper in the name of Mrs. Kamla Persad-Bissessar (Siparia):

**Russel Latapy High School
(Information on)**

- 68.** A. Would the hon. Minister of Education state:
- (i) the estimated and the actual costs for constructing, equipping and furnishing the Russel Latapy High School;
 - (ii) the start up and completion dates of constructing, furnishing and equipping of this school;
 - (iii) the number of students the school was built to accommodate and the actual number presently accommodated?
- B. Could the Minister state:
- (i) the name/s of the persons/companies and directors of each company awarded contract/s for constructing, equipping and furnishing of the school;
 - (ii) whether tenders were invited for the contracts awarded and if so, the bids made by each tenderer;
 - (iii) the procedure and criteria used to award each contract?

Continuous Assessment Programme (CAP)

- 73.** Would the hon. Minister of Education state:
- (i) the steps and dates of each step taken, since January 2002 to implement the Continuous Assessment Programme (CAP) in the nation's schools and explain the reasons for the delay in full implementation of same;
 - (ii) the date when same would be fully implemented?

Details of SEA Examination

- 76.** Would the hon. Minister of Education list:
- (i) the total number of students who wrote the SEA examinations in 2002 and 2003 and the number expected to write in 2004;
 - (ii) the number of students who scored less than 30 per cent and 50 per cent in the 2002 and 2003 SEA examinations according to education districts;
 - (iii) the steps and date/s of each step taken, since January 2002 to address the educational needs of children who scored less than 50 per cent in the SEA examinations and entered into secondary schools;
 - (iv) the steps and date/s of each step taken since January 2002 to reduce the number of children scoring less than 50 per cent in the SEA examinations?

Details of CXC

- 77.** Would the hon. Minister of Education state:
- (i) the number of students who wrote each of the subjects offered by CXC in 2002 and 2003 and the number expected to write in 2004;
 - (ii) the number of students who failed each subject at CXC in 2002 and 2003 according to education districts;
 - (iii) the steps taken, including the date/s of each step since January 2002 to reduce the number of CXC failures?

Shiva Boys and Parvati Girls Colleges

- 82.** Would the hon. Minister of Education state:
- (i) the steps and dates of each step taken since January 2002 to construct the Shiva Boys and Parvati Girls Colleges;
 - (ii) the reasons for the delay in construction of the Shiva Boys and Parvati Girls Colleges;
 - (iii) the estimated cost for construction of each;
 - (iv) the start up date of construction and completion date of each?

Pre-Service Training Programme

- 83.** Would the hon. Minister of Education state:
- (i) the reasons for the termination of the pre-service training programme for teachers and the date when this was done;

- (ii) the steps and dates of each step taken to put a system in place for pre-service training for teachers and what system is being put in place and when will it commence;
- (iii) the procedure and criteria which will be utilized to select persons for the pre-service training;
- (iv) the interim measures being taken between the termination of the pre-service programme and the start up of any new system?

School Librarian Vacancies

86. Would the hon. Minister of Education state:

- (i) the number of school librarian vacancies and the schools where such vacancies exist as well as the date since each vacancy first arose;
- (ii) the steps and date/s of each step taken, since January 2002 to fill vacancies for school librarians in the nation's schools;
- (iii) the expected date when each vacancy would be filled?

**Biche High School
(Deterioration of)**

88. Would the hon. Minister of Education state:

- (a) whether any steps have been taken since January 2002 to ascertain the safety of the Biche High School and if in the affirmative, what are those steps and the date/s of each step;
- (b) whether any steps have been taken to prevent deterioration of the Biche High School which may result from abandonment of same and if in the affirmative, what are those steps and the date/s of each step?

The following question stood on the Order Paper in the name of Dr. Adesh Nanan (Tabaquite):

**Certificate of Environmental Clearance Issue
(Crown Point International Airport)**

- 99.** (a) Would the hon. Minister of Public Utilities and the Environment inform this House if a Certificate of Environmental Clearance was issued for the expansion of the Crown Point International Airport?
- (b) If the answer to part (a) is in the affirmative, would the Minister indicate the date the application was made and also the date the said certificate was issued?

- (c) If the answer to part (a) is in the negative, would the Minister state the reason(s) why the said certificate was not issued?

Questions, by leave, deferred.

Hon. K. Valley: Mr. Deputy Speaker, as a practical matter, let us assume that, for whatever reason, the vote is won by the Opposition, if we do not have the answer to a question, what are we supposed to do?

Mr. Deputy Speaker: Hon. Member, let us not go into that.

Schools Heads and Deans

72. Mrs. Kamla Persad-Bissessar (Siparia) asked the hon. Minister of Education:

- (A) Would the Minister list the steps and date/s of each step taken, since January 2002 to implement the system of heads and deans in the nation's schools and the reasons for the delay in implementing same;
- (B) Could the Minister state the date when the system of heads and deans would be fully implemented?

The Minister of Education (Sen. The Hon. Hazel Manning): Mr. Deputy Speaker, I wish to inform this honourable House that there has been no delay on the Ministry's part in implementing the heads and deans system in the nation's schools. My account and the steps taken by the Ministry of Education since January 2002 to implement the heads and deans system would illustrate that the Ministry has been faithfully following the process required to have the system fully institutionalized within the schools.

In this regard, from 2002, the Ministry pursued:

- (1) regularizing the status of teachers who were serving as heads and deans since 1993 in those secondary schools involved in a pilot project for which 191 offices were created.

It should be noted that this pilot project was expected to be completed within a two-year period. However, because of the conduct of a job evaluation exercise and the development of a new classification system for the teaching service, which commenced within the period, the project continued for a further nine years. The finalization of a new classification system and compensation plan for the teaching service in the year 2000 paved the way for the filling of the heads and deans positions.

In 2002, the Ministry requested the Teaching Service Commission to make appointments in the heads and deans positions. Consequently, the Teaching Service Commission promoted 126 teachers, who were involved in the pilot project, to heads and deans retroactively with effect from September 01, 2000.

- (2) The Ministry of Education pursued the implementation of the system by the filling of all the additional heads of departments and deans positions created in the year 2001 in the school system through the advertisement of vacancies and the submission of all applications received to these positions to the Director of Personnel Administration so that interviews could be conducted.

Consequently, in 2002 the Teaching Service Commission commenced the interview process to fill the vacancies. In the midst of the implementation of the interview process, the Trinidad and Tobago Unified Teachers' Association (TTUTA) raised strong objections to the Teaching Service Commission's strict adherence to the qualifications and experience requirements for these positions. The union argued that this approach disqualified a large percentage of long-serving teachers who did not meet the full requirements of the positions. TUTTA made representations as well to the commission on the matter.

TTUTA was not alone in this protest. Some teachers on their own volition, and the denominational boards as well, added their voices to the protest. As a consequence, the Teaching Service Commission aborted the interview process to these offices until an agreement was reached to resolve the contentious issues, which were causing much disquiet in the school system.

It is instructive to note, Mr. Deputy Speaker, that the root cause of the problem was the inaction, during the year 2000 to 2001, of the then administration, to manage the transition issues, associated with the implementation of a new classification and compensation plan for the teaching service with effect from the year 2000.

It seems that little or no thought was given to those hardworking, long serving teachers whose careers in the teaching service may have been negatively affected by the implementation of these policy decisions. Moreover, no documented transition plan in this matter was evident when the Minister of Education assumed office in December 2001.

Mr. Deputy Speaker, taking all concerns on board in respect of the implementation of the new classification and compensation plan for the teaching service, the Ministry of Education in 2002 submitted proposals to the Chief Personnel Officer which included provision for long serving and committed teachers who may not meet the full requirements for the heads and deans positions to be given the opportunity to face interviews for filling these positions.

Consequently, the CPO and TTUTA have been holding discussions since then to finalize a Memorandum of Understanding on this matter. We have been informed that the process is at a state when both parties will be signing off on the document shortly.

This Memorandum of Understanding would facilitate the full implementation of the heads and deans system in the nation's schools. The precise date for the full implementation of the heads and deans system is subject to the finalization of the transition agreement between CPO and TTUTA, as well as the timely completion of the interview process by the Teaching Service Commission to fill these positions. The Commission would have to restart the process, which was aborted in 2002 for the reasons I have just outlined. Interviews for the filling of 1,200 positions would need to be conducted. The Ministry expects that the entire process to fill the vacancies of heads and deans would be completed within the 2004/2005 academic year.

I wish to emphasize to this honourable House that it would normally take two to three years to complete such an exercise. We would have completed it in two years.

Thank you.

Mrs. Persad-Bissessar: I thank the hon. Minister for condescending to give us this reply today. She mentioned that there were—

Mr. Deputy Speaker: Hon. Member, is it a supplemental question?

Mrs. Persad-Bissessar: Yes, Sir.

Mr. Deputy Speaker: Please deal with the supplemental.

Mrs. Persad-Bissessar: The persons who have already been appointed in the positions of heads and deans, are they being paid in those new posts?

Sen. The Hon. H. Manning: Mr. Deputy Speaker, I would have to do some research to find that out and give the answer. I cannot answer at this time.

Mrs. Persad-Bissessar: Mr. Deputy Speaker, would the Minister be able to tell us when this dispute arose with TTUTA and the relevant authorities.

Sen. The Hon. H. Manning: As I said in my position paper, Mr. Deputy Speaker, it arose in the year 2000 when we began to implement the programme that we met there.

Mrs. Persad-Bissessar: With due respect, Sir, the hon. Minister mentioned that in the Ministry's efforts to implement the system of heads and deans that they met when they came into office—

Mr. Deputy Speaker: Hon. Member—

Mrs. Persad-Bissessar: My supplemental—

Mr. Deputy Speaker: Please.

Mrs. Persad-Bissessar: It seems that the question was not understood. The question is not from 2000, but 2002. The dispute that the Minister said arose with TTUTA in terms of the interview process and the qualifications for the heads and deans, when did it arise? The Minister said it was within the time she came in, after 2002.

Sen. The Hon. H. Manning: I said before that the year 2000 was when we started. We met something that was not done—

Mrs. Persad-Bissessar: You were not there in 2000.

Sen. The Hon. H. Manning: 2002. Sorry.

De-linking of Teaching Service from Public Service

78. Mrs. Kamla Persad-Bissessar asked the hon. Minister of Education:

Would the hon. Minister please state:

- (i) the steps and date/s of each step taken, since January 2002 to implement de-linking of the teaching service from the public service and the creation of a unified teaching service and the reasons for the delay in implementing same;
- (ii) the date when the same would be implemented?

The Minister of Education (Sen. The Hon. Hazel Manning): Mr. Deputy Speaker, again I would like to inform this honourable House that there has been no delay by the Ministry of Education to implement a de-linking of the teaching service from the public service and the creation of a unified teaching service.

For the information of Members, this issue had its genesis in the recommendations of a Cabinet committee, appointed in 1999 to examine the

feasibility of the unification of the teaching service and its de-linking from the public service. This was an extension of the work begun by the National Task Force on Education, which produced an Education Policy Paper 1993—2003, which had recommended, among other things, the establishment of a unified education service as a means of developing professionalism in the teaching service and a career ladder to allow for greater promotional opportunities.

The objective was to include in this unified service all positions in the Ministry of Education from Chief Education Officer to teacher and to include all of these positions in a single bargaining unit. Any piecemeal approach to this exercise would have led to great instability and disquiet in the education system.

Accordingly, Mr. Deputy Speaker, the unification and de-linking process required careful planning and extensive dialogue with stakeholders to obtain the necessary buy-in. Unfortunately, the evidence in the Ministry of Education revealed that there was a complete mismanagement of the process by the former administration.

The records in the Ministry of Education show that in 2001 a bill was drafted to give effect to a decision of Cabinet to implement the de-linking of certain positions from the civil service and their transfer to the teaching service. However, because of the collapse of the former government in 2001, this bill was never introduced in 2001 and could not have been introduced in 2002.

From January 2003, the Ministry sought to reaffirm to its stakeholders, their consensus on the draft bill to amend the Education Act to effect the transfer of certain offices from the civil service to the teaching service. During the period March 2003 to August 2003, the Ministry convened ongoing co-joint meetings with the office of the Chief Personnel Officer with respect to the schedule of posts to be linked with the civil service and their transfer to the teaching service. Letters were also written to the Director of Personnel Administration and the Public Service Association.

Out of these discussions, it was realized that the approach of 2001 was deficient in that the bill attempted to amend the Education Act to accommodate the offices from the civil service but no attempt was made to amend the Civil Service Act. It was also necessary to obtain the approval of the present Cabinet on the policy of de-linking and the unification of the teaching service. Accordingly, in September 2003, Mr. Deputy Speaker, the Ministry of Education asked the Cabinet to agree to the following proposals:

- (1) De-linking of certain positions from the civil service and their transfer to the teaching service—the majority of these positions being from the

Division of School Supervision, the Guidance Unit, the Curriculum Division and the Educational Planning Division;

- (2) Preparation by the Office of the Attorney General of the necessary legislation to facilitate the transfer of the offices at (1) above;
- (3) Deeming of monthly interim allowances payable to these office holders as pensionable allowances with effect from the date of their payment pending the finalization of the legislation.

And so on September 18, 2003, Cabinet approval was received on these matters. Following this decision, the approved schedule of offices to be transferred to the teaching service was forwarded to the Chief Parliamentary Counsel, Office of the Attorney General where the further additional procedures of drafting the legislation were completed.

On February 19, 2004, the Chief Parliamentary Counsel forwarded two drafts for the Ministry's comments:

- (1) the Civil Service (Amdt.) Bill, 2004; and
- (2) the Education (Amdt.) Bill, 2004.

The Ministry has forwarded these drafts to the stakeholders for comments, namely, the Public Service Association, the Chief Personnel Officer, the Public Service Commission and the Teaching Service Commission. It is projected that comments and feedback would be completed for submission to the Chief Parliamentary Counsel in May 2004 and thereafter the Bill would be made ready for submission to Parliament.

The date the de-linking would be implemented would follow from the date on which the bills are passed in Parliament. It is important to note that there was a first phase of the de-linking process, which was implemented in 2000 when teachers' pay was de-linked from the civil service pay plan. However, the second stage of the de-linking process, that is the unification of the teaching service, must await the promulgation of the legislative amendments referred to earlier to effect the transfer of the service of those professional, administrative and technical offices now in the civil service.

EXTENSION OF QUESTION TIME

Mr. Deputy Speaker: It appears that before the next question comes in, question time will expire. However, because we started late, I would like to ask this honourable House to agree that question time be extended as long as required in order that the next question could be answered.

Question put and agreed to.

ORAL ANSWERS TO QUESTIONS

Dr. Nanan: Is the Minister aware that the bill she spoke about with respect to the amendment to the Education Act involved the setting up of local school boards?

Sen. The Hon. H. Manning: Mr. Deputy Speaker, that is another question, which I will answer very shortly.

Dr. Nanan: Mr. Deputy Speaker, is the Minister aware, in terms of a time frame, that this particular de-linking of the teaching service is part of the conditionality of the Secondary Schools Modernisation Programme?

Sen. The Hon. H. Manning: I am very well aware of that. We are moving very fast, and as I just explained, in this month of May, the document is before the Attorney General and soon will be brought to Parliament.

**Salaries and Pensions
(Disadvantages and Disparities)**

79. Mrs. Kamla Persad-Bissessar (*Siparia*) asked the hon. Minister of Education:

Would the Minister state:

- (i) the steps and date/s of each step which has been taken since January 2002 to remove the disparity/disadvantage in salaries and pensions of school supervisors as compared to that of school principals and the reasons for the delay in removing same;
- (ii) the date when the said disparity would be removed?

The Minister of Education (Sen. The Hon. Hazel Manning): Mr. Deputy Speaker, again, I would like to inform hon. Members of this House that there has been no delay by the Ministry of Education in the exercise relating to the removal of disparity/disadvantage in the salaries and pensions of school supervisors as compared to that of school principals.

As I have outlined for the information of this honourable House, this issue has its genesis in the recommendations of a Cabinet committee, which was appointed in 1999 to examine the feasibility of the unification of the teaching service and its de-linking from the public service. This was an extension of work begun by the National Task Force on Education, which produced an education policy paper in 1993 to 2003 and which had recommended, among other things, the establishment of a unified education service as a means of developing professionalism in the teaching service and a career ladder to allow for greater promotional opportunities.

The objective was to include in this unified service all positions in the Ministry of Education from Chief Education Officer to teacher and to include all of these positions in a single bargaining unit. Any piecemeal approach to this exercise would have led to great instability and disquiet in the education service.

Accordingly, the unification and de-linking process requires careful planning and extensive dialogue with stakeholders to obtain the necessary buy-in. Unfortunately, the evidence in the Ministry of Education revealed that there was a complete mismanagement of the process by the former administration. We have documents that prove it.

The disparity or disadvantage in the salaries and the pensions of school supervisors to which the hon. Member for Siparia is now referring arose from the badly implemented reclassification of posts in the teaching service and a new pay plan for teachers with effect from January 01, 1999 without any concomitant plan for addressing the serious anomalies which would have resulted from that initiative and its impact on the other professional administrative and technical offices in the Ministry of Education.

The implementation of the new pay plan for teachers with effect from January 01, 1999 resulted in principals and teachers being remunerated at a higher rate than school supervisors and holders of other non-teaching positions in the Ministry of Education to whom the principals and teachers report. A partial remedy was sought in 2001 to provide an interim allowance to school supervisors only and approval was obtained for their transfer to the teaching service pending the necessary legislative steps.

More comprehensively, the Ministry of Education approached Cabinet in January 2002 for the payment of interim allowances to holders of those other civil services offices to whom principals and teachers report and which offices have also been earmarked for transfer to the teaching service. So, in March 2002, Cabinet agreed:

- (1) to the payment of interim allowances to an additional 32 positions in the civil service, pending the transfer of the said offices to the teaching service; and
- (2) that a further six positions be transferred from the civil service to the teaching service.

As a second step, the Ministry also requested Cabinet, in July 2002, to consider the provision of an increase in the interim allowances payable to the school supervisory positions in the Ministry of Education, which constitute

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reporting positions for principals and teachers in schools. These positions are School Supervisors I, II and III, Director of School Supervision, and the Chief Education Officer.

On September 05, 2002, Cabinet agreed to the proposed increase in the interim allowance paid to the holders of the above-mentioned offices with effect from October 01, 2001. The Ministry of Education has already paid those allowances to the respective office holders retroactively in the year 2002.

As a third step, the Ministry obtained Cabinet's approval in September 2003 to deem the interim allowances pensionable. Accordingly, school supervisors retiring from the civil service would have the interim allowances included in the computation of their pension benefits.

As a fourth step, in November 2003, the Government agreed to a salary increase of 15 per cent for civil servants of which supervisors are a part, as well as an increased cost of living allowance. That 15 per cent increase in pay, in conjunction with the interim allowance, brought greater relief towards closing the disparity and the gap in salaries between school supervisors and school principals. In the meantime, the larger process relating to the de-linking of these positions from the civil service and transfer to the teaching service is in train. The bills have been redrafted and are being discussed with stakeholders.

With regard to part (ii) of the question, the disparity will be removed after presidential assent to the legislative amendments to the Education Act, Chap. 39:01 and the Civil Service Act, Chap. 23:01. When that is obtained, the offices of School Supervisors will then be part of the teaching service and part of a unified pay plan with school principals.

Dr. Nanan: Mr. Deputy Speaker, would the Minister tell this honourable House if the legislation has been drafted with agreement between the Public Services Association and the Trinidad and Tobago Unified Teachers Association?

Sen. The Hon. H. Manning: I do not think the Member for Tabaquite was listening. That is what I was just reading. I am repeating what I have here. I am wasting time. The legislation was drafted. It is now before those stakeholders as I called them—and I identified them—and we are waiting for the return. Hopefully it will come in May of this month.

Mr. Deputy Speaker: Do you have another question?

Dr. Nanan: The Minister said in her reply that the legislation is being drafted. I asked: Is there an agreement between TTUTA and the Public Services Association?

Mr. Deputy Speaker: That question has been asked and dealt with.

In accordance with the provision of Standing Order 19(5), which states:

“Not more than three questions requiring an oral answer shall appear on the Order Paper in the name of the same Member for the same day, and any question in excess of this number shall not be called by the Speaker but shall be answered as provided in paragraph (7) of this Order, save that no postponement shall be allowed.”

Paragraph (7) states:

“Questions which have not received an oral answer by 2.15 o’clock in the afternoon shall be answered in writing by the Minister to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the House, who shall send a copy to the Member in whose name the question stood upon the Order Paper...”

In accordance therewith, the questions—there were 11 questions on the Order Paper—[*Interruption*]

The Member for Diego Martin Central said those were deferred in the beginning. However, notwithstanding that, the fact that they were on the Order Paper and we purported to do what was not correct and I ruled in a particular manner contrary to the Standing Orders, if it is the wish of this House that they be deferred, I am prepared to do so, but I cannot allow an error to remain on the record.

Having regard to what I have read, if it is the wish of the House now that the questions be deferred for one week, then please say. [*Interruption*] You can do it, but if it is done in error, it must be corrected. An error is on the record. Accordingly, the questions are now properly deferred for one week.

Questions, by leave, deferred.

Mrs. Persad-Bissessar: Mr. Deputy Speaker, with respect to the written questions, some of them are there—

Mr. Deputy Speaker: I am now about to deal with that.

Mrs. Persad-Bissessar: I could not read your mind, Sir. I thank you.

Mr. Deputy Speaker: I did not expect you to be able to do that.

Hon. Members, questions for written responses are on the Order Paper. These responses should be passed to the Clerk of the House for circulation.

2.30 p.m.**ELIMINATION OF ALL FORMS OF DISCRIMINATION**

[FIFTH DAY]

Order read for resuming adjourned debate on question [November 28, 2003]:*Be it resolved* that this House reaffirm its commitment to the elimination of discrimination in all its forms and the right of the individual to equality of treatment from public authorities. [*Mr. G. Yetming*]*Question again proposed.*

Mr. Harry Partap (*Nariva*): Thank you, Mr. Deputy Speaker. As I begin my contribution in the debate of this important Motion this afternoon, let me commend my parliamentary colleague, the Member for St. Joseph, for bringing this Motion to the attention of this honourable House and by extension the national community.

Since December 2001, there has been a steady decline in the confidence of the institutions of this country. There has been a breakdown, if not a collapse, of the pillars that identify a democratic and civil society. We are fast heading towards a fascist and militarized state in which freedoms are under threat. That PNM government is ignoring all the attributes of fairness and is openly and arrogantly discriminating against citizens of Trinidad and Tobago. This PNM government has contaminated all the independent institutions of this country so far, except the Judiciary. They are training their guns on the Judiciary. Already, they are in full control of the media. Now they are training their guns on the Judiciary. That should be of concern to all of us in this House and in Trinidad and Tobago.

Just this week, there was a journalist from Zimbabwe who pointed out the dangers of a government in control of all the institutions of the country. The Zimbabwean experience is critical and we should take note of that. God save us all if those people there get their dirty and corrupt hands on the Judiciary. The Judiciary must continue to resist the incursion into its independence. Today, as I speak, the only institution that has not been contaminated by those people opposite, so far, is the Judiciary. The PNM is reckless, incompetent and vindictive. I must knock on wood and I would do that. The PNM, it would appear, is hellbent on contaminating the Judiciary.

The matter of the discharge of the Bajan fishermen is critical.

Dr. Rowley: I propose to enter the debate. What Motion are we on? I would like to follow. If you may, please will you assist me? I may have missed something so I am asking for your help, please.

Mr. Deputy Speaker: The Motion is listed on the Order Paper.

Dr. Rowley: Okay, thank you very much.

Mr. H. Partap: I can understand his problem. His head will roll, so he is trying to protect his head.

I was speaking about the Bajan fishermen. Up to this time, we do not know what is the real reason for the discharge of the Bajan fishermen. Who ordered it and why was it ordered? We do not know. [*Interruption*] It has to do with the Motion. It has to do with discrimination and unequal treatment. We do not know who ordered the discharge of the Bajan fishermen. It is not only we on this side; even the DPP is not aware of it. I would read what the Director of Public Prosecutions said. He is concerned as well. I am reading from the *Newsday* of April 29, at page 3. The DPP sent a letter to the police commissioner. It reads:

“a month has now elapsed and I find it quite shocking that this matter remains undetermined.

‘The persons who ought to be interviewed and re-interviewed are either police officers or public officials.

‘It could not take a month to conduct such interviews. This is a matter of great concern. It involves what appears to be a trespass on the independent constitutional powers vested in the Director of Public Prosecutions, therefore, it ought to be properly investigated. I urge you to have this matter properly investigated and such investigation to be done expeditiously.’”

Mr. Deputy Speaker: Please connect it.

Mr. H. Partap: This matter relates to the inequality of treatment in the courts of our country. There is inequality of treatment in Trinidad and Tobago and the attempted interference in the Judiciary by those people. The Director of Public Prosecutions is responsible, by law, to discharge any case against any individual. What we are seeing is that someone from the Cabinet must have given that decision. We want to know. The reason we want to know is because the PNM has a history of interfering with the Judiciary. I would remind them.

A former Deputy Prime Minister, Patrick Solomon, went into a police station and retrieved his stepson.

Mr. Valley: What year was that?

Mr. H. Partap: I leave that up to you. You should know that better than I do, because you are part of the PNM.

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There is inequality of treatment again. The Prime Minister, the Member for San Fernando East, called the Marabella Police Station to enquire about his driver Marlon Dobson. As Prime Minister, he calls the police station. That was the weight of his office. That was not an ordinary call. Behind the call was the release of Marlon Dobson. Marlon Dobson is now “cussing” the PNM upside down and outside. You will know that sooner or later. This inequality of treatment, and the fact that the PNM has been interfering in the Judiciary, is of very grave concern to us on this side and it has to be of concern to the people of Trinidad and Tobago. If they continue in that fashion, it means that we in Trinidad and Tobago would be losing our rights. We have to be careful.

We are also concerned at the lacklustre approach of the police with investigations. We do not want to say it and we hope that we do not have to say that the police are now colluding with the PNM to destroy democracy in Trinidad and Tobago. In today's *Guardian*, one of the policemen involved in the investigation of the planting of missiles and cocaine in Sen. Sadiq Baksh's water tank confessed. He confessed that it was a set up. We on this side have to be concerned. They can come into any of our houses. I do not have guards at my house. *[Interruption]* I would come to that just now. I am glad you reminded me. We have to be careful because we do not trust those people across there. We do not trust the PNM. They are dangerous to democracy in Trinidad and Tobago. *[Desk thumping]*

This Motion comes at a very important time. It is necessary for us in the Opposition to alert the national community, and this is what we are doing. This Motion was framed to shake the people of this country out of their complacency. They have to be aware of the dangers that lurk in the background, once those people continue in office. The discrimination and inequality of treatment of citizens have taken centre stage in Trinidad and Tobago, since former President, A.N.R. Robinson, put the PNM into office. Discrimination and inequality have become—Member for Diego Martin West, do not let me tell you a few things that you do not want to hear. I will speak to the Deputy Speaker. The time will come when I will deal with you.

This country owes Mr. Jack Warner, the President of Concacaf, a debt of gratitude for bringing to this nation that great freedom fighter, Nelson Mandela, that outstanding icon, that great man who fought against discrimination in South Africa and by extension, throughout the world. We have to be grateful to Mr. Warner. We also appreciate Mr. Warner's gracious manner in which he dealt with the hijacking of that event by the PNM. The PNM hijacked Mr. Mandela's visit on the pretext of protocol. The PNM was hoping to wave Mr. Mandela as a Balisier

flower all over the country, but Mr. Mandela did not give them a chance. Even God was against them for what they had planned to do. They wanted to do the same with Mr. Mandela, as they did with Brian Lara. The PNM wants to take over everything, but cannot run anything.

The Member for San Fernando East, in trying to hijack the Mandela event, said he was doing it on protocol. You know something? He disregarded protocol, when it came to the Opposition. The Opposition Leader is on the protocol list. Members of Parliament are on the protocol list. They ignored that list. The Leader of the Opposition's invitation was sent at the eleventh hour. For an earlier visit—

Mr. Deputy Speaker: I think I know where you are going, but why do you not put it on the record so that we can hear. You are not connecting.

Mr. H. Partap: The Motion before us is:

“Be it resolved that this House reaffirm its commitment to the elimination of discrimination in all its forms and the right of the individual to equality of treatment from public authorities.”

I am talking about one of the great fighters against discrimination. What had taken place was an act of discrimination against the Opposition.

An invitation was sent to the Leader of the Opposition, purposely late and when the arrival was delayed, they refused to keep him informed. Either it was designed or it was incompetence. I would put it as incompetence, because they cannot do anything properly. We on this side will not stand for shoddy treatment. We are not going to storm any official functions just to register our presence. We are not going to do that. If storming a function is the culture of the PNM, it is not our culture. We are telling you now that you must have respect for the Opposition. You must have respect for Members of Parliament on this side. If you do that, I am sure that we will acknowledge it. I wonder if you sent an invitation to the Member for Point Fortin? You even discriminated there as well.

I want to correct something here this afternoon. The PNM spin doctors put it that we were invited. We were not invited to the airport. I felt badly because I wanted to meet this great icon and freedom fighter, but we were discriminated against. This is the history of the Member of Parliament for San Fernando East. Even at the luncheon at the Hilton, the Leader of the Opposition was not recognized. Of course, you know I will deal with this later.

The Member for San Fernando East comes to the Parliament and goes sometimes to public functions. He comes with a poker, pious, sanctimonious face.

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He appears to be elevating the debate. While he is doing that here and at public functions, his activists and supporters outside there are discriminating and shafting people left, right and centre. He comes to the Parliament, goes to public functions and appears to be this gracious person, but deep inside he is—I do not want to say anything more. This holier than thou attitude that he struts around with, must be stopped. His supporters are discriminating against people whom they perceive are not PNM supporters, in the most obscene way. He cannot come here or go to public functions and pretend to be holier than thou.

Mr. Deputy Speaker, the discrimination in this country today is being acutely felt by the squatters in Cashew Gardens, Wallerfield, and Tarouba. The squatters in Union Hall are getting special treatment. Again, this is inequality of treatment. This is what we have to fight against. That is what the Motion is about. We want the PNM to give us a commitment that it will stop discrimination and the inequality of treatment against the citizens of Trinidad and Tobago. This is what is happening now.

I do not know what is happening in the Cabinet. The Prime Minister is saying one thing and the Minister of Housing is saying a different thing. The Minister of Housing is breaking down the squatters' houses in Union Hall. Of course, he is not discriminating against the squatters down there. It is in the Prime Minister's constituency. What is happening, are they not speaking to each other? It seems as though the Prime Minister and the Minister of Housing are not speaking to each other. It seems as though the left hand does not know what the right hand is doing. While the elephants are fighting, poor people down there are suffering.

I want the Member for Diego Martin West to be careful and understand what is happening with the Member for San Fernando East. The Member for San Fernando East called the Member for Diego Martin West his Rottweiler, he grinned like a young schoolboy. Now, the Member for San Fernando East has gone a bit further. He says they are acting without a human face. Who is acting without a human face? The Member for Diego Martin West does not have a human face. If you do not have a human face, obviously you have an animal face. I do not know why he is insulting the Member for Diego Martin West like that. Maybe that is the reason the people in Union Hall, Tarouba, Wallerfield and Cashew Gardens are suffering today. They are suffering because of the fighting that is taking place between the Minister of Housing and the Prime Minister. We on this side are saying you could fight, but have pity on those people. Do you think, in a UNC government, the Minister of Housing would be breaking down people's houses and the Prime Minister would not know? Do you think that would

ever happen? That would never happen because there was coordination in the UNC Cabinet. We spoke to each other. You do not speak to one another. Member for Tobago East, do not take me on. You sang for your supper and you are getting your supper now.

Mr. Deputy Speaker: Hon. Member.

Mr. H. Partap: I am sorry, Mr. Deputy Speaker.

Mr. Deputy Speaker: Please withdraw that statement.

Mr. H. Partap: I withdraw it. While you are fighting, do not involve the poor people down there.

Mr. Deputy Speaker, when that fighter against discrimination came to this country, there was a function at the Hilton Hotel at which we were invited and we attended. That great icon spoke. The Member for San Fernando East also spoke. He spoke about humility. It was a good thing that I had already taken my meal, because I am sure I could not have eaten after that. He spoke about humility. Ask Marlon Dobson, Ricardo Welch, Marlene Coudray and others about humility.

Mr. Deputy Speaker: Please, connect your discussion to the Motion.

Mr. H. Partap: I just want to remind you that we are talking about inequality and discrimination. The Member for San Fernando East speaks about humility, but in the quiet of the dark night, he continues to practise discrimination.

Mr. Mandela fought against discrimination and unfairness. That is what he spent his life fighting against. The PNM is institutionalizing discrimination, unfairness and inequality in the country. I am sure Mr. Mandela would have felt very uncomfortable sitting next to the Member for San Fernando East—*[Interruption]* On every occasion he did. Perhaps he was aware of the kind of discrimination that was taking place. It was only during the course of those two days of Mr. Mandela's visit that the Minister of Housing did not send his gangs out to destroy people's houses. Perhaps, he wanted to show Mr. Mandela that he has a human face. He should not talk about humility at all.

I want to remind him of a verse in St. Matthew's Gospel, which I want to quote. I want the Member to know that when he is speaking he must be careful. It says: "For by thy words thou shall be justified and by thy words thou shall be condemned." I want the Member for San Fernando East to follow his advice. He must follow his advice, or else he will be condemned by his words. Of course, the Member for San Fernando East is in no class of Mr. Mandela. We know that. In biblical terms: He is unable to loosen the latchet of Mr. Mandela's shoes. We

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know that. We hope that Mr. Mandela's visit and the profound statements that he made would rub off on him and soften the hard heart that he has, so that he will eliminate discrimination and inequality from this society.

The greatness of Mr. Mandela was personified in that simple speech he gave at the Centre of Excellence. What Mr. Mandela was saying is that you are praising him, but what he is doing is the culmination of the activities of so many other people. I do not think he ever called himself the father of the nation. He said that those people who contribute in thoughts, actions and words are sometimes shy and stay behind and it takes the leader to be able to articulate what they have been doing in the background. He also said that the life of a country is a continuum; it does not stop and then move on.

Every time the Minister of Education comes here to answer a question she seems to feel that the UNC did nothing and that we did everything wrong. The Ministry of Education is in the worse state than it has ever been. It is on autopilot. Nothing is moving. A lot of money is being put into it, but there are no returns.

Every time the Member for Ortoire/Mayaro gets a chance he says this is not good and that is not good and the UNC did not do it the way it should be done. If you drive on the roads in Tableland, Princes Town now you would see the patching that was done. The potholes now are bigger than what were there before. He is there now and he criticized us. He criticized our former Ministers of Works and Transport. He said we used poor materials and that we "tief". Who is "tiefing" now? He must explain to this country who are the ones stealing now. If you go there you will see the potholes. This morning I had a terrible time coming through from Tableland to Princes Town. When we thought it was nice roads, they have made the roads worse. *[Interruption]* Thank you, Sir. There is the inequitable distribution of the State's resources. That is what the Motion is about, Sir.

Mr. Deputy Speaker: Well said.

Mr. H. Partap: What Mr. Mandela said was a collective response. I am wondering if Mr. Mandela was the head of government in Trinidad and Tobago, would he have stopped the overpass? Would he have pussyfooted on the Uriah Butler intersection/overpass? Would he have closed down the Biche High School because of spite and malice? Would he have discriminated against the poor children of Biche? Would he have done that? I am wondering about all the other schools such as the Palo Seco Government School, would he have done that? I am sure Mr. Mandela would not have done that. He would not punish the children of Biche. He would not punish the motorists who have to come into Port of Spain. He would have done everything possible.

Do you think he would have changed the Dollar for Dollar programme and put another name that makes a good programme worse than ever? People can access tertiary education under Dollar for Dollar. You mark my word, the GATE programme would be a waste of time. The Government should implement the Dollar for Dollar programme. It was a very good plan. I am wondering if Mr. Mandela would have shelved that. I do not think he would have.

Mr. Deputy Speaker, in light of what took place over the past two days that Mr. Mandela spent here, I feel what the Member for San Fernando East should do as a tribute to that great icon is to start immediately putting things in place for constitutional reform in Trinidad and Tobago. He must immediately open the Biche High School. Then I would say that he learned something from that visit. I look forward to the high school being opened in September and that the overpass will begin. I also hope that he will push for constitutional reform as quickly as possible. That will help solve most of the problems of inequality and discrimination, which are so rampant in Trinidad and Tobago.

Mr. Deputy Speaker, Mr. Mandela has inspired all of us. I am sure we were all inspired by him. Who does our Prime Minister inspire? That is a question we must really ask. He does not inspire the Member for Diego Martin West. He does not inspire anyone. Brian Lara had to look to the Leader of the Opposition for inspiration. He said so. I did not say so. People have to look on this side for inspiration. That is a sad commentary on the Government of the day, even after they hijacked him. We on this side will continue to inspire people. We will do it, all of us.

Mr. Deputy Speaker, the signs are everywhere; all is not well in our country. The Member for San Fernando East used the cliché that all is not well in the state of Denmark. We are not living in Denmark. We are living in Trinidad and Tobago, and all is not well here. When I prepared the notes for this debate, which would have been on March 26, there were 57 murders. Now 42 days later, the tally is 86 murders in the country. When it is put in terms for people to understand, we have a murder every 36 hours. That is a form of inequality and discrimination in the country.

Our schools have become a battleground. Children are now walking with marijuana cigarettes in their pockets. The Minister wants to blame us. In our five years, we never had that kind of violence in the schools. The Minister of Education, in the first part of our administration, was the Member for Tabaquite. The Minister of Education during the second part of our administration, the Member for Siparia, had things under control. Things are not under control in the

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Ministry of Education. I know the Member for San Fernando East cannot speak to the Minister of Education.

Today I went to the high school in Tableland. They are very respectful. They had the photographs of the Minister of Education, the Prime Minister and the President and I said: "Oh, what a nice family." His wife is the Minister and he is the Prime Minister. That is not part of what I have here. I do not know what the *Mirror* has today, but I heard it has something about destiny. Tell the Minister of Education to stop those colourful advertisements in the newspapers. Her picture is in every one of the advertisements. She is a nice lady. She is very photogenic, but that is not the point. They should stop spending money on the advertisements and start getting down to the real work in the schools.

Kidnappings are continuing. To date, there are 21 kidnappings. Do not talk about food prices; they are shooting through the roof. That will take another 75 minutes. Policemen who are injured do not have access to medical attention in the state institutions. Of course, the labour unrest continues to move at full pace. The industrial climate is not of the best. In fact, it is deteriorating by the hour.

Mr. Deputy Speaker: Connect your speech, please.

Mr. H. Partap: I was now coming to that.

Mr. Deputy Speaker: I am aware.

Mr. H. Partap: You pre-empt me, as a good Speaker. We want this House, through this Motion, to reaffirm its commitment to the elimination of discrimination in all its forms. Discrimination and inequality is a problem in Trinidad and Tobago.

Earlier I spoke about the political contamination of the institutions of this country. I am advancing that the reason for that is because we fear that Trinidad and Tobago may be drifting to what Papa Doc had in Haiti or Eric Matthew Gairy, Burnham, or presently what Robert Mugabe is practising in Zimbabwe. This is why we have to seek a reaffirmation from the Government of its commitment to the elimination of all forms of discrimination and inequality in Trinidad and Tobago, especially from our public authorities.

This Motion before us seeks that commitment from the PNM, not that the PNM will keep their word, they never do. They do not keep their word. They did not keep it for the Atlantic LNG workers. They destroyed the workers of Caroni (1975) Limited. They destroyed the people's lives. They had no plan. The sugar industry and whatever is left of it is in disarray. They are selling the machinery and equipment in Caroni (1975) Limited for \$1.00. That is what they are doing

across there. The Government had no plan, nothing, for the Caroni (1975) Limited workers. They cannot do so with the workers of the port. They got the threat already. What we are seeing is the PNM has no interest in workers. I did not say so. One of their own said so. Let me read what one of their own said. I am quoting from the *Express* of March 16, 2004. The Member for Point Fortin was speaking. I quote:

“I now have to publicly declare that I have to review my relations with a government and party who had intended to brutalise the people of Point Fortin, if you had misbehaved, or prevented people from going (into the Atlantic LNG site).”

They brutalized the workers of Caroni (1975) Limited and are continuing this brutality against workers in this country. We have to be careful. This is why today we are seeking a reaffirmation from the Government, that inequality and discrimination will be eliminated from our nation. They should bring back some love and concern for the people of this country.

Mr. Deputy Speaker, the Member for Arouca North fabricated—he seems to like fabrication—certain things in his contribution in the debate. He said that we on this side wanted to shut down the youth camps and Best Village. He is a stranger to the truth.

The UNC government never said that. When we were in government, we never wanted to close down the youth camps and Best Village. [*Interruption*] We were reengineering and reorganizing the youth camps and Best Village, so as to remove the impression that Best Village and the youth camps were PNM party groups. That is what we were trying to remove.

3.15 p.m.

Mr. Deputy Speaker: The speaking time of the hon. Member for Nariva has expired.

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

Question put and agreed to.

Mr. H. Partap: Mr. Deputy Speaker, I was saying that we wanted to reorganize and reengineer both the Best Village and the youth camps, so as to remove the stigma from them as being party groups. Best Village and the youth camps were party groups, and the fight inside there was to clean it, and that is what we were doing. Do not mislead the House and the nation. So I have put it into perspective for the Government.

Mr. Deputy Speaker: Please, address me.

Mr. H. Partap: Mr. Deputy Speaker, yes, I would. We on this side expected that the media would have been more alert to the blatant acts of discrimination, victimization and inequality in this country. We are yet to see in-depth investigations and reports about citizens being denied jobs, contracts and loans in the Unemployment Relief Programme (URP), in the National Entrepreneurship Development Company Limited (NEDCO), in the Community-based Environmental Protection and Enhancement Programme (CEPEP), and in other public programmes. We were hoping that there would have been more investigative reports, but that is not so. It appears as if there is no victimization and no discrimination in this country. They do not follow it. The media shuts its eyes from this matter because they are propping up the Government, and they are defending the Government. [*Desk thumping*] And when we point out the discrimination and inequalities in the country, the media wants to shoot the messenger, not the message. They are not taking the message, but they want to shoot the messenger, and that is what they have been doing.

During the past few weeks and, particularly, during this week, the media had been under focus. Do you remember when the former Prime Minister, the Member for Couva North, was attacked for saying that the media wanted to have the untrammelled right to publish lies, half-truths and innuendoes? I am sure Members would remember that.

Today, the Director of Public Prosecutions (DPP), the Prime Minister and the United States of America Ambassador are making the same claim. They are saying the same thing.

Mr. Manning: We are not cursing anyone.

Mr. H. Partap: You are not cursing anyone, but maybe it is worse than that. If people did not know what the Prime Minister said, I would read it in a while. The DPP, the Prime Minister and the United States of America Ambassador have made certain remarks about the media. I agree with what they have said. [*Desk thumping*] I find it strange that the defender of press freedom in Trinidad—that person who said that the media must have the untrammelled right to publish lies, half-truths and innuendoes—said nothing.

Hon. Member: Who is that person?

Mr. H. Partap: That person is Mr. Ken Gordon. I was surprised that he did not say anything. He was silent. Perhaps, Mr. Gordon has lost his voice. Why did

he discriminate against the former prime minister, and he is not discriminating against the present Prime Minister? [*Interruption*] Why does he remain quiet while the Prime Minister attacks the media? Why? Perhaps he did not hear what the Prime Minister said, but I would read it. I am quoting from page 6 of the *Newsday* dated May 04, 2004 and it says:

“I have witnessed the lives of many people put at considerable disadvantage, almost destroyed, from careless, reckless and irresponsible work of many in the field of journalism’.”

And Gordon said nothing! I thought he was going to walk out on him! He should have walked out on him!

Hon. Member: You see what a chairmanship could do.

Mr. H. Partap: He is the Chairman of First Citizens Bank. There are many advertising dollars floating around when Ministers have to put their picture on every advertisement from every ministry.

“It is not enough for media associations and journalistic organizations to insist on the right of journalists and related practitioners to freedom of the press and freedom of expressions. There is also a responsibility to insist on standards. We are all culpable when we do not insist on standards for fear of being perceived as acting against the freedom of the press’.”

And I would just skip:

“It is important that we understand and act on appreciation of the fact that in unfair practices, journalists are not building that democracy, it is the intention of journalism to create but making another sense, strengthening bases for undermining, disregarding and defeating the principles of democracy’.”

So, is there one stroke for those who are in office now and another stroke for the Member for Couva North when he was in office? That is inequality of treatment. Discrimination!

I wonder why Mr. Ken Gordon did not walk out on him! When the Member for Diego Martin East and the Member for Diego Martin West were in Opposition, they stood up and condemned the UNC, week after week, and they made false accusations against us. [*Interruption*] Dog would eat your supper at the appropriate time. So, there is one yardstick for the PNM and another yardstick for the UNC. They stood up on this side and maligned us. They called us all kinds of thieves and today, on that side, in the space of two months; they are building \$4 million houses. That is happening. [*Interruption*] Mr. Deputy Speaker, do you see

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what the chairmanship of a bank could do? They have changed their focus and they are condoning things. There is one stroke for the PNM and another stroke for the UNC when we were in government.

Mr. Deputy Speaker, I know why the Member for San Fernando East is now anxious to have a code of ethics for the media. We on this side are uncovering many things that would embarrass him. So, the Member has started moving things out from the Freedom of Information Act. [*Interruption*] Why did the Government move the Central Bank? They should explain that to the nation. They came like a thief in the night and put it in and they want it to go as a negative resolution, but we are going to do something about that matter. Why did the Government do that? That is to hide NEDCO! They have removed NEDCO as an exception. [*Interruption*] So that is what is taking place.

Mr. Ramnath: How much money did you give Heather Jones?

Mr. H. Partap: Mr. Deputy Speaker, we are discovering and unearthing many things and making them public, but they do not want the media to publish these things. That is what they want—different strokes for different folks.

We share the concern of the United States of America Ambassador when he said that the media is selective in publishing letters to the editor. We know that! We in the UNC have been suffering from that! Do you know what they are doing? They would write editorials about the UNC—make all kinds of false accusations against the UNC—and when we reply to these editorials, they refuse to publish the replies. We understand Mr. Austin's plight. But what I was really surprised about was when that veteran journalist, George John, came to the defence of the media for refusing to publish—after they did the publication, they are refusing to publish.

When a newspaper carries a story about an individual, and that individual is hurt, we believe that natural justice demands that the media publish the response of that person. [*Desk thumping*] That is fairness. That is what the Member for Couva North was speaking about when he was prime minister. That is all he was asking the media to do—do not publish half-truths, lies and innuendoes, and if they did, to give us a chance. [*Interruption*] I never did that. I would ignore the Member because I never did that.

Mr. Deputy Speaker, TV6 and the *Express* published a report stating that 16 UNC ministers were going to be charged as a result of the airport enquiry. Nothing happened! We are going to do something about that. The Leader of the Opposition Office wrote TV6 asking for a copy of the tape, and they have refused to provide us with a copy of the tape. They are saying that the Media Complaints Authority

is investigating the matter. That is a toothless pup, not a dog. The Media Complaints Authority has no legal force; it is a useless organization—you scratch my back, I scratch your back. Whatever the Media Complaints Authority is doing, it cannot stop the UNC from taking action and, therefore, TV6 must provide us with the tape. That is what they must do. [*Desk thumping*] Mr. Deputy Speaker, I am really hoping that they would do that. TV6 cannot stand in the way of justice, and they must provide us with that tape. We have no faith in the Media Complaints Authority. So we understand Mr. Austin's plight; we know the extent to which the media would go to protect its self-interest; we know how they would want to protect the advertising dollar; and how they would want to protect a chairmanship of a board.

I want to spend a few minutes on the Member for Arouca South. [*Laughter*] In the Member's contribution to this debate on Friday, January 30, 2004, she was in gleeful mood as if she had cornered the lion and was about to send the dagger through its heart, but it turned out to be a rubber dagger. The hon. Member for Arouca South quoted generously from the 25th Annual Report of the Ombudsman to defend her Government on the allegations of discrimination in public authorities. The hon. Member made it appear that there were no direct reports, or charges of discrimination against the PNM Government and public authorities. She said that there was no indication of that in the Ombudsman's report.

I submit this evening, that the hon. Member for Arouca South was looking in the wrong place for solace and comfort. You do not look in the annual report of the Ombudsman for evidence of unfair treatment; you do not look in the Ombudsman's report for evidence of discrimination against citizens and workers, but you look to the court. [*Desk thumping*] You have to examine the judgments delivered by the court. The court is a jurisdiction of record. The Ombudsman is not a court of record. So, do not look there! It is unlikely that the Ombudsman would be likely to pronounce, in any definitive way, on matters relative to discrimination and unfair treatment, but the court could do so after hearing the evidence.

The hon. Member knows that she deliberately circumvented the reality in order to defend the indefensible. The Member knows that. This evening, I would guide the hon. Member through some cases which had their sequel in a court, a court of record, and which pointed fingers at the PNM Government for infringement of the rights of individuals to equal treatment by public authorities.

I would refer to the experiences and agony of some public officers—if I have the time—who live and work in the filth of discrimination and unfair treatment in the public service by the PNM. There is a common link—with the exception of

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Miss Coudray—and the Member for Arouca South must understand that. These public officers are victims of PNM discrimination; matters which are now being adjudicated upon by the court and which have already been adjudicated by the court. Let me give you some of these public officers: Marlene Coudray, Doodnath Rajcoomar, Alvin Seereram, Seetal Rattansingh, Harrydath Maharaj, Mohanlal Bhagwandeem, Dr. Colin Furlonge and the Sanatan Dharma Maha Sabha. As I have said, with the exception of Miss Coudray, there is a common thread that links them—Rajcoomar, Seereram, Rattansingh, Maharaj, Bhagwandeem and the Sanatan Dharma Maha Sabha. Do you see the thread? Dr. Furlonge thought that he could have escaped the radar selection of the PNM. Mr. Deputy Speaker, remember I say, “radar selection”. I did not say “racial selection”. But Dr. Furlonge did not escape it.

The PNM is pushing this nation into the dark ages by its deliberate policy of excluding people of a particular ethnic group, from aspiring to positions in the public service. That is what they have been doing over the years, and they continue to do it. Are we going back to the dark days of colonialism when the labour icon like Krishna Deonarine was forced to change his name to Adrian Cola Rienzi, in order to further his studies in the mother country? Are we coming to that now? Is this the way the PNM is leading this country into the 21st Century? *[Interruption]* You better watch yourself because the man is after your head. Is this the 2020 vision that they are talking about, pushing you back into a corner?

The Motion before us states:

“Whereas since December 24, 2001 there has been a renewal and an institutionalization of the victimization of and discrimination against employees of state enterprises, statutory authorities, government ministries and public authorities by the PNM...”

The concerns raised in this Motion are clearly demonstrated in that affidavit by Miss Coudray, Chief Executive Officer of the San Fernando City Corporation. I would not have the time this afternoon to go into the affidavit, but it pointed to the vicious arm of the PNM, interfering with independent statutory authorities in order to create inequality. *[Desk thumping]*

The 1962 Constitution ensures fairness in employment practices; it prevents politicizing of employment; and it prevents the ruling elite from dominating employment practices in the public service. There have been checks and balances, but now they want to override that. The Prime Minister wants to interfere with the statutory authorities and he wants to contaminate those independent arms.

Mr. Deputy Speaker, Miss Coudray alone knows what she went through, but the time would come when we would say more on that matter. They have been destroying the independence of these institutions. I would be really sorry for all of us if we allow the PNM to continue in that vein. We would be very sorry. Many persons have been discriminated against. I am wondering this afternoon if we allow them to continue like this, what would happen to the people of Trinidad and Tobago? If we do not stand up here and make these matters known, how many other persons' lives would be destroyed, because of the attitude of the PNM?

Mr. Deputy Speaker, I have to raise a little matter here. In one of the cases, the authorities were interfering with one of the person's records, in order to stop that person from getting promoted. Discrimination against people! I am left to speculate, whether the staff reports of that celebrated Woman Police Corporal, Marjorie Beepathsingh, were not altered behind her back, resulting in the fact that she retired as corporal, while her contemporaries rose to the ranks of inspectors, sergeants, assistant superintendents and superintendents. [*Laughter*] I am wondering if they did not interfere with her records. She may have been unwittingly, a victim of PNM discrimination—forcing her to the lower ranks, while other members of her batch moved up.

Mrs. Robinson-Regis: What are you saying?

Mr. H. Partap: What I am saying? They may remove that from the purview of the Freedom of Information Act. It may be that Corp. Beepathsingh was too PNM to the bone to realize that others enjoyed the office, while she did not, because their names were not Beepathsingh. [*Interruption*] Do not suck your teeth. That is the truth! [*Desk thumping*]

Mrs. Robinson-Regis: Where did the Member get that?

Mr. H. Partap: Mr. Deputy Speaker, there are so many acts of discrimination. There is this person by the name of Mohanlal Bhagwandeem from Rio Claro—the Member for Ortoire/Mayaro may know him. They changed his records in the prison service so that he could not get promoted. We have to be extremely careful with the PNM. We want to tell them now that we would be looking at them with a hawk's eye, because we are not going to sit quietly and allow the PNM to destroy this country. There are several declarations and conventions which converge to influence our commitment—our commitment here and our commitment to this country—to the elimination of discrimination in all its forms, and the right of the individual to the equality of treatment from public authorities. We are signatories to some of those conventions.

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In closing, again, let me thank my colleague for introducing this very important Motion, and I urge Members on the other side to give this Motion their support, as a first step in the move to constitutional reform.

Mr. Deputy Speaker, I thank you. [*Desk thumping*]

The Minister of Housing (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, under normal circumstances, I would not have got involved in this debate, but the circumstances are not normal. I think, if only for the record, I should say something in this debate. Let me begin by refreshing your mind on what we are debating, because the way my colleague, the Member for Nariva, started his contribution a while ago, I had some difficulties in understanding which Motion we were debating.

Mr. Deputy Speaker, the Motion talks about the United Nations Declaration on the Elimination of all forms of Discrimination, and there are a number of other “Whereas” and, eventually, it goes on to say:

“Whereas the hon. Member for Diego Martin West and Minister of Housing has publicly affirmed a policy of racial and gender discrimination as contained in the *Social and Economic Framework 2004 policy*”

and so forth.

Notwithstanding what the mover of the Motion had said, it is clear that what we are trying to debate here is a Motion on racial discrimination. But even the mover of the Motion could not come straight up front and say that. Having written the Motion—the way he wrote it—even the Member was embarrassed to put it forward. The Member proceeded by apologizing at the beginning of the Motion by saying he did not think there was any time in the history of Trinidad and Tobago, when there has been the feeling of alienation and discrimination by a section of the population as we have today.

Immediately to support that, the Member quoted Reginald Dumas when he said that race was the single most difficult continuing issue with which we have to deal. So, therefore, the issue is about race. The Member spoke about improving race relations, and in the first three minutes of his presentation, he mentioned the word “race” 15 times. [*Desk thumping*] Yet, he went on to say that he never said racial discrimination. Even reading his own Motion, and having used the word “race” 15 times in three minutes, he then went on to say that he was shocked, he never used the word “racial”, but he went on to say, of course, it is difficult for anyone not to construe that to mean racial.

If we are going to have a debate on race, then let us have one out in the open. If, as a Member of Parliament, I am being accused of acting in a manner where I would be accused of discriminating along racial lines—in violation of my oath of office—then say so, but do not put my name in a Motion and then accuse me of racial discrimination. The Member comes back and says that he did not intend to approach this debate by calling names and attacking anyone, but he named the Member for Diego Martin West:

“Whereas the hon. Member for Diego West and Minister of Housing has publicly affirmed a policy of racial and gender discrimination as contained in the *Social and Economic Framework 2004*.”

What side is the Member on?

Mr. Deputy Speaker, if we were under any doubt whatsoever, that this Motion was about racial discrimination, and the issue and the peeve of the other side is about racial discrimination, the ending of my colleague, the Member for Nariva, summed it up when he made the ridiculous allegation that officer Marjorie Beepatsingh, who served in the police service with distinction and retired with satisfaction, appoints himself as lawyer and advocate for her, to tell her today that she was discriminated against on the grounds of race.

Mrs. Robinson-Regis: Nonsense!

Hon. Dr. K. Rowley: I have a schoolmate who is of Afro-Trinidadian origin, we joked with him and told him that he was probably the most senior constable in the entire police service, because only last month he was promoted to the rank of corporal. He is about one year from retirement. I have not heard one soul in this country say that he was not promoted to inspector because he was of a certain race, but the Member for Nariva comes here today and says that the PNM discriminated against Marjorie Beepatsingh because she was an Indian. That is the kind of talk that is going down in this country.

The Member went further by quoting matters from the court. He told my colleague, the Member for Arouca South, not to look to the Ombudsman for complaints of racial discrimination, but look to the court. Well, the Ombudsman is there to receive complaints, and if there were complaints, they would have been there. The Member provided his proof, which is the court.

The Member called the name Alvin Seereram and accused the PNM of discriminating against him. Alvin Seereram went to the court and told the court that under the UNC, a permanent secretary discriminated against him. You know, the Member comes here today and accuses the PNM of discriminating against

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Alvin Seereram, when Alvin Seereram told the court that under the UNC he was discriminated against. [*Desk thumping*]

The fact of the matter is that the case was concluded under the PNM, but the act of discrimination, as alleged by Alvin Seereram, was supposed to have taken place under the UNC. [*Desk thumping*] It is the same thing with Sat Maharaj and the licence for the radio station. Sat Maharaj of the Sanatan Dharma Maha Sabha applied for a licence under the UNC. He was denied a licence by the UNC. The PNM invited him to come in and fill out the form, because the form was not properly filled out and he refused to do so. The Minister wrote to him telling him to do over the form and he refused to do it. He then went to the court and got a ruling in his favour, and the Member comes here and says that the PNM discriminated against Sat Maharaj. These are the facts, and with facts like these, it is not difficult to understand why they are not getting the kind of support that they think they should by trying to fan these flames of racial hatred.

Mr. Deputy Speaker, I do not normally get up in this Parliament to defend myself and plead my own case, but it is an unusual situation when I am named in a Motion, and being accused of racial discrimination. I do not have to provide any proof to anyone in this House, especially my friend, the Member for St. Joseph, who probably does not even know me.

Hon. Member: But he is calling your name.

Hon. Dr. K. Rowley: It is interesting because there are 16 Members on the other side, 15 Indians, and the person who accused me of racial discrimination is the only person who is not of Indian descent. I ask myself, why is that so?

Mrs. Robinson-Regis: They wrote the Motion for him and told him that he has to do it.

Hon. Dr. K. Rowley: Is it because they know something that he does not know? Is it because that is the vehicle by which he thinks if he raises this matter and slanders me in this way, it would raise his stakes in the leadership battle in their party? [*Desk thumping*] Well, I feel sorry for him, because if that is how he is going to become leader of the party—by demonstrating how much he is more Indian than the 15 Indians—I feel sorry for him. [*Laughter*]

My record is a public record that could stand scrutiny in front of anyone in this country. [*Desk thumping*] I have been in public life in this country for over 20 years. I have been in the Parliament for 17 years. During that period, I had the privilege to be the Minister responsible for Caroni (1975) Limited, which was a

company dominated by the East Indian population. I ran the Ministry of Agriculture, Land and Marine Resources and out of the 5,000 workers, approximately 4,000 workers were East Indians. During my tenure at the Ministry of Agriculture, Land and Marine Resources never was there a single instance of a single worker—even in joke—reporting that I discriminated against him or her. [*Desk thumping*] But, my colleague, the Member for St. Joseph, appears on the scene and files a Motion accusing me of racial discrimination.

I was head of a department at the University of the West Indies, before I came into Government and never an instance, in my career, at the University of the West Indies, was any person of East Indian descent able to say that he or she was treated unfairly by Dr. Rowley. [*Desk thumping*]

I also ran a state company in this country, and there was never an instance of a single worker, of any racial background, saying that he or she was treated unfairly by Dr. Rowley. [*Desk thumping*] But, the UNC devises a strategy to try to convince the East Indian population that they are being trampled upon and discriminated against, and they provide the proof. The proof is that Rowley supported a document that came to the Parliament that was supposed to carry out racial discrimination against Indians. They could not bring the Motion, but they gave him the Motion to bring to the Parliament.

Mr. Deputy Speaker, this is a classic case of fools rush in where angels fear to tread. This whole issue started in November last year around the discovery that in the Medium Term Policy Framework, there was a paragraph which talked about targeting a group called “at risk persons”, those persons being Afro-Trinidadians males 17—25 years old. It was that paragraph or phrase or sentence in that document that generated this Motion.

Now, when I say fools rush in where angels fear to tread, it is because what I did—when I saw them trying to fan the flames of hatred over that statement, it then occurred to me that they were not familiar with the Government’s documents. In fact, one particular document that was produced during their tenure in office—the document was produced in June 2000, under the portfolio of the Member for Chaguanas. It was that document that fed into the Medium Term Policy Framework, and the line that was so offensive was taken out of that document. I got up in the Parliament to assist my colleagues on the other side by saying, “Look, the people who did this work are technocrats who were largely trained in North America, and they had no difficulty in making reference to Afro-Trinidadians.” If that statement which made reference to Afro-Trinidadians was so offensive to Members, the government could have adjusted it. The bottom line

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is that this racial discrimination and this hatred—this gasoline that they want to put matches on to burn down the country—has no malice in it. That was my intervention.

I said that the document identified “at risk groups”, but at the time when I spoke, I could not imagine that the Member for Chaguanas would have disowned the document, otherwise I would have pointed reference to the document.

4.00 p.m.

Let me refresh your mind, Mr. Deputy Speaker: the document is the *Trinidad and Tobago Youth and Social Development, An Integrated Approach for Social Inclusion*. Look at it; it is 90-odd pages long. It was a study done; a document of the World Bank was sanctioned by and adopted by the then government of Trinidad and Tobago. [*Crosstalk*]

Hon. Member: Who are the authors?

Hon. Dr. K. Rowley: This document was not only adopted by the then government, the government purported to take action as recommended by the document. There was actually a pilot project going on in Laventille. But in order to fan their flames, they are now disowning the document, because it gives the lie to all that they were saying about what was contained in the *Medium Term Policy Framework* document. So the only way out for them now is to disown the document, and he is asking me: Who write it? [*Crosstalk*]

So the Government authorized a World Bank study, the study was done, it made reference in the executive summary, paragraph three, that the main concern—I want to emphasize that—the main concern of the report was young people at risk of exclusion from the social and economic development of the country. This is the main focus of this 90-odd page document, commissioned and sanctioned by the then government of Trinidad and Tobago, the UNC government.

It goes on to say:

“...the youths of poor urban neighbourhoods in Trinidad and Tobago face multiple challenges due to the characteristics of the environment in which they live...have shown a high degree of marginalization, defined in terms of exclusion from the social and economic development...Youth of African descent are particularly vulnerable in this regard.” [*Crosstalk*]

Hon. Member: Read that again!

Hon. Dr. K. Rowley: It says: “Youth of African descent”, so I am not the one who introduced African descent into the context they were talking about. I have

no difficulty in using the word “African” in the context of governmental policy. This is the source document here. They identified the main focus of the exercise; they identified the high risk group and they identified the group as “youth of African descent”.

This Government having gotten this report, in outlining the economic framework document, made reference to this and incorporated it into that document, and all hell break loose in Trinidad and Tobago, because members of the then government, finding themselves in Opposition, got up and began to attack this Government, because they are very sorry and sad that Trinidad and Tobago is not what they would like it to be. Sometimes I believe that Members on the other side are envious of those countries where there is racial hatred and ethnic conflagration. [*Desk thumping*] They go on platforms and exhort their listeners to behave in a way that if they are listened to, we would have racial conflagration in Trinidad and Tobago. [*Desk thumping*] That is their political strategy.

Mr. Deputy Speaker, let me read this paragraph from a World Bank document:

“A team led by Maria Derosa Clarke and consisting of Evelyn Bermudez, Ian McArthur, Harry Patrinos, Miriam Mashideman prepared the report. The main mission for Trinidad and Tobago benefited from the collaboration of several government and non-government organizations. In particular the Change Management Unit of the Ministry of Social and Community Development and representatives of the Division of Youth Affairs of the Ministry of Sport and Youth Affairs of the UNC.” [*Desk thumping*]

And he is still asking me, “Who do it?” Trying to disown the document so as to be able to continue with their racial race baiting, because that is what they are doing.

Mr. Imbert: “Allyuh wicked boy; yuh write the document and disown it! [*Crosstalk*]

Hon. Dr. K. Rowley: Mr. Deputy Speaker, there is something happening in Trinidad and Tobago, and we in the PNM sometimes have to look at it and smile. There is a particular leader of a political party. When I was the Agriculture Minister, the Permanent Secretary came to me and said that Caroni wanted an attorney and they wanted to know if they should hire this gentleman. I asked the question, “Is he the best man for the job?” They said, “Yes.” I asked them, “Well, why are you talking to me?” That was the end of the conversation, and the gentleman proceeded to be hired. I presumed he worked for Caroni. He proceeded to carry out his political work and eventually he rose to the level of leader of the political party.

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You know, Mr. Speaker, he is on political platforms—and everybody who listens to him wherever he speaks—accusing the PNM of racial discrimination.

Hon. Member: The same person?

Hon. Dr. K. Rowley: The very said gentleman, leading a political party in Opposition to the PNM, being hired under the PNM, but he is trying to bait East Indians to hate the PNM on the grounds of race. The same way you saw it here this afternoon, where the Member for Nariva, instead of talking about national development and the so-called national unity they talk about, came here in front of Officer Marjorie Beepatsingh and tried to bait her into racial discord. That is their political strategy; it is very clear for anybody who wants to see: “If we can manage to convince the East Indian population that the PNM is against their interests and provide them with examples of racial discrimination, they would hate the PNM and follow the UNC.” That and God’s face you will not see! [*Desk thumping*]

I have every confidence that notwithstanding the handful of ragamuffins in here, the vast majority of the East Indian population are decent, sensible people and they have proven that. That is why when they blow their trumpet and look behind them, there is no large crowd following them. [*Desk thumping*] [*Crosstalk*] They will not give up. There are some people who they are influencing. Do not make the mistake of believing that they are wasting their time; they are having a terrible effect on some of our fellow citizens. That is why, Mr. Deputy Speaker, I crave your indulgence to indicate to you the kind of effect they are having on some of our fellow countrymen. Thank God it is not too many of them, only some.

This is a letter I received mailed to me in the Parliament, written to Donald Trump, the man with whom they organized the Miss Universe Pageant. This poor member of the public believes that the same way Donald Trump got us to spend \$100 million to watch young girls’ legs for nothing, it is the same way Donald Trump has some sway with the Government; the same way he had sway with the Miss Universe Pageant. The gentleman felt that Donald Trump was the person to complain to, so he wrote to him.

The reason I am going to read the letter is because the man put his name and address, so we know who we are talking about. It is not an anonymous situation. I would read the relevant portion. [*Interruption*] I told you before, you are too previous; I will get there all in good time. There is need for foreplay. [*Laughter*]

Mrs. Persad-Bissessar: Not with you.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, permit me to quote from this letter, because I want to demonstrate the effect the behaviour of my colleagues is

having, and they know the effect they are having, and this is the kind of effect they want to have:

“From the inception of the ruling political party, the PNM, since 1956, and who are in power at present by illegal means, this party is predominantly Negroes, it is a party of Negroes, by Negroes and for Negroes. Trinidad and Tobago comprises 45 per cent Indians, 45 per cent Negroes, and 10 per cent mixed races, yet in the army, coast guard, police, civil service and all Government-managed institutions there are 95 per cent Negroes. Evil could only exist when good men are prepared to sit idly by and do nothing.”

And he appeals to Mr. Trump.

“To do nothing is to approve, assist and condone. My point is, I make it in no uncertain terms, that Miss Trinidad and Tobago was chosen, on merit, but by racism. If the judges are Negroes, then what do you expect? The PNM policies. Many Indians in top jobs by qualification and long service are fired from their jobs and Negroes are chosen to replace them. The ex-PM, Mr. Basdeo Panday, can verify and certify that statement.”

It is interesting that the only person whose name he could call to verify it is Mr. Panday, because what I am reading here is the exact diatribe of the UNC on the platform. [*Desk thumping*]

He goes on to say:

“A PNM minister, Keith Rowley, has advocated that priority be given to blacks to enter university.”

Now, Mr. Deputy Speaker, nowhere in that debate was anything said about the university; it was a misunderstanding over the College of Science, Technology and Applied Arts of Trinidad and Tobago, yet my friend here is writing Mr. Trump, telling him that Keith Rowley said to give blacks priority in the university. Interestingly enough, he is not the only person who said that. A former UNC minister of government, who writes in the newspapers, had a full page article saying exactly that. [*Crosstalk*]

He goes on to tell Mr. Trump:

“The National Housing Authority run by the PNM, builds houses only for Negroes. Recently, Caroni sugar estate farmed by Indians is in the process of closing down and thousands stand to lose their jobs. Do you not think that the Government should be promoting nationalism and not niggerism? If you take a little trouble to study Trinidad and Tobago, you will discover that this is

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only the tip of the iceberg, policies which are disgusting, distasteful and unacceptable to decent, fair minded people.

Mr. Trump, do not withdraw your hands when you could do good. Therefore, I implore you on behalf of many, to debar, disqualify Miss Trinidad and Tobago from participating in the Miss Universe contest until such time that all are satisfied that the selection is made on fairness and not racism.” [*Crosstalk*]

He goes on to sign his name. His name is Krishna Maraj, from Karamath Street in Tunapuna.

Hon. Member: “The PNM write dat!”

Hon. Dr. K. Rowley: You have a right to say that. That is what they want our citizens to think, to accept, to believe and to act on. [*Crosstalk*] You only have to listen to certain radio programmes. Three of my colleagues in here: Members for Pointe-a-Pierre, Barataria/San Juan and Chaguanas are on some radio stations in Trinidad and Tobago and every day they incite people to take action on the grounds that the population is being discriminated against. Fortunately, nobody “eh” taking them on. [*Desk thumping*]

The same way that Mr. Maraj here could have written to Mr. Trump and tell him that in the Caroni issue there was discrimination, I had the privilege of being in the other place last Tuesday and the leader of the UNC, in the other place, put in the *Hansard* record that the PNM was taking Caroni agricultural lands in Carlsen Field to build houses, because we were engaged in house padding to bring about social engineering to win elections. That was the leader of UNC putting that on the record in the Parliament. [*Interruption*] That is true?

Mr. Ramnath: You are not voter padding in Tarouba?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, if I could answer my colleague first—the development in Torouba is one which has been under way for years. The roads, sewer and water lines were put there and abandoned. It is a housing development which the then Government, rather than spend money to build the people’s houses, had the money banked in the Isle of Man, in Guernsey, and that is why today half of them on the way to jail. [*Desk thumping*]

The roads were put in; the sewer was put in; the water lines were put in, yet he is saying to me now that because we are building the houses for which the development was made, somehow we are doing something wrong. We make no apologies for building hundreds of houses in Tarouba! [*Desk thumping*]

Mr. Sharma: Mr. Deputy Speaker, can I be protected under Standing Order 36(5)? Can you offer a ruling under Standing Order 36(5)? This racism has to stop!

Hon. Member: What?

Mr. Sharma: Nonsense! [*Crosstalk*]

Hon. Member: Total racism!

Mr. Deputy Speaker: It does not apply.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, let me assist my colleague from Couva South, who was not here at the time and, therefore, he could be excused. When I made reference to the Leader in the other place who said that the PNM had taken Caroni lands in Carlsen Field to house pad and whatever else they want to say, I now quote for you from a document dated August 07, 1998 when the PNM was in Opposition. It is a letter to Dr. Allan Sammy, National Housing Authority:

“Dear Dr. Sammy,

Application for release of company lands”

This is a letter coming from Caroni (1975) Limited signed by Mr. Herman Pulwarty of Caroni (1975) Limited in 1998:

“We refer to your letter dated July 21, 1998, applying for the release of company lands to the National Housing Authority for its squatter regularization programme. In this regard I am directed to advise you that our board at its recent meeting had no objection to your Authority’s acquisition of 100 acres of land at Carlsen Field...”

Now that we are building on the same lands that his government took from Caroni for housing, my friend here is saying that we are doing something wrong and, therefore, should be penalized. [*Desk thumping*]

Mr. Imbert: “Allyuh sick! Yuh sick!”

Mr. Ramnath: Who are you building them for?

Hon. Member: Citizens of Trinidad and Tobago!

Mr. Ramnath: Citizens? You only have one type of citizens?

Mr. Imbert: Who were you building them for?

Mr. Ramnath: For white people!

[*Mr. Deputy Speaker pounds gavel*]

Mr. Deputy Speaker: Hon. Member for Couva South and others, please! The hon. Member is speaking, and the *Hansard* reporter would like to record it. Will you please be quiet! Allow the hon. Member for Diego Martin West to speak without disturbance. [*Desk thumping*]

Hon. Dr. K. Rowley: Mr. Deputy Speaker, they requested the lands on July 21, 1998, when we were “thaar” and they were “haar”. They got a reply on August 07, 1998. Not only was Caroni disposed to giving them the land at Carlsen Field, but in reply they offered them additional lands at Pero Hill, La Phillipine, Gran Couva, Carli Bay, Hermitage and Diamonds Ringroad.

Hon. Member: What! Take all! [*Crosstalk*]

Hon. Dr. K. Rowley: This was Caroni offering lands to the government.

Mr. Deputy Speaker: Please! Please!

Hon. Dr. K. Rowley: If today the PNM Government proceeds to build on those same parcels of land, you would hear these same colleagues of ours accusing us, as we have been accused by our friend from Couva South, who answered his own question. When he was presented with the fact that it was the UNC who took Caroni lands for housing, he asked me: “To build houses for whom?” I did not answer him because he has already answered the question on the *Hansard*. It was he who came to the Parliament and said that since the PNM put Laventille people in Couva, Indians “cyar walk in Couva”, and that we are building houses in Couva to import ragamuffins from Laventille.

Mr. Ramnath: You are lying! I will never even object to that, because you are lying! [*Crosstalk*]

Hon. Member: “Yuh wicked!”

Hon. Dr. K. Rowley: He is in the front of “pushing that head”.

[*Mr. Deputy Speaker pounds gavel*]

Mr. Deputy Speaker: Please, Member for Laventille East/Morvant, I prefer if you do not talk across to the Member for Couva South. Member for Couva South, if you continue to shout across I shall have to ask you to—

Mr. Ramnath: I have no problem with that!

Mr. Deputy Speaker: I know, but I want to see you here. You do not have to do that.

Mr. Ramnath: You are allowing him to attack me. He has no evidence with respect to what he is saying, and you did not get up at all.

Mr. Deputy Speaker: Please, I have ruled and it is relevant. When other persons were speaking I allowed them to continue; the debate is wide open, but you had your opportunity. If you continue—I have spoken to you already.

Mr. B. Panday: God has spoken.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, I was demonstrating to you the deception, the lack of candour and the facts being misrepresented to the population, in order to get them to behave in a certain way. I have no problem with the Member calling me a liar, because if I, too, had said what he did and was confronted with the facts in the way he is being confronted now, I, too, might have behaved in that way.

In the Cabinet Note of October 05, 1999 the Cabinet approved the Carlsen Block 024. It says:

“Accordingly, the Minister of Agriculture, Land and Marine Resources recommends, and Cabinet is asked to agree, that the entire block east of Seereeram comprising 11.6 hectares be given for housing.”

So how come Members of Parliament who worked in the then Cabinet of Trinidad and Tobago take action in this way, and now that the succeeding government is building on the very land they had taken for housing, they can get up and make an issue of it?

Mr. Ramnath: You are building for your supporters!

Mrs. Robinson-Regis: Citizens! [*Crosstalk*]

Mr. Ramnath: You do not recognize everyone.

Mr. Deputy Speaker: Stop the crosstalk!

Hon. Dr. K. Rowley: They are opposed to housing construction on every single site that we have embarked upon today. Most of those sites, like this one in Carlsen Field, are NHA sites which, even before we came into office, were determined to be sites for housing. The difference in policy was that they had a laissez-faire policy which said that people would build houses as they see fit. Our Government says, “We will embark upon a housing programme to construct houses on the site.” [*Desk thumping*]

Mr. Ramnath: Give it to PNM members!

Hon. Dr. K. Rowley: The issue then becomes: Who will get the houses? We are saying that as long as the houses go to the people of Trinidad and Tobago, without fear or favour, we would have done our duty. [*Desk thumping*] [*Interruption*]

Mr. Singh: Will the hon. Member give way?

Hon. Dr. K. Rowley: No, you behaved very badly in this debate. You had your time; you had 75 minutes to talk race here; you had enough time; not on my time.

Hon. Member: You practise it! [*Crosstalk*]

Hon. Dr. K. Rowley: Mr. Deputy Speaker, in 1991 the PNM was not in office; the National Alliance for Reconstruction (NAR) was in office. The NAR took 400 acres of Caroni lands for housing. I did not hear anybody accuse the NAR of anything wrong.

Mr. Singh: It was a good government; not like yours!

Hon. Dr. K. Rowley: The NHA started to build houses on 50 acres of those lands; 350 acres were left. The UNC came into government and without let or hindrance, without competition, without transparency and accountability they gave the 350 acres to the campaign manager of a UNC candidate to build houses on. The arrangement was that he would not only get the land for free, they gave him \$36 million for infrastructure. So he got the land for free; he got \$36 million of State money and the arrangement was that he would build houses, sell them and half of the profit would go to the NHA.

Mr. Deputy Speaker, that agreement was struck in August 1999. By November 2000 they had changed the agreement, and said that the profit to come from the proceedings should be rolled over; in other words, none to come to the NHA, just roll it over on the project. Then they changed the agreement again and said that the time when the profit should be paid was open ended. The end result is that a developer authorized by the UNC, on the same Caroni lands they want to shed their blood for, has reported to the NHA that the profits on the houses ranged from 58 cents per house. That was the NHA share. [*Laughter*] You could laugh! [*Crosstalk*]

Mr. Deputy Speaker, as I present the facts to the Parliament, if you do not intervene to protect me from my friend from Nariva, I will go over and do it myself. [*Crosstalk*]

Mr. Ramnath: “Why yuh doh do that to Manning?”

[*Mr. Deputy Speaker pounds gavel*]

Mr. Deputy Speaker: Hon. Member for Nariva, you had an opportunity to speak and you exercised it. Please, allow the hon. Member for Diego Martin West to speak.

Mr. Ramnath: He is not speaking the truth!

Mr. Deputy Speaker: Please, hon. Members! [*Crosstalk*]

Hon. Dr. K. Rowley: I am not arguing with my colleague from Couva South that it is not a model housing development. It is precisely the point I am making. It is a model housing development, so therefore it should show some decent profits. The agreement was that half of the profit should come to the government. The government put in all of the land. The government put in \$36 million, and then you tell me that for this house it is 58 cents profit, for the other one \$1.27 is yours and another one you might get \$1. The bottom line is that, to date, the NHA has not received one cent profit for the project where the UNC put 350 acres of land in the hands of a developer and \$36 million. [*Crosstalk*] [*Desk thumping*]

Then I have to come in here and listen to them talk about the public interest, the public purse, discrimination, housing and raping Caroni land. We are different. Our actions might not find favour with those on the other side; they might not agree, but at the end of the day the population would have to adjudicate on whether it is fair, right and reasonable for the Government to take public moneys and hand them to a private developer and receive in return 58 cents profit on a house. [*Crosstalk*]

In the case of the PNM, when we build the houses and allocate them the UNC could disagree, but those who live in the houses would have to adjudicate who has served their interest; it is a simple matter like that. [*Desk thumping*] We are prepared to put ourselves before the population, at any time, to answer for our actions. [*Crosstalk*] But are PNM members not citizens of Trinidad and Tobago? That is why UNC members are getting new houses.

Mr. Ramnath: Where?

Mr. Imbert: All over.

Hon. Dr. K. Rowley: The gentleman who wrote to Mr. Trump telling him that persons were being fired to be replaced by persons of another ethnicity, maybe he did not know that the Financial Comptroller of the NHA was fired for raising this matter of these houses and the rip off taking place. For having the temerity, as Financial Comptroller, to raise this matter, the person was fired. Mr. Trump is not being told that. It does not matter what the person's race is, as an officer of the State you get fired, because you have the temerity to ask why is the State being ripped off.

Mr. Deputy Speaker: Hon. Members, the sitting of this House is suspended until 5.05 p.m.

4.30 p.m.: *Sitting suspended.*

5.07 p.m.: *Sitting resumed.*

ADJOURNMENT

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, I beg to move that this House be now adjourned to Friday, May 14, 2004, at 1.30 p.m. On that day we would be doing the Government Motion on the Order Paper, the Agricultural Census Order.

Mr. Deputy Speaker: Hon. Members, before we deal with the adjournment, there are several matters on the adjournment. [*Interruption*]

Mr. Ganga Singh (Caroni East): Mr. Deputy Speaker, by agreement we will deal with two matters: national security and the Ministry of Housing. The matter dealing with public utilities will roll over, because the Minister is not in the country. [*Interruption*]

Barbadian Fishermen (Release of)

Mrs. Kamla Persad-Bissessar (Siparia): Hon. Deputy Speaker, I thank you for granting me leave to raise a matter on the adjournment: the circumstances surrounding the release of two fishermen who were arrested and charged in Tobago and the reasons why they were released. It is a matter of grave importance in the public interest.

It is clear that something is rotten in the State of Trinidad and Tobago, and it is not the fish. It is also clear that with respect to the administration of justice and the criminal justice system, they have been seriously endangered by the actions and allegations coming forward, not only with respect to this matter, but with respect to matters generally within the portfolio of the hon. Minister of National Security and Rehabilitation. I am glad that the Minister is here and that, perhaps, he could shed some light on these matters and enlighten us in terms of what is happening.

If we look at the facts of what happened in Tobago—and these facts come straight out of the Magistrates' Court proceedings so they are not hearsay or they say—we learn that on February 06, 2004, Joseph Mason of Barbados, the master of Elretes, a foreign fishing craft and another Barbadian, Samuel Firebrace, also

on February 06, 2004, were engaged in fishing in the exclusive economic zone of Trinidad and Tobago. They were detained as masters of those two foreign craft and subsequently charged by Const. Dean Cipriani, by way of Complaints 410 and 411 of 2004. On both of those complaints witnesses for the complainant were cited in the persons of Lieutenant Kelshall and Leading Seaman Taylor; so there were two witnesses who were in a position to offer evidence in these two cases.

On February 09, 2004, the two accused appeared before the presiding magistrate in the Scarborough Magistrates' Court. They were represented by attorney-at-law Mr. Gibbs; they both pleaded not guilty. On that said February 09, the prosecutor in the matter another police officer, Corp. John Morrison, indicated to the court that he was offering no evidence in both cases and the magistrate granted leave for the matters to be withdrawn. That resulted in the two cases against the accused Barbadian fishermen to be dismissed.

The police prosecutor did not offer evidence in the cases, notwithstanding the fact that within the precincts of the court the two witnesses in the persons of coastguardsman Seaman Taylor and Lieutenant Kelshall were present in the precincts of the court. They were there ready and available as witnesses in these matters. Notwithstanding that, the police prosecutor took it upon himself not to offer evidence.

Thereafter, Mr. Deputy-Speaker, our information is that Corp. Morrison said that he acted as he did in offering no evidence because he had instruction from a government minister. Today I am asking the Minister of National Security and Rehabilitation—whether he has a report from the police or not is beside the point, because fingers are pointing that it is, in fact, the Minister of National Security and Rehabilitation who gave those instructions that reached Corp. Morrison.

The hon. Minister is present today. He does not need a report from the Commissioner of Police; he can tell us for himself and clear himself whether he is, in fact, the Minister being referred to. If it is not him, then there are others who would answer accordingly. He can answer for himself, that is, in respect of his actions on that day or prior to that date of hearing.

In addition, the information is that this was clearly interference with the criminal justice system that strikes at the heart of the separation of powers, which is a foundation pillar of a democratic State such as ours. So any attempt to influence the outcome of those cases in that court is a matter of grave public interest. It is, therefore, incumbent on the hon. Minister of National Security and Rehabilitation, under whose portfolio the Commissioner of Police and the workings of the police service fall, to offer an explanation to the country through this Parliament today.

Barbadian Fishermen
[MRS. PERSAD-BISSESSAR]

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The Director of Public Prosecutions has indicated clearly that he has given no instructions for those cases to be dismissed. Within our law and under our Constitution, the only person empowered to give instructions to discontinue criminal proceedings, such as the ones in the cases of Mason and Firebrace, is the Director of Public Prosecutions, and he has clearly stated in writing signed by himself—not in a hearsay statement in a newspaper; I have the document signed by the hand of the Director of Public Prosecutions indicating—that he never gave such instructions.

What is even more frightening is that in light of all this the DPP writes to the Commissioner of Police and when he received a report he asked for further information. He is then called upon to take it upon himself to, again, write to the Acting Commissioner of Police to say that it is shocking that over a month has passed and no report has been forthcoming. This then appears to us and the nation, to be a conspiracy to cover up what is, in fact, a perversion of the course of justice in this country.

Hon. Minister of National Security and Rehabilitation, we are asking you today to tell us what were the circumstances, under what authority and by whose authority did police Corp. John Morrison offer no evidence and allowed those cases to not be prosecuted; allowed them to be dismissed.

This is, in fact, part of a pattern that we are seeing, because I notice that in the *Guardian* today this is listed as one of the items in terms of a call for a wholesale probe into the functions of the police service. The article lists several matters, all of which are cause for grave concern in the manner in which the police are operating. So I ask the Minister what is he doing with respect to dealing with these transgressions and these breaches of the law on the part of police officers.

Through you, Mr. Deputy Speaker, to the Member for San Fernando East, I join with those who call for a full commission of enquiry into the functioning of the police service. The Bajan fishermen issue is just one; if you list them we can go through all of them, many, many matters. Only recently we heard about the Anti-Kidnapping Squad and the wrongdoing going on. In today's newspaper there is the matter concerning Sen. Baksh, where police officers are now saying that they knew it was planted by policemen; they knew it was a conspiracy, that it was a set up. Therefore, in the light of all this, I think we need to ask for a commission of enquiry into the functioning of the police service. [*Crosstalk*]

Secondly, I am asking specifically with respect to the Motion that the Minister tell us the circumstances and the reasons which allowed these Bajan fishermen to go free. I also ask him to clear his own name.

Mr. Imbert: They flew away.

Mrs. K. Persad-Bissessar: Yes, flying fish; they flew away.

I ask him to clearly say whether he was the Minister who gave the instruction and if not, who was the Minister who did give the instruction.

I thank you. [*Desk thumping*]

The Minister of National Security and Rehabilitation (Sen. The Hon. Martin Joseph): Mr. Deputy Speaker, according to the information received from the Trinidad and Tobago Defence Force on February 06, 2004, at around 5.21 p.m. members of the Trinidad and Tobago Coast Guard while on routine patrol in the exclusive economic zone of Trinidad and Tobago off Crown Point Tobago, intercepted after a chase two Barbados fishing vessels, P16 Be Boys and P28 Elretes. The vessels with their catch were subsequently handed over to the Scarborough Police and formal charges were laid against Messrs. Joseph Mason and Samuel Firebrace, captains of the vessels, both of whom are fishermen of Barbados, for the offence of fishing in the exclusive economic zone of Trinidad and Tobago without a licence issued by the Minister to whom the responsibility for fishing is assigned.

On February 09, 2004, Mr. Joseph Mason and Samuel Firebrace appeared before the Scarborough Magistrates' Court to answer the said charges. The cases were dismissed by the presiding magistrate because the court prosecutor offered no evidence against the accused. The Commissioner of Police has advised that the action taken by the court prosecutor was based on advice given to him by the senior court prosecutor, his supervisor.

In view of the fact that the circumstances surrounding the action taken by the prosecution are currently under investigation by the police, on referral from the Director of Public Prosecutions, I am unable to disclose any further details in this matter at this time.

I thank you, Mr. Deputy Speaker. [*Desk thumping*]

**National Housing Authority
(Award of Contracts)**

Mr. Ganga Singh (Caroni East): Mr. Deputy Speaker, I rise to speak on a motion on the adjournment which states: The alleged failure of the Government to protect the public purse and to pursue the national interest in the award of a contract by the National Housing Authority (NHA) for the general clearing and grubbing of the Carlsen field site of the NHA.

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This Motion raises three components of governance, namely, the rule of law, transparency or openness and accountability. The rule of law implies the existence and operation of a system based on rules approved by the appropriate authority and what is generally justifiable in a court of law. Such a system presupposes that a set of rules governing the conduct of procurement is known in advance both to those administering the rules and to those to whom it is administered and that the rules are applied in an objective fashion.

Having enunciated the general principle, it is now necessary for us to consider the procurement rules of the National Housing Authority approved by Cabinet sometime in 1988 or 1989. It is entitled:

“Rules for the Invitation and Consideration of Offers and Tenders and the Award of Contracts for Goods, Services and the Execution of Works for the National Housing Authority”

In the interpretation section it says:

“‘Committee’ means the Committee of the National Housing Authority established for the consideration of all matters relating to tenders and award of contracts;
‘Authority’ means the National Housing Authority;
‘Chairman’ means the Chairman of the Committee or the Authority as the context may admit;”

Article 2 points to the Constitution and appointment of members of this committee. It states:

“Article 2

1. The Committee shall consist of:—
 - (a) A Chairman who shall be a Board member of the Authority.
 - (b) Two (2) other members of the Board of the Authority, one of whom shall be the Deputy Chairman of the Committee.
 - (c) Two (2) officers of the Authority.
2. The members of the Committee shall be appointed by the Board of the Authority, subject to the approval of the Appropriate Minister.”

So you have five members who are appointed subject to the approval of the appropriate minister.

Mr. Deputy Speaker, Article 2(5) places a limit on the Tenders Committee.

“5. The Tenders Committee may award a contract for the supply of Goods and Services or for the carrying out of works not exceeding in value the sum of \$100,000.00...”

So the Tenders Committee has a cap of not more than \$100,000. Article 2(6) states:

“The award of contracts for the supply of goods and services or for the carrying out of works exceeding in value the sum of \$100,000.00 shall be referred by the Tenders Committee to the Authority.”

The Authority in the interpretation section means the National Housing Authority.

Article 2(7) says:

“Where the Tenders Committee proposes to award a contract for the supply of goods and services or for the carrying out of work exceeding in value the sum of \$100,000. the Committee shall invite the Director of Contracts or his nominee to take part in the discussion and consideration of the award and to vote on the matter.”

So the Central Tenders Board (CTB) comes into play post \$100,000.

Section 8 provides:

“The Board may by resolution with the approval of the Appropriate Minister...”

In this case, the Minister of Housing.

“vary the sum of \$100,000 specified at 6. above.

9. Where individual awards in excess of \$1.5 Million are to be considered by the Authority, the Permanent Secretary or representative of the Ministry responsible for Housing and a representative of the Ministry responsible for Finance shall be invited and shall have the right to vote at such meetings.”

So it is clear that when you reach the threshold of \$1.5 million, it requires the Ministry of Finance representative and the Permanent Secretary in the Ministry of Housing.

Mr. Deputy Speaker, Article 6(a) and (b) provides for the invitation of the public to make offers to supply goods. Therefore, it invites members of the public to make offers in response to newspaper advertisements and so on. Article 13

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deals with the request for the public opening of tenders. Article 17 deals with the exception to the public opening of tenders, and in this case, issues of national security:

“Exceptions to Public Opening Of Tenders

1. The following tenders shall be excepted/excluded from the items subject to Public Opening of Tenders—
 - (a) supply of goods and services that concern national security;
 - (b) supply of goods and services based on fixed prices;
 - (c) tenders for numerous low cost items...”

In other words, the principle being that there ought to be openness and transparency through a public opening of tenders, the only exception being, principally, a national security issue.

Having established the legal framework and the necessity for openness, transparency and accountability for the discourse this afternoon, it is now necessary to look at the facts pertaining to the award of the contract for the clearing and grubbing of the Carlsen Field site of the NHA. It is my understanding that consistent with Article 6 of the NHA procurement rules, advertisements were placed in the daily newspapers in August 2003 inviting tenders from suitably qualified firms/individuals to make bids for a contract to clear and grub the Carlsen Field site of the NHA.

I now read from a memo dated February 24. Mr. Deputy Speaker, these internal memos have a way of getting out externally through the good services of TTPost. The memo is from Mario Fuller, Chief Project Manager to the Executive Director of NHA:

“Date February 24, 2004

Subject Re: Quotation for General Clearing & Grubbing of Carlsen Field by Heron Lewis...

Please find attached, a quotation dated February 17, 2003 by Heron Lewis for the above works, including removal of excess material from site, in the amount of \$1,875,000.00. (See Item A). A comparison of tenders for these works received on September 25, 2002 is as follows:—”

In the context you have a quotation dated February 17, 2003 and you have a comparison of tenders received on September 25, 2002. So you had the

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advertisement; you had the response by suitably qualified people and now you have a new quotation arising.

Keep in mind, Mr. Deputy Speaker:

	H. Lewis	General Earth Movers	M. Ramhit	KJS	Seeram
1.0) Clearing and grubbing of soil at a minimum depth of 150mm but not exceeding 250mm	200,000	144,000	187,200	432,000	576,000
2.0) Off site disposal of excavated	1,440,000	288,000	403,200	403,200	864,000
	1,640,000	432,000	590,400	835,200	1,440,000

So this was the bid of September 25, 2002.

This memo goes on to say:

“It should be noted that to date Mr. Lewis has not signed the letter of intent issued on January 31, 2003 and has indicated that he does not intend to do so.”

You have the lowest bid being \$432,000 and the highest bid, \$1,640,000. The highest bidder got the contract; some \$1.2 million. Mr. Fuller said:

“It should be noted that to date Mr. Lewis has not signed the letter of intent...”

A letter of intent precedes the award of the contract.

The memo continues:

“In addition, the above comparison indicates that Mr. Heron Lewis’ price is the highest of the four tenders received and it is recommended that we negotiate the cost of the said works before it is completed.”

So he was on site doing the work, a letter of intent was sent to him, but Mr. Lewis, at the time he got this letter of intent, did not have a tractor in his name; \$1.6 million as against \$432,000. [*Crosstalk*]

I understand the predicament of my colleague, the Member for Diego Martin West; he inherited the situation. It is not unlike my colleague, our friend from Arouca North. When the new Minister took over he said, “Ghost gangs are a thing of the past,” making it appear as if he provided the ghost gangs in the

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Unemployment Relief Programme (URP). Nothing could be further from the truth, but I understand the predicament of my colleagues.

Mr. Narine: “Is Dhanraj, not me!”

Mr. G. Singh: Keep in mind that \$1.6 million was the bid in September 2002; now in February 2003, Mr. Heron Lewis is on site doing the work and he has not signed the letter of intent. He told Mr. Mario Fuller:

“H. LEWIS CONSTRUCTION Ltd...

17th February 2003

The National Housing Authority...

Attention: Mr. Mario Fuller

Dear Sir,

Re: Carlsen Field Housing Development

Please find attached our quote for general clearing and grubbing of the above mentioned site.

Be guided accordingly.”

He got the letter of intent on January 31 for \$1.6 million, even though that was the highest bid and he did not fulfil the technical requirements. There were people like General Earth Movers, Ramhit, KJS and Seeram who had all the equipment, but he, the highest bidder, got the contract, \$1.2 million more.

He refused to sign the letter of intent. Do you know why? He is telling them now, “I want \$1.875 million.” So you give me the highest bid and I am saying that I am going to increase that bid. You have it here; the total quotation is \$1.875 million. Do you know what is the response of the Executive Director of the National Housing Authority? This is a notation on the side?

“Mr. Fuller, Agreed, let Mr. Bowen (QS) meet with Mr. Lewis’ QS and report back before agreement...”

So he was on site; he was not doing the work; he did not sign the letter of intent and Noel Garcia said, “Let the quantity surveyors meet and resolve this matter.”

Mr. Deputy Speaker, the quantity surveyors meet:

“From: Quantity Surveyor – Mr. Learie Bowen

To: Chief Project Manager – Mr. Mario Fuller

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Date: March 24, 2003

SUBJECT:

Evaluation of Quotation for General Clearing and Grubbing and Removal of Debris off site from Carlsen Field by

Lewis Construction Ltd.

Your memo dated March 05, 2003 refers.

I met with officials of H. Lewis Construction Ltd., viz. Mr. Heron Lewis (Director) and their Quantity Surveyor on Friday 21st March, 2003.

The purpose of that meeting was to evaluate the quotation submitted by H. Lewis Construction Ltd....”

Can you imagine this? This is a public authority. You invited tenders; you gave it out to the highest bidder and now in March you are still evaluating when he increased the price to \$1.875 million when he could have gotten it done for \$432,000!

Mrs. Persad-Bissessar: Corruption!

Mr. G. Singh: Mr. Deputy Speaker, here is the recommendation, for purposes of time; this is the same Heron Lewis:

“In the assessment of this rate, I am guided by an earlier tender action for this site, where tendered rates varied between \$5,000.00 and \$20,000.00 per hectare for clear and grubbing.

Heron Lewis Construction Ltd., rate at this tender action was \$6,944.00 per hectare.”

So prior to his getting the contract, he had a tender rate of \$6,944; now he has increased that to \$50,000 a hectare. The QS is recommending \$11,200 per hectare, which would make it something like \$335,000, but the National Housing Authority is paying him \$1.8 million.

Mr. Deputy Speaker, you have the QS report and the quantum of money recommended by the QS. It is clear to me that this transaction demonstrates the pathology of the NHA under Noel Garcia. This transaction demonstrates the obscene disregard for the tender rules of the NHA in the procurement process. The leadership of the NHA has embarked on a programme to rape the public purse; I cannot see it any other way. [*Desk thumping*] and plunder the national interest. I know this Minister would not participate in that. Transparency and openness in the award of the contract is collateral damage for Noel Garcia and his group.

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This transaction is the tip of the iceberg; it must be viewed in the context that the Government would be spending over \$3 billion in the housing sector. Some say \$2.4 billion; some say \$3 billion over the next two years.

5.35 p.m.

Where is the accountability? Where is the transparency? Where is the openness in process? Noel Garcia has indicated in his callous demolition of squatter homes that he is accountable to no one. He treated the hon. Member for San Fernando East with insolence, with scorn, in that contemptuous fashion. It is illegal, it is corrupt, it is nepotistic, it is the corniest, and it is symptomatic of a deep malaise that is now affecting the NHA. It is clear that the leadership of the NHA is pursuing its personal agenda advancement and enrichment against a background of an official facade of respectability, rectitude and probity.

Mr. Deputy Speaker, if this rape and plunder of the Treasury is not stopped now, woe unto this country. Noel Garcia and his gang at NHA are feasting on taxpayers' money. It is part of the spoils of victory and I therefore call for an investigation into this transaction and for the suspension of Noel Garcia until the outcome of this investigation. [*Desk thumping*]

Mr. Deputy Speaker, I thank you.

The Minister of Housing (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the problem with these Motions and the circumstances under which they arise, is that Members raise matters in that way, and from the text of the Motion one could not have been sure exactly what the Member was going to say and, therefore, a couple of the matters he raised I must admit, I am not in a position to respond. [*Crosstalk*]

Mr. Deputy Speaker, the Member raised the important matter of the tenders procedure and whether, in fact, the circumstances surrounding this particular matter complied with the tendering procedure.

From the text of the Motion, I could not have known that would have been one of the issues and, therefore, I am not in a position to respond to that. However, the main gist of the Motion is that bids were invited and a contract was awarded to the highest bidder.

From the information I have, I think there is some element of misunderstanding of what the board proceeded to do because it appears as though it is not as straightforward as the Member made it. What has happened is that the job had two components. One was a component to clear and grub and another component was to remove from the site certain materials.

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My information is that when the invitation to bid was made—for example, one would see a bid there for \$400,000 as against somebody bidding \$800 and \$1.2 million—there was a misunderstanding apparently. Some of the bidders did not understand what the job was all about and did not put in a proper bid for the removal. It appears as though from—[*Interruption*] Mr. Deputy Speaker, if they want to answer the Motion I will let them answer. I am giving the information I have from the NHA. If the Member does not want the information I will sit, but he should not shout at me.

It appears as though the removal component of the material had turned out to be a larger component than under the grubbing, so the bids based on grubbing by area were lower bids than the ones based on the removal.

NHA seemed to have awarded a contract based on unit rates and when the contractor was on site they decided then to negotiate having then the contractor on site, on unit rates. The contractor then made claims on certain unit rates. The NHA did not accept those claims.

I have some documents which indicate, for example, that the number of truckloads of material removed from the site that was in dispute. There were disputes about the nature of the grubbing. It was not just a question of grubbing as some persons believe. It was a cashew estate which it required bulldozing of the estate and transporting of the cashew. The NHA asked Caroni (1975) Limited to determine how many cashew trees were involved and Caroni (1975) Limited reported back that there were over 1,000 trees and the NHA—[*Interruption*] there seemed to have been some confusion over the element of the work.

Mr. Deputy Speaker, I must say, I cannot speak authoritatively on this matter having not known the details of what was brewing. Therefore, I am saying that the quantum of work done as per the rates paid, the NHA informed me that the board approved it. Whether the board complied with the tenders procedure I am not able to say and, if in fact, the board did not comply with the tenders procedure and that is determined, then that would be a breach which ought not to be encouraged and I would not encourage it anymore.

Thank you very much.

Question put and agreed to.

House adjourned accordingly.

Adjourned at: 5.47 p.m.