

HOUSE OF REPRESENTATIVES*Wednesday, November 09, 2005*

The House met at 10.00 a.m.

PRAYERS[MR. SPEAKER *in the Chair*]**PAPERS LAID**

1. The administrative report of the Ministry of the Attorney General for the year 2002/2003. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. The administrative report of the Ministry of Social Development for the fiscal year 2003/2004. [*Hon. K. Valley*]
3. The Central Bank of Trinidad and Tobago Report on Insurance and Pensions for the year ended December 31, 2002. [*Hon. K. Valley*]
Paper No. 3. to be referred to the Public Accounts Committee.
4. The Report of the Commission of Enquiry into the award of all contracts by the Government of Trinidad and Tobago to NH International (Caribbean) Limited and Warner Construction and Sanitation Limited and/or Warner Construction Limited from 2002 to the present. [*Hon. K. Valley*]
5. The Civil Proceedings (Amendment) (No. 4) Rules, 2005 [*Hon. K. Valley*]

DEFINITE URGENT MATTER**(LEAVE)****Escalating Incidence of Industrial Accidents**

Dr. Roodal Moonilal (*Oropouche*): Mr. Speaker, in accordance with Standing Order No. 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing the following matter as a definite matter of urgent public importance, namely the escalating incidence of industrial accidents that has led to the death of four contract workers in the last 14 days.

The matter is definite since it refers to the increased occurrence of fatal industrial accidents taking place across the industrial sector. The matter is urgent since workers continue to be exposed to high risks of serious injuries resulting in death. The matter is of public importance since it results from the failure of the Government to proclaim and implement the Occupational Safety and Health Act.

Mr. Speaker: Hon. Members, I have considered the Motion as moved by the hon. Member for Oropouche, and I consider it worthy of discussion.

In such circumstances, this matter would be stood down to 6.00 p.m. Normally when we start at 1.30 p.m. for a Motion as this we would go to 6.00 p.m. But, I would imagine that the debate today would take us to 6.00 p.m.

There is another Motion by the Member for Caroni East but Members know only one Motion would be accepted, and may I suggest to the hon. Member for Caroni East that he consider using Standing Order 11 with respect to his Motion.

GOVERNMENT'S EFFORTS TO COMBAT CRIME

The Minister of National Security (Sen. The Hon. Martin Joseph): Thank you very much. Mr. Speaker, I beg to move,

Be It Resolved

That this House take note of the Government's efforts to combat crime.

Mr. Speaker, it is of utmost importance that this debate on crime and public policy in Trinidad and Tobago is taking place in the Parliament this morning. It is taking place within the context of a national consensus articulated by our Prime Minister when he presented the national budget for the fiscal year 2006, and I quote:

“The escalation of violent crime and anti-social behaviour constitute the most fundamental threat to the economic and social development of our country and the well-being of our people.”

Having identified this challenge as a national priority, all of us as parliamentarians have the public responsibility to represent the best interest of our country and in so doing, subordinate our respective partisan agendas and tendency to one-upmanship.

At the end of the day, our contributions should form the basis for objective debate and a unity of action against crime. What is at stake is the future of our country and our children. Trinidad and Tobago cannot realize its potential for greatness while simultaneously our traditional values are being eroded and our urban youth are being won over to crime as a vocation and its attendant violence and public disorder.

I want to share with my colleagues a profile of crime as it has developed so as to inform the debate and as far as possible, to provide the data for objective debate and informed decision-making.

Mr. Speaker, hon. Members, the most worrisome features of crime in Trinidad and Tobago are the increasing homicide rates and the growth of kidnappings. In the case of homicides, when charted graphically, demonstrate this increase as well as the emergence of firearms as weapon of choice. It is well known that in 1995, the total number of homicides was 123; the number committed with firearms was 45; Five years later in 2000 the number of homicides was 120; the number committed with firearms was 60. In 2005 to date, the number of homicides, 321; the number committed with firearms, 233.

This alarming high increase is an unacceptable level of homicides and the use of firearms may be described as an epidemic, and as such, resources have to be mobilized to treat with this situation.

The second major concern at the national level is kidnappings. There can be no doubt of the debilitating effect of kidnapping and the extent to which it feeds the fear and anxiety of our citizens. It also projects the view that our country is becoming increasingly unsafe which has negative implications with investment and the expansion of economic activity. To date, there have been 203 kidnappings, 49 have been kidnappings for ransom. When we compare kidnappings in 2004 with 2005, in 2004 there were 177 kidnappings of which 28 were kidnappings with ransom. Eight were solved, 8 escaped, 9 released because of payment, 8 rescued by law enforcement, 1 still captured, 2 found dead, 26 persons arrested.

Let us look at 2005 to date. As I indicated before, there were 203 kidnappings of which 49 were for ransom, 13 solved, 10 escaped, 22 released because of payment, 6 rescued by the law enforcement, 7 still captured, 3 found dead, 1 captured/ abandoned, and 42 arrested.

Mr. Speaker, we now have a new phenomenon that has developed on the landscape. Along with homicides and kidnappings we now have the recent phenomena of bombs or explosives occurring in our urban centres while citizens of Trinidad and Tobago are going about their routines. These devices are being detonated with no regard to the life, safety and well-being of our citizens. Coping with this terrorist dimension of crime requires international experience and expertise which the Government is securing.

Mr. Speaker, the criminal element which is masterminding the escalation of crime and the expansion of criminal enterprise, is an extremely resourceful and formidable enemy. As I have said before, both here, in the other place and in the public domain, the illegal fortunes accumulated are used to finance extravagant lifestyles, to corrupt public institutions and officials and to compete with legitimate

business in acquiring professional services for their criminal enterprises. It is not only people at the bottom of the social ladder who are part of this criminal network but those at the top of society as well. The emerging broad base criminal alliance undermines the stability and integrity of the entire society and makes the work of law enforcement much difficult.

Mr. Speaker, it is important that we understand what some of the factors contributing to crime are. And while it is not my intention during this debate to criticize any segment of the population, I think it is simplistic that when efforts are made to put crime in some context we are accused of saying that is not new. It is important if we are first of all to evaluate what the Government is doing as it relates to treating with crime and if we do not have an understanding and appreciation of what is driving crime, then we would be in no position to determine whether or not the measures we are taking are, in fact, the right measures because we can be putting measures at the wrong problem. And we need to understand that, but for some reason I do not know if it is convenience or whatever, there is almost a simplification of the debate as it relates to crime and as a result the measures to treat with it. Every time we try to put it in context somebody or bodies say that one, we are scapegoating. We are not scapegoating. For example, when we say that we are part of a global village, that we are part of an international—we operate on an international arena. It is said the Minister is blaming globalization for crime. I am not blaming globalization for crime. We need to understand that with globalization, while there is a positive side, there is also the negative side. The negative side is that there is an international criminal network and sometimes we underestimate that international criminal network to our peril, because then the solutions we offer are solutions that are simplistic and do not take into consideration the bigger picture that we have do deal with.

The fact that Trinidad and Tobago is smack in the middle of producing countries for cocaine and drugs and consuming countries in the North, is something that cannot be underestimated and as a result, we are also saying because of other operations in other parts of the world, for example, Colombia—the United States Government in collaboration with Colombia has pumped billions of dollars into Colombia to deal with Colombia being a major producer of cocaine. And also as a result of the Jamaican Government entering into relationship with the United Kingdom as it relates to trident on the UK side and “king fish” on the Jamaican side, as a result of efforts being made in these two major producing and transshipment locations international observers are saying there is displacement taking place and as a result the traders are coming lower south down to the eastern and southern

Caribbean. And we need to note that because it means then that we must now intensify the measures that must be put in place to stem our location as a major transshipment location.

What is the Government doing as a result of that particular situation? One, we are acquiring three OPVs, absolutely important to patrol our waters. I am not going to remind Members here because when I participated in the debate earlier on I told Members about the experience with the *Matilda*. I told Members about the question of the Monos drug bust only as examples of the enormity of the drug trade that passes through our country.

The acquisition of three offshore vessels which the Government is currently engaging in negotiations with suppliers. We have now reduced the number of persons who have offered to provide us with these offshore patrol vessels to see how quickly we can acquire these vessels to patrol the coast. Our flagship now is the *Nelson* and the asset of the *Nelson* is not in keeping with what the realities are as they relate to assisting in stopping the inflow of drugs. The acquisition of six fast patrol vessels to help also in terms of stemming the inflow, because from any one of those three neighbouring states, Sucre, Guira or the other one, it takes only minutes in terms of coming across.

Airship. To provide aerial surveillance radar which would be fully up by the end of the month. I pause because we are always in a quandary where we are required to indicate what the Government is doing and the more you indicate what the Government is doing, the more the very people you are going after are fully aware of what you are doing. So there is a balance that also needs to be struck between what is said.

Only recently on a number of talk shows and in the other area, people were saying the Minister of National Security and the Prime Minister are talking too much. "Why it is you all are saying what it is that you are doing?" So that the radar system allows us to know, spot and see what is coming into our territorial waters and our country and as a result the assets which I have just spoken about would allow us to be able to detect. There are also some helicopters that we are acquiring, all designed to stem the flow of drugs coming into the country. [Interruption] It is an airship, the blimp, as you all refer to. The aim here as I indicated is to reduce the inflow of drugs into the country.

There is a new development that we have also observed recently. While the vast majority of the drugs coming into Trinidad are for transshipment purposes, we are now seeing an increasing amount staying in Trinidad. I understand of the

increasing amount staying in Trinidad some of them are payments in kind. There is another development that we are also seeing. The drugs are being accompanied by guns. In some instances, the guns themselves may be payments or in some instances the guns are used as protection of the drugs coming into the country. The unfortunate thing about that development is that while the vast majority of the drugs continue to their northern destinations the guns do not because the guns originate from outside of here anyhow; some of them from North so there is no need for the guns to continue. My understanding is that the guns would continue sometimes. If, for example, a transshipment is not directly from Trinidad to North America or Europe and it stops somewhere else in the island, it is very likely that the guns will continue to its last Caribbean location before it goes north. This is the reason why you see some of our Caribbean neighbours are also having an increase in terms of gun-related homicides and violence.

Let me just alert this Parliament that we are also seeing a new development that is very unfortunate, and that is, we are also seeing heroin starting to come through in small amounts but at the same time alarming because we do not want to take the same position that was taken with cocaine. When cocaine first started to come through Trinidad we said that we do not use cocaine so it was not a big thing and most of it was continuing north, and as a result of that particular position then, we are paying the consequences of it today. So that we do not want to have to deal with the same thing as cocaine as it relates to heroin but again the reason why we are now starting to see some heroin coming through here is because of what is happening in Afghanistan and in some other places. I am saying this because we cannot underestimate the fact that what is happening with respect to drugs and so forth in other countries is likely to impact on us here. I have indicated the Government's approach to dealing with the drug trade and in the meantime—because it is going to take some time for us to acquire the assets I have just spoken about—there has to be discussions with our Venezuelan counterparts to see how we can get them, as far as possible, to police their borders to prevent the flow coming out of Venezuela. The most we can do is talk. We cannot force them.

I heard somebody criticize me by saying we are asking Venezuela to help us. That is what we have to do and until such time as we have the assets that we need to do the patrolling, we have to ask them to try as much as possible, as part of the bilateral discussions, to prevent as much inflow of drugs. That is the location situation which we find ourselves that is fuelling some of the challenges which we are facing and the approach being used to treat with that.

The other challenge that we have—and this is a serious challenge and it is quite clear notwithstanding all of the Government's best efforts of trying to provide its citizens with an alternative to a life of crime, there are some hardened criminals, there are some persons, who, notwithstanding whatever you do, do not seem to want to turn away from crime. Let me address this again once and for all here because we are criticized from time to time by the saying, "we are in bed" with the criminals because the Government has provided opportunities for persons who found themselves on the other side of the law giving them an alternative. They are citizens here, they have indicated they want to turn their life around; they want opportunities for that to happen. Opportunities were provided, some of them were less than honest, some of them used those opportunities to continue their life of crime and once we recognized that, efforts were put in place and continue to be put in place to stop that. So that to accuse us of being in "bed" with criminals and as a result we can never treat with crime, that also is not correct and that also represents a simplification.

Mr. Speaker, there is no country in the world where they have not put efforts in place to deal with previous criminals. Incidentally, right now we are having discussions with the Inter-American Development Bank (IADB) because of the IADB's programmes, successful to some extent in Jamaica, successful to some extent in Brazil where what they have done—and let me tell you that one of the reasons we pursued this programme was to bring an international flavour because when we were doing it we were accused of harbouring criminals. But it is an established approach to dealing with criminality in certain communities, because at the end of day, not only do you have to turn those individuals away from a life of crime but you have to offer alternatives because the challenge we are facing is the easy way in which people can put their hands on money. So that it is attractive. To them crime pays.

Mr. Speaker, do you know what is frightening for some of those persons in those communities? Some of those persons in those communities are saying if they live until 30 years, they live long. That is frightening. It is a quick life fast. There is also another development that is taking place that is also worrying and frightening. You are seeing now there is almost these so-called "bad boys", they are the attractions in those communities. The girls are fighting to be with the "bad boys"; the girls want to have children with the "bad boys". It is frightening and it is something we have to address and the only reason I am saying this—and my colleagues are telling me cool it, do not get emotional. I am not getting emotional.

When we simplify the debate, when you keep hearing, “treat with this now or else”, it underscores, and as the person who at the end of the day is held accountable and responsible for the performance of the Government—because it is the Ministry of National Security that has a responsibility for ensuring Government’s policies and programmes are implemented, national security. At the end of the day it is the Minister of National Security who is also held accountable and I will talk about that. Even when he talks about his ability to implement his accountability and how constrained he is, he is accused of making excuses and: “Why does he not resign? We do not want excuses, we want solutions; we want them now.”

I promised I was not going to say this. If I believe that by leaving the Ministry of National Security as Minister, crime and criminal activities would turn around in the morning, my Prime Minister would get my resignation now. [*Desk thumping*] That is no “ol’ talk”; that is no threat. I put country before self. I am not the only one and I am not saying this because I want to make myself feel that I am more important, but if for one reason—the simplification, it really pains you when knowledgeable people in all segments of the society who understand, and they understand, but they also believe this is our Achilles heel, they also understand this is what is going to be our Waterloo but, and I am making the point and I hope at the end of this debate that we would be in a position to review everything that we are doing or what we are not doing, and how it is at the end of the day we are going to be able to say these are the things which need to be done in order to make sure that this escalating crime and criminal activities that have no respect for race, class, political persuasion and so forth, that we are going to be able to resolve. Because when one looks at other countries, and I want to make the point we are not the only country going through this escalating crime, when one looks at other countries and one sees what other countries have done, the most notable, is Colombia.

10.30 a.m.

Permit me, Mr. Speaker, while I am on Colombia, to share with you. I think I may have shared with you while I was here, I do not know. I do not like to keep repeating myself.

In Colombia, in 1999, these were the two major issues they had to deal with. They had to deal with homicides and kidnappings. In a population of exactly 42.9 million—I am not making any comparisons; I am talking about the Colombian situation and what Colombia had to deal with. [*Interruption*] They misquoted me.

Government's Efforts to Combat Crime

Wednesday, November 09, 2005

1999	24,538 homicides
2000	26,540
2001	38,820
2002	26,540
2003	17,820
2004	19,010

In 2005, I was there on October 10 and the year-to-date figure was 5,550, a phenomenal improvement in homicides.

With regard to kidnappings:

1996	1,039
1997	1,675
1998	3,014
1999	3,334
2000	3,706

[*Interruption*] I am showing how it went up.

2001	3,041
2002	2,986
2003	2,200
2004	1,441

Year to date

October 10, 2005	508
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What did they do? A combination of improving law enforcement: special squads to deal with homicides—and I remind us of what we are doing about that—and kidnappings; but also with regard to the Judiciary, there was a change in terms of the whole prosecutorial arrangement. The point is that there was a coming together of all of the major stakeholders. [*Desk thumping*] This was after a lot of marches and calls. What they recognized, Mr. Speaker, was the need for improving law enforcement capability.

When we talk about the transformation of the police, people ask why we are doing that. Mr. Speaker, the Trinidad and Tobago Police Service is the organization responsible for providing us with law and order. It is an indispensable

organization. It has found itself out of alignment with the environment in which it is operating. I am being careful. I am not criticizing the police. The reality is that we are in 2005 and we are using methods to deal with law enforcement that are long outdated.

It is interesting that, in 1998, the two major political organizations recognized that. In 1998, the then UNC in government and the PNM in opposition, recognized that. [*Desk thumping*] What did they do? People do not like to hear it again. It is ironic. This is in 1998 and we can go back and look at the figures and compare them to what they are now, 2005.

Back then they said that the criminals were getting the upper hand; the criminals felt that the politicians could not get together to do what is necessary to deal with them and they decided. The political leader of the PNM took a risk when he went to the General Council. They felt he was a mad man at the time. He said he wanted authorization to talk to the then Prime Minister; that crime was bigger than party. I am not saying this to make him more important. There was no agenda.

I was a member of the General Council then and I can recall the reaction of the General Council that Sunday morning at Balisier House. They wanted to know if the Member for San Fernando East had gone mad. You all met and spoke and agreed on a package of legislation. At the time, you all felt that it was in the best interest of the country. Then something happened and suddenly, today, that is no longer good because it is in the hands of the wrong—

Mr. Speaker, one of the interest groups, that itself is very impatient with the success being made, when I meet with them from time to time, they want performance. This is what they want. Minister, I hear you are doing all this: you are transforming; you are dealing with the Police Complaints Division—I will come to all the specific things that I am doing—but tell me when you are going to reduce crime. Tell me that in six months' time crime will come down by 10 per cent.

I cannot do that. The commissioner cannot do that. In every other jurisdiction, the Commissioner of Police is expected, at the beginning of whatever period, to say what are his plans for his jurisdiction. He can say that he will reduce the level of crime; that he is going to do this and that because he has the ability to make sure. He has the right people in the right place at the right time doing the things that need to be done. Our Commissioner of Police does not have that authority

and one of the things you saw, with respect to legislation, was that it would give the Commissioner of Police the ability to manage the police organization, [*Desk thumping*] so that the skills and competencies that he needs could be provided.

Notwithstanding the absence of that, we are doing everything possible to help with the transformation. Let me give you a classic case. Our police organization is organized, like any other, into nine police divisions. We have divisional commanders; we have police station districts—in other places they are called precincts—et cetera, but people are accountable for crime in their particular area. They know when and where crimes occur and where the resources are allocated. That is not happening in our jurisdiction.

So efforts are being made, in the absence of the ideal—and I do not want to make the ideal seem as if it is far-fetched. In the absence of the legislation, we have just sent 12 police officers on attachment to the United Kingdom, in six different jurisdictions, so that they can get hands-on experience and see exactly how modern problem-oriented policing is done. This was done at considerable expense to the Government—taxpayers money.

We are saying that if the Minister keeps talking it and consultants keep talking it, people will figure it is just talk. They should be able to observe exactly how it is being done. So, we sent 12. We have 36 police officers who just completed a strategic crime control seminar. We have the consultants. The closest we have now is an executive advisor to the commissioner, in a Colonel Shri, who was the Deputy Head of the Kansas City police organization.

Let me tell you what the Jamaicans do. The law allows them. They have one Deputy Commissioner, who is a Scotland Yard man, and they are now in the process of advertising for another four, who are coming directly into the Jamaican police organization, again as part of the strengthening of the organization.

Transformation takes a little time. Criminal activity is taking place now. We cannot tell the criminals to hold it a little bit while we transform the police service and bring it up to scratch and then take care of their activities. Not only that, they are looking for weaknesses. If we have a weak system, then it is exploited. Make no bones about it, it is internationally known that we are weak and, as a result, there is a level of exploitation. That is the reason that, even as we transform, as I said, at the end of the day, it is a modern police organization that is indispensable for crime in our country. The head of the FBI said that only recently while he was here.

Even as we seek short-term assistance from Scotland Yard and from the Federal Bureau of Investigation (FBI), let me remind Members that it is short-term assistance that we seek from Scotland Yard; it is short-term assistance that we seek from the FBI. They cannot replace our police organization. At the end of the day, our police organization must be responsible for providing us with the level of protection that we need. So we are training.

Our police organization is about 6,000 strong. We are trying, by way of the 12 and the 36 and some of the other things. We are using a classic approach to transformation. We are bringing in innovators. We are bringing people who will come with new ideas and who will make sure that some of those ideas catch on. Some of you are familiar with transformers and then there are the early adapters and the other thing, but these are the ones. Even our innovators find themselves in a very rank-structured organization.

The persons whom we are exposing to this new level of development and training are those who are the next level of leaders, so that there is a kind of quandary even as you bring in these new ideas. Telling the divisional commanders not to feel threatened about those people, that is easier said than done. You know that. I do not think I need to use any examples, but you know how difficult it is. However, we are continuing to make the efforts necessary to ensure that the transformation of the police service takes place.

We have a problem with respect to police integrity. You know how Trinidadians are. We are very loose with respect to information. Many times we do not verify it. We hear something once or twice and that is it. Yes, we hear about the level of corruption in the police service. Let us be frank. There is no police organization in the world in which there is not some corruption. However, the police organizations make sure they have mechanisms in place to minimize, if not eliminate, corruption.

I have said here over and over, that in other jurisdictions, it is referred to as internal affairs. The reality in our system is that it is the Police Complaints Division that is responsible for dealing with police misconduct and misbehaviour. It is a division that really needs to be improved and we are improving on it. Complaints of persons to the Police Complaints Authority about police behaviour are passed on to the Police Complaints Division. Everything ends in the Police Complaints Division for the investigating of police misconduct. We are improving that because that will serve as the barometer to make sure that police behaviour reaches a certain level.

We did an integrity survey recently and the findings are not very good at all. This was a survey conducted among police officers, so it was police officers talking about police officers. We have to correct that and, as I said, we have made progress with respect to the Police Complaints Division. We have increased the number of persons operating there and we are providing them with a level of training because it requires a particular kind of police to investigate police. It was not the culture in the past, so it is a different kind of person that you have to provide with the requirement.

I indicated to you here also that one of the challenges we face in trying to beef up the Police Complaints Division is that it would require taking officers from other parts of the organization. So we are striking a balance. We cannot take our best investigators because we want our best investigators in homicide because homicide is the number one problem. I remember the last time I was here I shared the information as it relates to homicides and some of the problems and recommendations.

10.45 a.m.

Hon. Members, do you know what is very interesting? We have already started putting things in place. Very recently, a group of police officers were complaining. They were saying that officers were being moved. The reason why I am saying this is when I talk about “the responsible debate”, I am talking about the persons who are in the community and who ought to know and, as a result, they would have to decide how to deal with such information, and that was a big article in the newspaper, where police officers were complaining about the fact that we were beefing up the Homicide Department. If homicide is the No. 1 concern and there are serious weaknesses with respect to homicides—remember I indicated to you here that the solve rate for homicides at the time for the period we looked at was either 16 or 20 per cent. That was clearly unacceptable and there were a series of recommendations made.

I remember my colleague, on the other side, paying particular attention—he was the only person who asked questions, et cetera, on my presentation—where we had indicated that we wanted to—remember we said that with respect to the implementation schedule we would identify the required personnel by October 22; transfer personnel to the new unit by October 29 for which the complaints were made, and this was done; begin tracking homicide detection rates by October 29; and we had also set some targets with respect to improvements. We said that between November 2005 and January 2006 we wanted to see an increase in detection rate to 30 per cent from 19 or 18 per cent. So we have set targets and, as a result, we are working towards the targets.

The Police Complaints Division, as it stands now, is the only entity designed to make sure that police behaviour can be properly investigated. We are doing some other things also. It should not just be waiting on a citizen to complain about a police officer. In other jurisdictions you look at police lifestyles and certain types of things and to determine whether or not—you are hearing all kinds of things about police officers involved in various kinds of activities, and I think it is unfair to the whole organization to have a group of persons who are tarnishing the whole image of the police service. What is also important is the success of police performance which relies to a large extent on the relationship between police and citizens. If the citizens have no confidence in the police then the whole question about the whole basis to protect and serve—everywhere in the world successful policing depends on the level of interface.

You see, the talk about community policing, there are persons who feel that the solution to that is community policing. Again, that is a wrong response. It is not community policing but better interfacing between the police and also the community that will bring about that. Again, we are ensuring that these measures are put in place.

Mr. Singh: I want to thank the hon. Member for giving way. Have you looked at the whole question of conviction rates arising from the detection of these crimes? I get the impression from reading the newspapers that the lack of faith of the public in the police service is reflected in the juries finding persons not guilty. I do not know whether you are looking at that dimension of the problem.

Sen. The Hon. M. Joseph: The answer is yes but, more than that, this also brings us to the whole question of how do we now investigate crimes. Do you follow what I am saying? How do we now investigate crimes so that we can bring evidence to the courts that can stand up? The thing is much more complex than what meets the eye. As a result, the quick fix kinds of solutions that are sometimes offered are not solutions that would help us. You are absolutely right, as it relates to the conviction.

Police rely a lot of times on confessions and as a result confessions collaborated with something else. So when somebody comes to court and says that they forced the confession and the jury or magistrate or whoever tends to believe, then the matter is thrown out. So it is the basis of the improvement in our society that crime and criminal activity rest with the police.

Dr. Rafeeq: I thank the hon. Minister for giving way. In terms of the conviction rates and the success of conviction rates did you also look at the Witness Protection Programme? That is a very key area.

Sen. The Hon. M. Joseph: Let me just correct a misconception that is in the public domain. There is a Witness Protection Programme that exists in this country. I am sure you are aware of that. You all were in government, so I am sure that you know that there is a Witness Protection Programme. The challenge with our Witness Protection Programme is one in which—again this is an opportunity to highlight a challenge. The challenge that we have in our Witness Protection Programme is that persons are required to make sacrifices because in many instances their lifestyles are curtailed during the time when they are in the Witness Protection Programme.

For many persons who want to participate in the Witness Protection Programme, their preference of relocation is the United States of America, Canada and the United Kingdom. A lot of time that is not always possible and, as a result, other countries that are participating in the Witness Protection Programme are not countries of choice. There is also another side to that—again, I am careful because I am not criticizing any of the stakeholders—the length of time that cases are called. So that you could be in a Witness Protection Programme for such a long period of time that it becomes unattractive. So there is the other part.

Mrs. Persad-Bissessar: That is part of the fight against crime.

Sen. The Hon. M. Joseph: All I am saying is that I could only talk for what I have direct responsibility.

Mrs. Persad-Bissessar: That is your problem.

Sen. The Hon. M. Joseph: I cannot interfere with the Judiciary. When you say that is my problem, I can tell you all of the challenges that we have as they relate to the Judiciary, and then you would know now that I crossed swords with the Judiciary. I am not doing that.

Mrs. Persad-Bissessar: The resources are yours.

Sen. The Hon. M. Joseph: So that is one of the challenges that we have with respect to the Witness Protection Programme. It is serious. We have seen instances, and it is also frightening, where two days or five days before the court matter, the witness is eliminated. That is also unacceptable because that also continues to fuel the problem which we are facing.

Mrs. Persad-Bissessar: I do not understand.

Sen. The Hon. M. Joseph: What is it that you do not understand?

Mrs. Persad-Bissessar: You started talking about the Police Complaints Authority. I would like to know whether the report for 2004 to 2005 has been accepted by the Cabinet and why it has not been laid in the Parliament. Last year, you made a lot of recommendations. You started talking on the Police Complaints Authority and then you went off. You did not finish your contribution on that matter. What about those recommendations from last year? Where is this year's report?

Sen. The Hon. M. Joseph: Where is this year's report of the Police Complaints Authority? I think that was laid in Parliament. I am almost sure that there was a report that was passed by Cabinet. I think it is just a question about it being—I do not know why it was not laid.

Getting back to your concerns about the Police Complaints Division, all I am saying is that in the Police Complaints Division, we are increasing the number of persons assigned to the Police Complaints Division; we are also increasing their training and competence; we are also in discussion with the Police Service Commission to deal with the whole question of investigation and the internal arrangements to deal with the question of investigations.

As you know, there is a role of the Police Service Commission as it relates to complaints and investigating police misconduct. There is dual responsibility. Some of the responsibilities lie with the Police Service Commission and some lie with the commissioner.

Mr. Speaker, what I have been indicating are some of the measures that the Government is putting in place to deal with the question about this escalating crime and criminal activity. I have painstakingly indicated that notwithstanding what we are doing, at the end of the day, the success is going to lie with a modern police organization. In every other part of the world that is what it has come down to. Notwithstanding the establishment of special units; notwithstanding the resources being placed in other areas; it is a successful police organization that is indispensable to the performance of law enforcement. We are talking about the police officer on patrol and the police officer on the beat—it does not matter where they are—he or she is responsible for discharging his or her responsibility. So, as I said, because it is a rank organization, we have to start at the top.

We are going to be putting training arrangements in place to deal with some of the minor problems. What are some of the minor problems? Minor problems are like the police interfacing with the public. That is a serious problem and it is not a problem that is unique to us. Other jurisdictions also had such a problem and they have addressed it in terms of their management system, and this brings me to the other area that we are focusing on, and that is the question of performance management system in the police organization. It is there and it has been there for sometime, but in terms of the operation of the performance management system, we are now putting things in place to make sure that it works because that is now going to form the basis of being able to determine police performance and also lead to other things related to promotion within the police organization.

Mr. Speaker, we are trying to increase the number of police officers that are now on patrol or on the beat. Two things are occurring at this time. We are in the process of civilianizing as many jobs that are now occupied by police officers. At the last count, there were some 230-something jobs that are currently being held by police officers and the vast majority of them can be civilianized. We are in the process of doing that and, as a result, putting more officers on the beat. Of course, you know there is a challenge that we are going to face and that is we are going to reorient. I do not know how long some of them have been occupying these desk jobs. I am not being derogatory—so it would be a question of reorientation to put them back. I am sure all Members are now seeing the next step as it relates to the next batch of recruits.

Mr. Speaker, remember I had indicated to you that it is now the decision of the Minister of National Security that all persons who are desirous of becoming members of any of our protective services and/or law enforcement, their photographs with their names and addresses would be in the public domain. I am sure that you have now seen the latest as it relates to police officers. What I am now hoping is that in order for that to work, I hope citizens who may have some concerns—it has to be legitimate and it has to be investigated, et cetera, because we want to make sure that the next level of police officers—not just police officers but law enforcement persons—are of a certain kind of integrity and certain types of minimum standards, et cetera. Law enforcement ought to be a vocation. That is how it used to be. It cannot be just another job that a person is going to do. It is important that we now must make a career out of it so that persons must be able to see advancements and so forth that can be made. All of that is part of the ultimate reform that we are talking about with respect to the police service.

One of the things that I am trying to get understood is that it is not correct to just say that the Government is not doing anything as it relates to the challenge that we are facing with respect to crime. *[Interruption]* We are doing that which we can do. When we say it, we are criticized. The Executive's responsibility is to make sure that the resources needed for law enforcement are provided and challenge them to give us the results. That is what we are doing. At the same time, if we do not get the results, we do not have sufficient authority to be able to say that we are not getting the results; we need to take these measures or we need to remove the commissioner or to do this or that.

All the business sectors and people who keep talking about the fact that they want to see quicker results, they know what obtains in their sector and how it is they are able to—in terms of making sure that persons who are charged with the responsibility of providing the performance of the organization—treat with that.

Mr. Speaker, let me just say something else on the other area that helps with respect to our law enforcement and that is forensic. Again, when I was here the last time, I mentioned the challenges that we are faced with at the Forensic Science Centre and what we have done to help in that regard. First of all, as an interim arrangement, we now have a team of UK expertise at the Forensic Science Centre helping with respect to narcotics and firearms; the purpose being to deal with the backlog of cases. Again, that backlog would also influence trials. That is what is being done immediately. As we speak, there is a team here helping the Forensic Science Centre to treat with these matters.

We have provided four scholarships to nationals and those scholarships were awarded and they are off to whatever part of the world studying various types of things to help with respect to that matter.

There is also the question of legislation. People keep talking about the legislation. When I was here I talked about the deficiencies of the legislation and, as a result, there is an expert here. I understand that a meeting was convened with lawyers and the expert shared some of the concerns with parliamentarians who are lawyers by identifying some of the challenges that the existing legislation poses.

With respect to the DNA legislation the substantial flaws are in six specific areas:

- (1) inadequate definition of samples to be taken;
- (2) procedure for obtaining samples;
- (3) taking of samples;

- (4) application of court for consent—the court order;
- (5) clear guidelines for DNA matching; and
- (6) the statute of limitations for the destruction of samples.

They are in the process of addressing the legislation.

I indicated that the second most critical concern, apart from homicides, was the question of kidnappings and I gave the numbers of kidnappings. We recognized that the way in which we have been treating with kidnappings needs to be reviewed. We have now established an Incident Coordinating Centre—you see, similar type operations and one entity having responsibility is proving not to be as successful. It is not just confined to us in Trinidad and Tobago but other places. As a result, it is necessary for us to bring the Anti-Kidnapping Unit and other intelligence entities together to look at this matter. It is not just to respond when a kidnapping takes place, but also to do a whole host of things as they relate to the whole question of that kidnapping group or groups that are responsible. I should not say a whole lot more on this matter. Clearly, as I indicated, the Incident Coordinating Centre is where we bring together different law enforcements, including the Anti-Kidnapping Unit.

Let me just indicate that the Anti-Kidnapping Unit has been exposed to a lot of training. Let me also indicate, if only for some public comfort, since there is a view that Members of the Anti-Kidnapping Unit are involved in kidnappings, that we have addressed that matter. All officers have taken polygraph tests to just quiet that belief that they are involved because it was disquieting. As I said, we are doing other things related to improving the ability of the unit responsible for stemming kidnapping. As I said, only recently, we have had the Colombian experience in terms of what are some of the things that they have done and we are going to be using to help us.

Mr. Speaker, I indicated earlier the concerns of members of the community as it relates to their involvement in crimes. We have established the homicide prevention working group. That homicide prevention working group is bringing together expertise from a number of areas. It is not sufficient, as I said, to just provide the communities where homicides are very prevalent with a police presence as we now have. A police presence can last only so long. We need to provide them with an alternative to crime and violence in their various communities and, as a result, the work of other ministries of the Government are being brought together to help in this regard.

Mr. Speaker, we are concerned with ensuring that a relationship exists between the law enforcement and citizens. As it stands now, a citizen's only avenue of treating with any criminal activity or any crime that they are aware of is by way of Crime Stoppers. One of the things that we are working towards is making sure that there is a direct link between the citizens and law enforcement by way of some secured lines—whether it is 555 or 544 and so forth. In order for that to be effective, it is important that the infrastructure is in place to support such a measure. We are now in the process of putting those measures in place to deal with that direct interfacing. I am going to say more on that matter as we come along to that.

Mr. Speaker, the current debate in Trinidad and Tobago is not different from what other countries have experienced. However, we need to move the debate from the simplistic finger pointing mode towards one which recognizes the need for all sectors of society—the media, the Judiciary and civil society—to contribute favourably to the discussion in the fight against crime. [*Desk thumping*]

These stakeholders must move from the periphery and get involved in a meaningful way. Crime waves are scourges comparable to viruses. It is pandemic. In 2004 hundreds of thousands of citizens descended on the streets of many Latin American countries, protesting crime and personal security. Mr. Speaker, like any virus, crime migrates from one country to another. It hits weaker countries and consumes national resources.

The United States President Johnson once said, and I quote:

“Organized crime is nothing less than a guerrilla war on society.”

Mr. Speaker, our society is at war and we are not going to win the war by pointing fingers. The mobilization of every member of a society is required. Mr. Speaker, the media and business entities have an important role to play in battling crime. It is important that the media and business people understand the nature of crime; what causes it; and how to fight it. Only then the media can formulate reasonable expectations and steer public anger in the right direction.

Messages like do something to stop crime otherwise, or crime escalating, or crime reaching unacceptable levels, are not productive. Mr. Speaker, the business community should engage the Government in a productive dialogue providing us with suggestions and comprehending the Government's legal, material, political and social constraints. To win the war on crime, frustration must be replaced with cooperation.

Mr. Speaker, perhaps the most critical task which faces us as a Government in the fight against crime is the building of a sustainable dialogue with the public; constantly explaining our programmes and strategies; and winning their support. Building this trust with the community and the integrity of the police is the most critical factor.

The public perception of corruption in the police service can only be changed by a consistent pattern of behaviour by the police treating the public with the respect they deserve and the firmest rejection of all officers tainted with corruption. Mr. Speaker, no criminal enterprise can exist without some level of public support. Both the security forces and the criminal element are constantly competing for the hearts and minds of the community. It is the level of community that vital intelligence is garnered which makes all the difference to the success of operations. It is also at the level of the community that the criminal elite used its ill-gotten gains to buy loyalty and support.

In the end, we must be able to offer opportunities to the people to improve the quality of life for themselves and, particularly, their children. Equality of opportunity is as important as economic expansion. Every society must develop appropriate mechanisms to protect the most vulnerable.

Mr. Speaker and hon. Members, Trinidad and Tobago stands on the threshold of exciting possibilities in the modern world. The vibrancy of our economy has been acclaimed internationally and is reflected locally in our expanding production of goods and services of high quality.

We are investing in social services to make our labour force more socially-cohesive and productive. A criminal minority stands between us and the realization of our potential. We will not allow this criminal minority to retard our progress. This is a fight that we can and must win.

Mr. Speaker, thank you and I beg to move. [*Desk thumping*]

Question proposed.

Miss Gillian Lucky (*Pointe-a-Pierre*): Thank you very much, Mr. Speaker, Might I indicate that having heard the contribution by the hon. Minister of National Security, I am more convinced in my view that if we are to be successful in this war that the Government claims that it has begun and has embarked upon, in terms of fighting crime, then what has been articulated by the hon. Minister of National Security would never be enough.

Mr. Speaker, when one looks at the very Motion that is being debated here this morning, and the fact that the hon. Minister quite often, during his contribution, made the point that far too often the debate on crime is simplistic, I really had to wonder whether the hon. Minister looked at the content of the very Motion that this House is debating. It is one line that says:

Be it Resolved that this House take note of the Government's efforts to combat crime.

With the greatest respect to the hon. Minister, this in itself is too restricted and simplistic a Motion to bring before this House to expect us to seriously and comprehensively embark on a debate to combat the kind of crime that we are dealing with. [*Desk thumping*] Hon. Minister of National Security, it is because of the deep respect that I have for your office that I have sought to lead the way, if I may humbly say so, in making a suggestion to this honourable House that we not restrict ourselves in this way but we, in fact, expand the debate and, therefore, in these circumstances, I am respectfully asking you and I am begging you to move that the Motion before the House be amended as follows: immediately after the end of the Motion add the following, and I quote:

"And be it further Resolved that this honourable House call upon the Government to give meaningful consideration to the various proposals placed in the public domain by the Keith Noel 136 Committee and other concerned groups to address the scourge of crime."

Mr. Speaker, you see, it is not enough for the Government to come here and merely state that this House should take note of what it is doing because taking note does not in any way encourage discussion. Taking note seems to me, with the greatest respect, to go along some kind of dictatorial lines. I know this might have not been intended, but when you say to someone "please take note"—

[*Mr. Manning on his feet*]

I am going to give way to the hon. Prime Minister, but just let me finish the sentence. Mr. Speaker, when you tell somebody "please take note and please be informed that" it does not encourage discussion. It means that the Government has just come here to tell us to take note of its efforts to fight crime. [*Desk thumping*] Clearly, those efforts are failing.

The statistics that the hon. Minister has presented have proven beyond a reasonable doubt that the efforts are failing and they are failing because there are no meaningful discussions. This is no longer the problem of this Parliament. This

has become something that must encompass what has been put in the public domain. That is why when we look at the public gallery we see such young people with such intelligent minds; we see the future generation of Trinidad and Tobago.

Mr. Khan: Soon to be kidnapped.

Mr. Speaker: In your contribution, it is not permitted to refer to members of the public gallery.

Miss G. Lucky: Mr. Speaker, I am sorry and I am so guided. I make the point in this way. Therefore, when there is a debate—I have not forgotten to give way—they must ensure that by the very wording we get to the root of what we seek to solve. We are not here to take notes from the Government; we are here to see how we can assist the Government because, clearly, the Government is failing. [*Desk thumping*]

Mr. Manning: Mr. Speaker, I credit the hon. Member for Pointe-a-Pierre with some parliamentary experience, and to put the Motion in the way that the Government has put the Motion, what we are in fact doing is putting the Motion in as wide a form as possible to admit of any possible intervention in the debate. [*Desk thumping*] You see, it was deliberately done that way. If it is that the Member for Pointe-a-Pierre or anybody on the other side is afraid of running afoul of the Speaker as to how to do it, perhaps I should tell you from now so you do not have that problem. All you have to do is to indicate that the Government has done this, but we are also taking note of what the Government has not done. In that way, everything is on the table. [*Interruption*]

Miss G. Lucky: Mr. Speaker, with the greatest of respect that is exactly the problem. Even in your articulation of the explanation, you are saying that the Government would present what it has done and the Opposition would point out what has not been done. That is not going to solve crime.

Mr. Manning: Please—

Miss G. Lucky: We want implementation. I am not giving way again, with the greatest of respect.

Mr. Manning: I did say anybody.

Miss G. Lucky: With the greatest of respect, Mr. Speaker, I would like to proceed. It is not for the hon. Prime Minister to seek to stand and gain any kind of advantage and to point out to another Member. What I can say is that I thoroughly researched it. Let us not get carried away with that point. There is a wealth of

discussion that has to be carried through in this debate and I am not going to get carried away and lose focus. That is one of the reasons we have this problem today. We take up these petty issues; we get carried away with the petty politics; and that is when the country is not placed first. [*Desk thumping*] Today is not a day for politics before country; it is a day for country before politics, and that is what the hon. Minister of National Security himself said.

Mr. Speaker, it is for that reason that I have sought to have this amendment. I am sure that the hon. Member for San Fernando East also knows the procedure that if the amendment does not find favour, he can vote accordingly. I would find it very strange and uncomfortable that in an amendment there is a direct request to consider, meaningfully, all that has been placed in the public domain by those who are experts, to be disregarded. That would be a matter for those who object to account to the public.

Mr. Speaker, the Government is failing miserably in its fight against crime because it is treating the issue as a public relations event. [*Desk thumping*] It is time to embark together as a country on a sustainable, immediate, effective and efficient combat operation. That is the problem. Laws alone do not solve the problem and the Minister of National Security has admitted that.

Hon. Member: Solve it all.

Miss G. Lucky: Mr. Speaker, you see, they are saying: "Solve it all". That is not what this debate is all about. This is a debate that is meant as best as is possible to include not just the Government and the Opposition, but those who have been in the public domain for years, months and days expressing their concerns—more than expressing their concerns—making viable suggestions that this Government continues to ignore.

Mr. Speaker, often in the Parliament, we are criticized as parliamentarians for not having a human face. There are many persons who have indicated that as a collective group, the Parliament has not done enough to make sure that criminals have been put on the run. It is therefore in that context, during my contribution, I want to do more than merely criticize the Government for not implementing viable measures to fight crime but to see what measures have been placed in the public domain and how we can go about, with immediate effect, to make it part of the criminal justice system so that criminals would really fear the system.

On that note, talking about giving the Parliament a human face, and hopefully without breaching any Standing Order which I do not think that I would be in breach of, let me also state that about three weeks ago, I lost a very close friend.

He was my dearest friend and someone with whom I would discuss issues of crime and fighting crime on a daily basis. It is sad to note that we have lost a law abiding citizen, not because he was a victim of crime, but we have lost a citizen of Trinidad and Tobago who on a daily basis was always concerned on how we can fight crime and how can we make here a safer place for the young generation. It is therefore in this regard—let me state quite early in my contribution—that I am dedicating what I am saying in the memory of my dearest and closest friend, Indarjit “Apple” Rampersad Singh, who many times when I had to discuss issues dealing with crime fighting, would take time out to discuss advances in technology and would sometimes come up with very practical measures which, unfortunately, often fell on deaf ears. I am just hoping that is not the fate of all the contributions that are going to be made here.

Mr. Speaker, during his contribution, the hon. Minister quoted several statistics. The hon. Minister indicated that there is an increase in serious and violent crimes. He pointed out that globalization was responsible for this and that it is now easier to get from place to place, and criminals have actually increased their abilities to move around. What I find very alarming is that in light of this admission, the Government still finds itself in a position that it is not upgrading its own fight against crime, bearing in mind its acknowledgment that fighting crime is becoming more and more difficult.

Mr. Speaker, take for example what happened in Manzanilla many months ago. In Manzanilla—the hon. Minister of National Security made the point that there is a problem with drug trafficking—imagine there was a wash of cocaine that came up on shore and, to this date, we do not have a fully operational Manzanilla Police Station. So when the hon. Minister of National Security talks about the impact of the drug trafficking trade and the need to liaise, and rightly so, with those who form our boundaries, including Venezuela, what do we have here in Trinidad and Tobago to show how serious we are?

I remember the reports of all the cocaine being washed ashore and we do not have a Manzanilla Police Station. So when the Minister of National Security talks about the need to follow the crime, prevent the crime and get records of criminal activity in areas, where are these records going to be kept? To whom are these reports to be made when police stations in areas that can be determined as “hot beds” are not fully operational? Why some police stations are still operating like they are shops? “Shops” meaning that they open at an hour and close at another hour. When some citizens go to get their complaints heard and to make reports they are told: “Listen, the police station is not opened.”

I have heard of one complaint of a police station in an area where there is an electronic gate. One person went to a particular police station to make a complaint and that person was unable to even get into the compound because the gate was closed. When you have police stations where the public does not even have access to get in, how are these reports being made? Is crime being fought in any serious fashion? The sad news is that this information is in the public domain and the criminals are aware of it. The reality is that the criminals in Trinidad and Tobago do not fear the system. They are aware of the loopholes; they are aware of the deficiencies and they are exploiting them. Unless we get immediate action—whether with “pie in the sky”—far too often we hear about plans that amount to nothing more than “pie in the sky”. We hear about “eye in the sky” and then we hear that it is malfunctioning. We hear about a blimp and to this date we do not know if the blimp is operational or not. One media report said that it had to be taken down for repairs and another media report said that was not true. The simple question is: Is the blimp operating or not? Have we wasted \$41 million? If we are getting this technology, why is the technology not working? There must come a time when the scales are at least evenly balanced. Presently, the scales are weighing heavily in favour of the criminals.

Mr. Speaker, the Minister of National Security talks about the fact that they are in the process of negotiations. That is yet another problem. As citizens, imagine, we are expected to accept that this Government, year after year, is negotiating. This technology that the hon. Minister of National Security talked about is nothing new to us. We heard about the acquisition of helicopters; we heard about the radar system—we heard about it in 2003; we heard about it in 2004, and we are hearing about it in 2005. Is it taking two years to negotiate?

In the interim, whilst this Government is being carried away with negotiations, we have criminal activity on the rise. By the time that negotiation is complete, believe me the technology that we have acquired would be out-of-date. If it is in fact relevant technology we would have had too much crime being committed in the interim. What excuse can this Government give for being involved in negotiations for two years? What is worse—even if the negotiations are taking long—the public is being told that these pieces of equipment would be coming into the country forthwith; and we get all these descriptions and promises. That is what it is all about; failed promises. And today, at least we must fulfil the promise to let the public know, not just the criminals now, let the law-abiding public know that enough is enough, and we are going to do something about fighting crime.

11.30 a.m.

Mr. Manning: I want to be sure, Mr. Speaker that we do not spend too much time on premises that are inaccurate and then carrying on a long argument based on a false premise. I just want to correct the Member for Pointe-a-Pierre, the radar system this morning, is operational. It is not any talk about negotiation, it is operational, Mr. Speaker.

Dr. Khan: You catch anybody yet?

Miss G. Lucky: And once again, and with the greatest respect to the hon. Prime Minister, the point being made is that there were promises, and we have the budget statements from 2003, 2004, 2005, but we are not here to show the Government where in 2003 it made a promise and said it was getting this equipment with immediate effect, and in 2005 we are still hearing about certain things. That is not what the debate is about this morning. That is exactly what the hon. Minister of National Security said and I agree with him. Let us stop the finger pointing; let us get realistic. It is better that this Government tells us when it actually has the equipment, than to be giving the nation a false sense of hope; that is the promise. We are made promises that are not fulfilled and we are given a false sense of hope. Let me make it very clear, the hon. Minister of National Security indicated that he was placing country before self, and I agree that that is the position we should adopt. As Parliamentarians, country has to come before self.

He also indicated that if he felt his resignation would lead to the immediate solving of the crime problem, he would tender it. Let me hasten to add that I am not calling on this hon. Minister of National Security to resign. In fact, the last time I asked for a Minister of National Security to resign, he did in fact enjoy a Cabinet reshuffle, and the result was the present Minister of National Security. All I am saying, Mr. Speaker, is that I have learnt my lesson, that when you call on this Government to ask for a change, hoping for the better, we see what happens. So let us not even go down that road, and I, myself would say, I am not asking for the resignation of the Minister.

What I am asking the hon. Minister to do, and unfortunately I am not seeing him sitting where he was, which to me just goes to show, at the end of the day, yes, he can read the *Hansard*, and yes, he can be reliably informed, but the hon. Minister is not even sitting here listening.

Mr. Ramnath: Have no respect.

Miss G. Lucky: And it is not a matter of respect, I should say, Member for Couva South, it is that if we are supposed to have a meaningful debate, does that not mean that Parliament should be given the priority it deserves, being that it is described as the highest court in the land, and the hon. Minister, at least sitting? But I would err, I would quickly err and give him a rapid defence. Perhaps there is some issue of national security that has called for his intervention, so I would rapidly defend his position. But unfortunately, I have to depend on some of his colleagues to transmit what was said if the *Hansard* is not ready, and all I can say at the end of the day is, I hope that what we are saying would not fall on deaf ears.

You know, Mr. Speaker, if at the end of the day the Government could just remember these three words, in terms of the fight against crime, and the three words are: Listen to what people have to say, and I am saying "listen" is the first word. Word No. 1, listen—and I am just explaining—to what people have to say. People who have the expertise. Two, "understand", and by that I mean understand what is being articulated and ventilated; what is being explained. The third word is "implement"; having listened and understood, accept and go on now to implement the measures. So listen, understand and implement.

Speaking of the Police Reform Bills which the Minister of National Security was clear in stating, that we feel the panacea for the problem is in fact the implementation of the Police Reform Bills. Let me just state my position on these Police Reform Bills. Yes, there is a lot of history that goes back to 1998, and the hon. Minister of National Security went through that history. But let me say from my own position what the problem is, not just for me, but for many people out there. This Government has been guilty or at least allegedly found to be in inappropriate executive action; I would explain what that means. There have been several instances in which there has been inappropriate executive action, in that, the Executive, which is meant to be a separate arm of all the other independent arms of our Constitution, has found itself with fingers and tentacles in other people's business.

This Government cannot deny that independent institutions had at one point—at least one of them comes to mind—to literally put a gag order. This Government cannot deny that there was a former attorney general who was indicating at one point, words to the effect, that people would be charged, and the question had to be asked: How could you, as an Attorney General, be giving some kind of conclusion on evidence or information, when that is not supposed to be in your ambit or to your knowledge? When the Anti-Corruption Investigation Bureau in fact pointed out to this honourable House, that it was within the bowels of the

Office of the Attorney General, I remember it was the Member for Laventille East/Morvant who denied that; who said that was not true; who accused the Opposition of lying. Until the *Gazette* of February 2002 was presented, in which it was shown in writing that it was in that year, for the first time, the ACIB came under the auspices of the Office of the Attorney General. Then the argument was quickly changed to: "So, nothing wrong with that."

You see, there is a perception out there that this Government finds itself involved in matters that are not supposed to be within its control. Let us be very frank about it. What about the Bajan fishermen issue? That is an unresolved issue to date, and merely to state that a police officer got convenient amnesia, and that is why he cannot remember who gave him the instruction. Imagine we have to accept that in this country. This Government is rightly worried about low detection rates, when we cannot even detect something as inappropriate action, because how simple it would be, just follow the trace. In the same way when you are doing serious road matters you follow a paper trail; well follow the trace of the calls. If the magistrate was so instructed by the prosecutor and the prosecutor in the court says: "I received the instruction"; trace it and see who gave the instruction. I am not going to be irresponsible even though there are concepts such as parliamentary privilege, to state what was reported in newspapers abroad. I am sure Members on the other side know what was reported, and certain names were called. But I am saying there has been no resolution of the issue. [*Desk thumping*]

So when there is no resolution of these kinds of issues, the public becomes suspicious. The public begins to believe, wait, if we pass legislation in which an executive or any executive will have certain powers to appoint, what prevents a corrupt executive from putting people whom it controls in those high offices. So, I want to say, with the greatest respect, it is not a matter of constitutional reform; it is a matter of constitutional adherence. Let the executive know what it can and cannot do; matters which it can interfere in and matters from which it must stay far away. That is the level of confidence that has to be raised—with the greatest respect—before we can have any kind of serious discussion about implementing legislation which, if manipulated, can be used by a dictatorial regime; or a regime with those tendencies; or a regime that lacks accountability and transparency to manipulate the process and contaminate what is meant to be a fair and independent process.

That, to me, is the problem, and this Government is not doing enough, or not doing anything at all to remove all the allegations of corruption; all the allegations of inappropriate behaviour. When the Government feels it could just go along the

merry road of doing what it wants without accounting, clearly, any legislation, which might just smack of tools that can be used to manipulate a process, is going to be frowned upon or treated with a very high degree of concern and hesitation, and that is the problem.

In fact, Mr. Speaker, in preparing for the debate, my colleague for Barataria/San Juan passed me a very important paragraph that comes from the *Parliamentarian*, the November 2005 issue, and what it states in—I think this might have been very timely and I thank my friend, the hon. Member for Barataria/San Juan. The name of the article is: “Combating Crime. What role for Parliamentarians in law and order matters;” that is the name of the article and it is written by Hon. Michael Peart, MP in Kingston. I want to commend this particular paragraph to everybody—myself included—in the Parliament. This is what it says:

"Perhaps the foremost duty of a legislator in his or her efforts in the battle against crime is to lead by example. Subscribing by words and deeds to high ethical standards and avoiding suggestions of impropriety in his or her personal and public life is the safest path on which to tread."

I really want to commend what has been said by this hon. Member of Parliament in Jamaica.

Mr. Speaker: He is the Speaker of the House.

Miss G. Lucky: And I thank you very much—the Speaker of the House. So coming from such a high office and pointing out, literally, if we had to take that paragraph alone—and no doubt the entire article is very helpful. But I am saying if you were to just take what he said and put it in its simplest form without comprising the powerful message he is making; what he is saying is, make sure that integrity is reigning supreme in your action, so that when you go after the criminals, you cannot have fingers pointed at you, and more importantly, you would have been leading the way by example. And that is the problem in this country. Unfortunately, because of the operation of this Government, being bad is good. In fact, I would put it this way: It is good to be bad; it is better to be worse; it is right to be wrong.

Only recently, at the very sad occasion of the burial of a 13-year-old who was the victim of crime, many artistes in the country came forward and said: Listen, they are pledging to refrain from certain lyrics and the use of certain lyrics in their songs and compositions because they are recognizing that this breakdown in law and order has filtered all the way down to the nation's youth. [*Desk thumping*] I really think and I am glad the Member for San Fernando East is recognizing, at

least, the merit in this point, and I say it this way to see if the tapping of the desk would be removed. That it should not just be—and I thank the Member for Caroni East for making the point—a limited number of artistes, but artistes across the board; people across the board and parliamentarians across the board, who are saying: listen, in whatever we do, to whoever we attract, we are going to make sure that we maintain peace and that we do not promote the breakdown of law and order. [*Desk thumping*] That is the commendable stand.

Mr. Manning: Yes, Mr. Speaker, the hon. Member for Pointe-a-Pierre is saying that good sense is beginning to prevail in all of this, and that notwithstanding who may or may not be guilty in the minds of some, that starting with a group of artistes, they have now taken the point of view that we are not without a liability and a contribution to make in this matter and therefore we would make it. That is precisely what this Government has been asking the hon. Members opposite to do. [*Desk thumping*]

Mr. Ramnath: You were elected to deal with crime. You have failed.

Miss G. Lucky: Mr. Speaker, I am so happy that the Member for San Fernando East is enjoying this contribution to the extent that he too is doing like what many performers do, joining in, in what has to be some kind of commendable performance. I have given him a hat-trick now of intervention. No, I did not say a Patrick, I said a hat-trick. The point is—

Mr. Manning: And there is more to come.

Miss G. Lucky: Well, of course, there may be more to come, but you see you cannot dictate, you have to hope you get way. Mr. Speaker, proceeding; I am sure the Member who wants to show me how much he knows the procedure. Let us remain focused.

When one is dealing with fighting crime in a serious way, one has to ensure that whatever policies are being implemented cover three major areas: crime prevention; crime detection and criminal prosecution. By criminal prosecution, not simply ending when there is a conviction, but it also includes sentencing, and of course, for persons who are sentenced and incarcerated, the entire jail system as it operates.

Mr. Speaker, the hon. Minister for National Security spent quite some time telling us about his understanding of the process, but what is clear is that whatever his understanding—and let me just preempt and say, it is not a personal attack. What I am saying is, and let me make it general, whatever the understanding on

the other side, there are not enough measures in place to deal with the problem, and therefore, for the remainder of my contribution, what I intend to do, is to look at these critical areas and to consider what has been placed in the public domain. Because that is the amendment that I have sought to ask the House to consider; not simply to take note of what the Government has said; not simply as the Member for San Fernando East is saying, to encourage the Opposition to say, well we took note, but you are lacking in this regard; but to also consider meaningfully what other groups have done.

In this arena, I would like to say that much of the homework for the Government, and by extension, the Parliament, has been done by groups in our community who are serious about fighting crime. The first name that comes to mind is the Keith Noel 136 Committee. That committee which has been specifically named in my amendment that I propose, is a committee that might have started as a support group—from what I understand—but recognizing the problem and understanding that it was not just limited to the murder of one person called Keith Noel—who was familiar to the group—but the larger issue of the murder rate out of control, decided to collectively get the support of citizens, and it started stage one—petition. They were criticized and chastised. People said where would you go from there; and they proved them wrong, they went to stage two. After getting the petitions, they went to the President.

The President did not allow their work to go unnoticed, because in the speech by the hon. President of the Republic of Trinidad and Tobago, he made specific reference in his address, given on Monday, September 26, 2005 to the crime situation in the country. For the hon. President, His Excellency, Prof. George Maxwell Richards, to come to the Parliament and make specific reference to the Keith Noel Committee; the work that the committee had done and to encourage all of us as parliamentarians to do something about it, means that our Head of State has recognized the problem. We are duty bound to make sure that we do whatever is necessary, as long as it is legitimate and lawful, to ensure that we provide the national security to all law-abiding citizens, because that is presently lacking. It is not about government and opposition; it is about people who want to see the country coming first.

When I read the address of His Excellency, who made specific reference to the point during his address that:

“This is a time when constituents must be able to call in the promissory notes that were handed out at election time. Deferrals will not do.”

Clearly, there was the recognition that too often when it comes to fighting crime, games are being played. That was not an indictment against one group as opposed to the other; it was the perception. That is the perception. And the Keith Noel Committee did not end with just merely going to the President, it sought—I think it was October 22—to have what can only be described as a successful event, when there was the organization of a “Death March”, in which people were encouraged to come onto the streets of Port of Spain and show their support, coming under any banner that they felt comfortable.

I was really disheartened and disappointed when I heard Members on the other side making criticisms of the name of that march, and stating—some of them, not all—that if it was given a different name, something that was not death; maybe it should have been called the “Joy March”, or the “Glory March”, and saying because of the name, they would not attend. Where and when in this Parliament would we get alive to the fact that cognizance must be given to the substance, rather than the form? That we must look at the bigger picture, and if therefore, there was a feeling that “Death March” was a wrong name, make a banner. Those on the other side are accustomed to using all their access to public relations and media and everything else; their advertising campaigns. Make your own banner, and bring your banner and come, and show this country once and for all, that we could all get together to deal with a common evil, whichever side we sit on. But that does not become the issue.

The issue is: Should it be called “The Death March”? And it really reminded me of what had happened many years ago, when people were predicting that Trinidad and Tobago would reach to this stage; when Peter Minshall said: *Danse Macabre*; that we were going to reach a stage when there would be a total breakdown and there would be just doom and gloom. People said: “Why you dealing with that? That would never happen in this twin-island Republic.” Is that not the stage we have reached right now; where there is doom and gloom? That people cannot even enjoy the benefits of a high oil price. Yes, people may have access to more money, so the Government would have us believe by the various tax cuts that they have put in place, but who really is enjoying that money; who really goes out now? I am asking Members on the other side, let us give the human face to Parliament. How many of you Members on the other side go out now and feel free staying out late if you do not have an enhanced security with you? To stay late and enjoy yourself?

Dr. Moonilal: Only at Smokey and Bunty.

Miss G. Lucky: And of course, I am not pointing fingers at the Member for San Fernando East, because I was the first to say to the Member for San Fernando East in a contribution I made in this House, that if your life was threatened, you are the Prime Minister of the country and you are entitled to have your security detail enhanced. But I went on to add, that also bearing in mind the entire country is under siege, we need to have our security detail enhanced too. [*Desk thumping*] It cannot just be one-sided; the debate cannot be one-sided; that is what we have to drive home.

Mr. Speaker, looking at crime prevention, it is clear that whatever measures this Government has put in place, they are not working. The Government talks about distancing itself from the criminal element. The Government talks about social programmes that are meant to ensure that people are not on the streets committing crime, but they are not working. It was brought to my attention that social programmes have been tried, they do have a benefit and other jurisdictions have tried them. But I want to suggest that perhaps we follow suit, with respect to what is taking place in St. Lucia. In fact, I was informed that in St. Lucia, what is obtaining right now, is that in secondary schools, there is a concerted attempt to raise their level of awareness with respect to fighting crime and staying away from criminal activity.

I know the Member for San Fernando East is very well apprised of what is happening in the Ministry of Education. I do not doubt that there are things in place, because I do read about them from time to time, but I am saying a greater effort has to be made. Unless a greater effort is made, we are not going to get anywhere. So, in St. Lucia, what is occurring is in their secondary school process, they are dealing specifically with curbing the propensity for youngsters to fall prey to this life of drugs, crime and all that goes with it? I am saying, look at what is happening in our schools. The violence in the schools has gone over and above merely playing pranks. There are no pranks being played in schools now; it is knives and guns and pushing and shoving.

Hon. Member: Bombs.

Miss G. Lucky: And bombs; because that seems to be the order of the day. A little bomb here; a little bomb there; blast here and blast there. Is that what we want for Trinidad and Tobago? Do we want to make Trinidad and Tobago the equivalent of a Gotham city? Because we do not have cape crusaders like Batman and Robin to come and solve the problems. We have to deal with what we have.

Mr. Speaker, there is a total disregard for life of law-abiding citizens in our country. Criminals are not afraid of the system. So if I were to put it in one sentence then, and if I were asked, well if you need to have crime prevention, what amongst all the other social programmes—which I am saying are important, we have to go back to family values; the Keith Noel 136 Committee has called for that. Let us go back—I know there was a song, “Go back to the old time days, to the values and virtues”. We have absent fathers in households; we no longer regard the importance of a grandmother in a household. That is important, the traditional family values. But over and above that, what we need; we need to have success rates in terms of convictions in high profile matters. There must be high profile matters in which the perpetrators have been arrested, charged, brought before the courts, convicted in the High Court, had their appeals exhausted and then the appropriate sentences imposed. If we could start getting results, then the population would win the confidence again in the system that is meant to protect them, and that is a reality; we have to send the resources that way. It may seem limited, but it has an impact.

Recently somebody asked what is the status of Trinidad and Tobago on hangings. I am one person who had said, listen, we have to deal with this matter frontally and we cannot afford to dilly-dally. Is it that we are going to enforce the laws that we have? It is on the law books. And before we could embark on any lengthy discussion on to hang or not to hang, the point was raised by one member of the group, but have there been any successful convictions of murder for this year? One person in the group indicated—this would have been about a month ago—that there have been no successful convictions for murder. I am not blaming anyone, but what worries me, Mr. Speaker, is when in a newspaper article, one reads that the cops are bracing for 370 murderers, and in an article in today's *Express*, page 3, written by Darryl Heeralal:

“Police: 250 murderers roam free for 2005”

Two hundred and fifty murderers are roaming free for 2005. Now as to how this number was obtained, the content of the article explains it.

Mr. Boynes: Because Darryl—

Miss G. Lucky: What it is basically indicating—let us not in fact hit the messenger, because he quotes statistics.

Mr. Boynes: Because you know him.

Miss G. Lucky: Fair enough. Member for Toco/Manzanilla, sometimes we have to understand, let us remove what we may feel about a messenger and let us look at the message if it is accurate. There is the quotation of the statistics:

“In 2002, 44 per cent of the murders were detected, in 2003, 41 per cent, 2004, 26 per cent and this year 21 per cent.

Since the start of 2002, 980 murders have been committed and based on figures a total of 675 killers remain on the loose.”

All I am saying is, whether the figure is 675, Member for Toco/Manzanilla, or 200 or 100, there are too many persons who have committed crimes and because of the low detection rate they are not before the courts. [*Desk thumping*] So we have to stop putting the cart before the horse. We are talking about stiffer penalties; we are talking about imposing stiff and stern jail sentences; sending the message and hang the criminals, but we do not have anybody being convicted for those relevant crimes to impose those sentences. Clearly, we have to go back to basics. And whereas the Minister of National Security says the problem is going to be solved, if we pass the Police Reform Bills, that is not the case. That is not the case.

Mr. Valley: What is it?

Miss G. Lucky: But Member for Diego Martin Central, is it that you have not heard what I said? Remember the three words: listen, understand, implement. You have not reached the first word of listening. The point is being made; take for example, you have to get matters before the court and you have to have successful convictions. You have to ensure that police stations are open and fully operational in the hot beds.

Mr. Valley: That is why I am asking, Member, do you not then see the importance of having the police bills legislated? You are really talking about discipline; you are talking about competence; you are talking about giving the commissioner the authority as it were, to manage the police service. Can you not see that? [*Crosstalk*]

Mr. Speaker: Order!

12.00 noon

Miss G. Lucky: Mr. Speaker, through you, Member for Diego Martin Central, I was the first to indicate that there is a need for reform in the police service. Clearly, when one recognizes that there are corrupt officers who, over the years

would have gone up the ranks, and they have not been removed by virtue of an article that was read months ago, in which it was said for the first time there were promotions in the service base on meritocracy, and therefore I raise the point, so what happened to all the other persons who not based on meritocracy, still in the service moved up? Are Police Reform Bills going to solve that problem? No! And the point is this, Member for Diego Martin Central, you have to find a way and this is your challenge, the Minister spoke about challenges and that is why I still feel the ambit of the debate had to be widened. Because the Minister spoke about challenges, but nowhere did he say—except alluding to some group that exists—how he is resolving these challenges and clearly with the think tank in operation, and the Minister as he is performing is not resolving the problem. The Police Reform Bills should—

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

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Dr. F. Khan*]

Question put and agreed to.

Miss G. Lucky: Thank you very much, Mr. Speaker, and to all those who are responsible for the extension.

Mr. Speaker, I was talking about the Police Reform Bills in answer to my friend, and I am saying to my friend and I am not skirting the issue. I am saying that the problem that I have, and the problem that persons in the public domain have with respect to the support of the Bills is that there is mistrust with respect to the operation of the Government, and I used as the example the inappropriate intervention or I will say the alleged inappropriate intervention—I am using my words cautiously—of a Government Minister in determining a criminal prosecution, and I am saying to date we do not know the outcome. Imagine the DPP of the country had to come forward and say that his powers under section 90 of the Constitution were overridden.

Mr. Valley: Member, when you say that, you have to reflect, with what creditability am I really saying that I am not supporting the police Bills because of this; with what creditability? Who do you think believes you when you say that?

Miss G. Lucky: And therefore, Member for Diego Martin Central, you have tried, as with this debate to restrict my reason. I have not said that is not why I am supporting it. In fact, I have revisited that legislation since it came to the House

and I have made my own notes as to which areas we have to have further discussion on, and for example, and one comes to mind, because you want to suggest that I am just talking pie in the sky like your crime plans. The police prosecutors under the Police Reform Bills, there is still provisions for police to be prosecutors and I am saying that is something that I would want the Government to reconsider. Remove police as prosecutors, and in fact, have a system whereby, those police officers who are presently prosecuting in the court and no doubt have a passion for it and a skill, are put on sabbatical, given some kind of economic and financial support, do the LLB degree and go and get it done.

[Hon. K. Valley rises to interrupt]

No! No more interventions.

Mr. Valley: Would you please, just one more?

Miss G. Lucky: Member for Diego Martin Central, only because you are begging.

Mr. Valley: Thank you very much, Member. I just want to understand. *[Interruption]* Are you saying therefore that with some consultation and some changes that you are prepared to support the Police Reform Bills?

Miss G. Lucky: I am saying it is not just with consultation, because as you know there is a difference between consultation and advice because you can merely consult and the advice does not have to be taken, so again, I am not going to allow you to hold me in. I am going to say, I am always a parliamentarian, as there are others. I could speak for Baratania/San Juan and say, that if there is a need to revisit—nobody is perfect—we will revisit. We will see what revision and if there is consensus then we go forward in the name of country. *[Desk thumping]* And the *Hansard* has that on record; it is not the first time that has been said.

Hon. Members: He said that.

Miss G. Lucky: And I want to say, Mr. Speaker, equal opportunity legislation. *[Desk thumping]*

Hon. Member: That is what we say.

Miss G. Lucky: We are not going to barter. *[Interruption]* No. Mr. Speaker, far too often there is wheeling and dealing and bartering.

Hon. Member: We do not trust them with equal opportunity.

Miss G. Lucky: The fact is, integrity is going to reign supreme, there is no bargaining; it is not if you give me this, I will give you that, and then no bargaining. Let us say straight, the Government has had on the table equal opportunity legislation, a court decision and we have not had that legislation come back into the Parliament. If that legislation was brought, do you know it would solve some of the problems.

[*Hon. P. Manning raises his hand*]

Miss G. Lucky: San Fernando East, it is only because you look like a school boy putting up your hand, I am sitting once again. Go ahead. [*Laughter*]

Hon. Member: You would get your injury time.

Mr. Manning: Mr. Speaker, we are making headway in this debate. Let me ask the hon. Member for Pointe-a-Pierre, and while I am on my feet asking her, I put the very same question to the very distinguished Member for Caroni East, who is Chief Whip.

Hon. Member: For now.

Mr. Manning: Are you all prepared to sit with the Government to discuss the police reform legislation—the package of Bills that has been put—with a view to coming to an amicable solution to the matter for presentation to the national Parliament?

Miss G. Lucky: And I am saying to you, Member for San Fernando East, that I am prepared to be part of any meaningful and constructive discussion that is meant to bring legislation to this House that will put country first. [*Desk thumping*]

I am saying equal opportunity legislation has to be part of it too, because, Mr. Speaker, if we had equal opportunity legislation in place then many of the instances where we have had promotions, for example in the police service when they ought not to have been made, we would be able to deal with it. [*Interruption*] No! You see it is not taking back anything, perhaps you are thinking the way you operate, but that is not the case and I am going forward.

So we have dealt with crime prevention and I am sure that other Members will expand on it, but that is what we need for crime prevention. Let us go to crime detection. The hon. Minister of National Security—and just because in your absence Minister, I put on the *Hansard* that you had left, but I gave you a rapid defence and indicated it was a matter of national security and that you would be needed.

Mr. Speaker, I am just saying now, and I want the *Hansard* to record that you are back, and because of your enthusiasm and smile I know that you are listening and giving cognizance to what is being said—so said we move on.

Mr. Speaker, crime detection, the hon. Minister of National Security readily admitted that the detection rate was low. How then does one enhance what is totally unacceptable—enhance meaning improve? It starts as simple as it may seem—and I want the hon. Minister of National Security to understand that simple solutions do not necessarily mean that it is too simplistic.

Hon. Member: Yes.

Miss G. Lucky: It does not mean that! Because what I am about to say is something that to me is so obvious that any young school boy or school girl could make the observation, the intervention and suggestion. Minister of National Security, through you, Mr. Speaker, I just want to indicate the state of our police stations in this country are unacceptable, you have said that, but I use the example; in Manzanilla, cocaine washed ashore and months after the event there is no station. So, when you say that it is important to have police stations operating, that has been a promise that has been made in 2003, 2004 and 2005. Some of the names of the police stations such as St. Joseph which was supposed to be repaired in 2003 has still not been the recipient or beneficiary of any reconstruction process, and then the Government just says, well, okay, we are dealing with it. You cannot be dealing and dealing with nothing happening.

Hon. Joseph: Thank you very much for giving way. Mr. Speaker, the hon. Member I am sure, is aware that as we speak there is a comprehensive refurbishment and repair programme taking place in all of the 51 police stations and those that are scheduled to be rebuilt, it is not taking place in them—but in all other 51. And I did not leave out of any disrespect to you. I went to take care of some matter. Okay.

Miss G. Lucky: And I take your point. Thanks, hon. Minister, but let me just make the point again, hon. Minister. Perhaps that is what you are being advised, and just to go back a bit in your history in this office, nobody should have advised you to go in a helicopter to go and check the state of the Maracas Police Station, the helicopter did not even get off the ground.

The point is, drive through the country and you would see for yourself, whether this works, that you are being reliably informed, is taking place, is actually taking place. For example, and I make the point again, there are police stations that are not opening on a 24-hour basis, and if it is, and I am suggesting to

you; perhaps a suggestion that you may or may not take because you referred to it. You talked about a homicide committee, and I want to suggest, Mr. Speaker, we are speaking about crime prevention, crime detection and criminal prosecution. Let the Government form a nonpolitical committee, a committee comprising persons who have experience: there are retired magistrates, there are very good retired police officers and there are persons who know the prosecutorial system. Yes, there must be some Government representative; there is the business community and I am coming to the business community, because to me, the business community has done the homework for the Ministry already by indicating and articulating in point form what can be done.

And I am saying, form that committee and let that committee comprise persons, not from which side of the political fence they reside but based on the intellect, competence and commitment to country that they have. Let us start showing the way of really having country before politics, that is how one does it. There are so many people in the public domain who have that level of expertise saying that they are willing to help. Satisfy yourself that they are willing to help and then have the committee.

The Ken Gordon Committee, for example, Mr. Speaker, had made, I think, 30 recommendations of which the Minister said 28 were taken—not today but 28 were taken. One of those recommendations as made, was a recommendation that, and I am quoting:

“Establish a highly specialized team with a clear mandate to develop comprehensive recommendations for further legislative changes which may be considered necessary. This team should report within three weeks of its establishment so as to facilitate a fast track Government legislative agenda.”

And I am saying, Mr. Speaker, that was a recommendation that would have been made in 2003. I am saying that we are in 2005 with a bigger problem, so let us take that recommendation and make it relevant to November, 2005. Let the remit of that committee, not simply mean the legislative agenda, but let us expand it. Let it have the remit of comprehensively formulating a holistic approach to dealing with crime, and let the committee comprise persons, not based, as I said before, on where they lie in politics, but where they lie in commitment to country. And if ever we had a machine that could really have strapped on persons to give a testing as to commitment to country as opposed to anything else, I think that is the kind of machine we should hope one day could be invented, because what we need in this fight against crime is an injection of conscience. That is what is lacking in this country—conscience.

People who sometimes pretend that they are putting country first but they are not. People who are genuinely putting country first but they are not being given the opportunity. That is what we need, and I see the hon. Minister nodding. I am happy that we can agree to disagree on some points, but here we have the agreement. That is the kind of committee that you need, because no doubt there have been other committees and people would say committee after committee; recommendation after recommendation; maybe, just maybe the composition of your committee needs to change—and no disrespect to anybody else who might have sat on committees.

The think tank, we were told in a budget presentation three years ago there was a think tank. Well, obviously, the tank is not thinking to the extent that it should. It needs to have a little wake up and a little shake-up. Just a suggestion, because we need to get the expertise; the criminals are laughing at us. Has the hon. Minister of National Security recognized—I am saying this rhetorically to you, hon. Minister—that every time the Government has come with some kind of initiative or relevant intervention with respect to crime, that some kind of criminal activity takes place? Almost as though the criminals are sending the message: "You feel you could do "X" we will show you we can do "Y". When the head of the FBI came to the country there was some event that occurred. When there was the referral to the bombings another event occurred. It is almost as though: "You want to talk about bombings we will show you what we could do." And we have to stop this!

We have to show the criminals that we are serious, because they are flaunting the system and what they are doing is causing another problem which I am sure Members will be discussing in their relevant contributions, we now have a significant brain drain. We have young intellects in this country who are saying as things stand now with the crime—not with the economy—they are not prepared to stay in the country. Now, whether we say they are right or they are wrong, the fact is, they are leaving us. And yes, I agree with all those who say that in Trinidad and Tobago we have many intellects, almost like the pitch lake: as people leave we have other intellects coming. We cannot afford to lose any of the brains that we are developing. Their duty is to come back and give to country, so we cannot chase the people that we are investing in. And when you talk about brain drain, there is capital flight too. I know people who go into detail with that, but you have that problem. I know the Government recognizes there is a problem with crime, so much so, that the Member for Diego Martin Central was quoted as saying in an article that this Government has a great challenge with crime and if it does not fix crime it may not win the next general election.

So there is a recognition by both sides, crime is a problem. But you went on to give the promise, Member for Diego Martin Central, that you will fix it, and I am saying, if you recognize that the homework was done; if you listen, you understand and implement there is going to be that level of change that is necessary. Change in terms of sending the message to the criminals.

Mr. Speaker, in the amendment that I had proposed, there was the suggestion that the Government has to give proper and meaningful consideration to what has been placed in the public domain. I really want to commend to them what has been placed in advertisements by the joint statement on crime by organizations representative of the private sector of Trinidad and Tobago; it is very comprehensive. Hon. Minister of National Security, you spoke about the Witness Protection Programme, and yes, I do agree with you that there is a Witness Protection Programme in place. I am quite familiar with it as quite early as 1996. I have no doubt that there was some kind of system before, as the one they operate now, but I would hasten to say to you, hon. Minister of National Security that witness protection has its challenges. You admitted that, but who is helping you resolve all these challenges? Because to be in a portfolio in which there are recognized challenges and not getting the level of expertise and assistance that you need, you will be deemed as recognized by you, as the failure.

Witness protection now cannot just be limited to the people who are coming before the court, it has to be the people coming before the court, their families and more importantly now, another kind of witness protection; jurors who are sitting in these high profile cases. And not just protection of the jurors when they are hearing the case, but jurors and their families after the case has been heard, especially if there is a conviction. Even if there is no conviction there are still jurors who would be afraid, because one does not know—it should not happen—but a juror might just want to say—I am saying this would be inappropriate, but a juror might say: “Well, you know you were set free but you know A was giving trouble.”

When you have a person in this country being bold enough to make a statement and indicating without reservation or apology that he will operate in this country, and whether lives are lost or there is bloodshed, he will go and collect zakat, something has to be wrong, not just with the maker of the statement but the fact that such a statement could be made. That is what we have to understand in this country. It is not just the criminal activity, but the kind of crimes that are occurring. And I am not going to in any way embarrass the Member for Port of Spain North/St. Ann's West, but you would remember in previous contributions, I

did speak about what happened to your relative and how brutal and unacceptable it was. Not because Dr. Koury is your relative, but because if that happens to any citizen it is wholly unacceptable. There is no way in this country we should have that high murder rate. We should not have at least six people still outstanding in terms of being kidnapped. There are some persons who have been kidnapped three and four weeks ago and their families have not heard from them.

Yes, Mr. Minister of National Security, you talked about the fact that the AKS officers have all taken polygraph tests. I can only hope, and I know this is not something you can place in the public domain, I respect it. There may be those who failed. If they failed I hope they are out. If they have passed I hope there is recognition that the AKS Unit as it stands is still not operating at an optimum, in terms of personnel and in terms of equipment, that is a fact, so merely saying that the polygraph test was done is not enough. I could only hope, Minister of National Security, we did not use any equipment that might have problems like the blimp or the “eye-in-the-sky” and that it was polygraph machinery that was fully operational.

You see, Mr. Speaker, it brings us to another point, the Special Anti-Crime Unit of Trinidad and Tobago; people are still concerned about to whom does it report. We were told in a budget presentation when it was formed by the Member for San Fernando East that this unit would ensure that we win the war against crime. Does it not bother this Government in the very least, that with all these measures it claimed would help us, and it boasted would help us that we are in a crime situation that has escalated out of control, and it is worrying everybody? Imagine you are telling a country—and I am saying let us say you tell the country we are doing the best we could do. But you know there is a song that says: “You did your best but your best just isn’t good enough”, and when your best is not good enough—

Dr. Moonilal: Get out.

Miss G. Lucky: Let us be realistic, Member for Oropouche, I take your point. You are saying “Get out”, but in the interim we have to see what can be done to assist and aid. There are those who say it is not our job to assist, but the fact is, it is coming closer and closer. We have to try and assist the Government in making them listen, understand and implement. In this advertisement by the groups that I have indicated—I have not named them one at a time, but it is all there—and I am sure that the hon. Minister of National Security is aware of this particular advertisement with all the recommendations. There has been a focus on the witness protection plan. Minister of National Security, understand that witnesses—

yes, there is a complaint that the court process sometimes takes too long, no fault of the personnel, but, Minister of National Security, you must be aware.

And I am willing one day if you are free and our schedules allow it, I would drive you through the country and show you some of the Magistrates' Courts. I am willing so to do if you trust my driving and with or without enhanced security. Drive through and let us see what people have to face on a day-to-day basis. Sometimes witnesses get frustrated; 21 times they may go to a court on the day the matter is listed as a witness to the prosecution. The matter is adjourned, not heard and then they raise their hands and say, "Look I am not bothering with this thing, I'll deal with it". So you have some offenders who benefit from the system and the Magistrates' Courts have to be fixed. And yes, Minister of National Security, you did say that you felt somewhat constrained, because you do not want to interfere with matters of the Judiciary, but that is why I make the point, hon. Minister of National Security, for which you can carry no blame, that your former Attorney General, the hon. Glenda Morean should never have stood up two and a half years ago and stated that it was immediate, the action to be taken to fix the San Fernando Magistrates' Court. Because if the Member for Princes Town was here he would agree with me, year after year, all of us from the south land would know that is the state of the Magistrates' Court for many years. That is why I am saying to you, Minister of National Security, and in your absence I said: "I do not ask for your resignation", and sometimes, Minister of National Security, I really feel sorry for you, because I feel in some instances you are misled. I feel in some instances you are not reliably informed. I feel in some instance you are told this will cure something when it will not, because you are one person who cannot run around all day monitoring and policing yourself and you need, Minister of National Security, to address your challenges. Not quietly in a room with people who might just tell you what you want to hear or what they want you to hear, but with independent, objective persons who will tell you the problems, but more importantly, give you the solutions. [*Desk thumping*]

That is the focus of the debate today. To recommend, hon. Minister of National Security, and to your side, that serious consideration be given to these matters. For example, Mr. Speaker, when it comes to criminal prosecution the state of the Magistrates' Courts, we in Trinidad and Tobago should be contemplating whether we should establish a High Court in the East, in Arima or Sangre Grande, because when you look at the statistics and the records and the figures, clearly, having a High Court in Port of Spain and San Fernando is not enough. That is where our thinking should be. That to me is more along the lines of 2020 Vision, not some

little documents that people are asked to comment upon from time to time. That is the way we should be thinking, getting the process moving and not starving the independent institutions from the resources needed.

Mr. Speaker, for example, the office of the DPP, it is clear that there is a hemorrhaging in that department. In fact, if one looks at all the State departments, I am sure one would agree. I looked at the recent report from the Judicial and Legal Service Commission and the Salaries Review Commission and there is a recognition that when people work with the State for three or five years they leave. You cannot blame them. There is a hemorrhaging, not at the lower rungs, but certainly in the middle and that expertise is gone. So the suggestion is, give the office of the DPP the resources and staff needed; ensure that for example—it may seem ambitious but it could be done, the country has the money now. Invest in prosecutors who would be placed in each magisterial district. For example, in Port of Spain there may be eight or nine courts, so there are nine prosecutors and these prosecutors become experts in the narcotics court, they become experts in the homicide—in the courts that deal with the different areas.

It would mean that you have a well-stocked library, so the personnel, the magistrates are not just treated as persons who come there and give their service, but that we respect their office. We need to upgrade the whole system and you see it cannot be done piecemeal, hon. Minister of National Security. Because if every time you fight crime you take the analogy of people trying to create a big impact and there is a long line and everybody has a little pebble and everybody goes up to the pond and they throw in the little pebble and they step aside—little ripple—that is not going to have the effect that you want. You need to have a convergence. You need to have an impact of tsunami proportions to send the message to back off the criminals and say, “Listen we are not tolerating your activity anymore”. So you need all the departments to raise the level of their performance and their service almost simultaneously, and if you go with that ambitious spirit then even if you do not achieve your target with respect to your ambition you would have made significant impact, because that is what you want in any war, significant impact and that is what the criminals are not seeing.

If they feel that legislation has come to deal with a particular kind of criminal offence—kidnapping for ransom, for example—what they say is, okay, there is a law like that now, let us see how we could change our modus operandi so we could skirt around the actual context in which that particular offence is framed. If they feel that okay, in this particular area the police station is not functional, well maybe that is where we will have our activity. You see, hon. Minister of National

Security, the very points that you are raising when they talk about drug trafficking and you said you were advised that we are literally becoming like a haven, we are an intransit point, it is perfect. You have to go and ask yourself why? Why? Because we are not sending the criminals and the drug traffickers away in any significant regard, so they are seeing us as a haven. In the same way the local criminals will sit and work out in which jurisdiction it may be better to commit their crimes, and it is for that reason you may find that criminals from area "A" will go to area "B", commit the crime and take the victims to area "C".

I remember, as I am closing now, Mr. Speaker, that I had asked sometime aback in this House: Where is Vijay Persad? And I remember it was the Member for San Fernando East who seemed—I think—and I would say this with the greatest respect to him and in his defence, if he would accept it, that maybe he misunderstood why I was asking. The point I was making is that here we have a youngster, who, based on my information has not as yet been found and a traumatized family, and what is happening in the country is that we wait too long to get things done. I know the Member for San Fernando East has his view with respect to the establishment of a commission of enquiry into the attempted coup of 1990. But I am saying, Mr. Speaker, there is a lot of information that can be gained, even though we may not get all that we would want, because of the passage of time, but we have to let people who have done atrocious acts know, that even if I cannot get you before the courts, the fact is that I am going to try to pursue you.

With the greatest respect to the Member for San Fernando East, and I am not focusing on him for any personal reason over and above, that it is the Prime Minister who heads the Security Council and therefore, I am hoping that some of the suggestions may even reach to that level. I know the Minister of National Security sits on that council also, but it is for that reason, I do not think with the greatest respect, it is prudent to come before a House and speak of a "Mr. Big", and talk about the fact that there is the acknowledgement that there is a "Mr. Big" and—I am quoting now from the *Hansard* of October 17, 2005 in which the hon. Prime Minister said: "May I also say that the Government of Trinidad and Tobago at this time... and listen carefully to what I am about to say ...has a good idea of who Mr. Big is in this matter."

My concern is, Mr. Speaker, statements like that, unintentionally, may compromise, because if "Mr. Big" knows that he is being targeted and he is going to be unearthed, he or she is going to seek to cover his or her activity. I only point out that—[*Interruption*] I have two more minutes, I think, Mr. Speaker.

Mr. Manning: You will get injury time.

Mr. Singh: Are you the Speaker?

Mr. Manning: Mr. Speaker, I thank the hon. Member for Pointe-a-Pierre for giving way. It is a pity that I could not give the hon. Member and Members of this honourable House the follow up and the sequel to that statement. All I am prepared to say is that it has had tremendous effect, and you will see over time what I mean by that.

Miss G. Lucky: Okay, and all I can say, Member for San Fernando East, is that if what you are saying is true, it would mean then that one, this “Mr. Big”—*[Interruption]* No, I am saying San Fernando East, you have made a statement and you have said: “Just look and we will see”, but I am just saying your track record, with the greatest respect, as you know is not the best. You had spoken about “Skelly” being the mastermind and he asked the court, master of which mind. You have said now we will see, we have not seen. You were quoted, *[Interruption]* Member for San Fernando East, and I am saying I would not just, lightly or flippantly put something in your past if it was not there.

All I am saying, Mr. Speaker, this is what I mean. We have reached a stage in the country now; it is just a suggestion, hon. Member for San Fernando East. It is better to zip the lip and come with the proof and when you have it, state it. All I am saying is what you have done seems to be contrary to what the hon. Minister of National Security said to us, and I think sometimes, rightly so, when he says: “I cannot discuss these specifics because that would be a breach of national security.” If it is, Member for San Fernando East, that is what you say, I would still maintain my position that the way we have reached in the country it would have been more prudent not to speak about “Mr. Big” and tell the country once again look and you will see.

As I conclude, Mr. Speaker, I just want to reiterate, I did at the beginning ask for this House to consider an amendment. I thought it was important that the amendment be considered. I hope it has not been construed—I know it has now been passed around, but the reason for it is to put some kind of mandate, to have some kind of calling in of this promissory note that His Excellency spoke about, when he said listen; bring in the promissory notes, giving a mandate to the House, calling upon this honourable House so that the Government would give meaningful consideration to the various proposals placed in the public domain by the Keith Noel 136 Committee and other concerned groups to address the scourge of crime.

Mr. Speaker, it is only as a people united can we expect to have any significant impact on the fight against crime.

I thank you. [*Desk thumping*]

Dr. F. Khan: Mr. Speaker, I beg to second the proposed amendment by the Member for Pointe-a-Pierre and reserve my right to speak at a later time.

Mr. Speaker: Hon. Members, I shall now propose the amendment moved by the hon. Member for Pointe-a-Pierre and seconded by the hon. Member for Barataria/San Juan. The question is that the Motion be amended as follows: Immediately after the end of the Motion, that is the Motion on the Order Paper, add the following:

“And be it further Resolved that this honourable House call upon the Government to give meaningful consideration to the various proposals placed in the public domain by the Keith Noel 136 Committee and other concerned groups to address the scourge of crime.”

Hon. Members, the sitting of the House is suspended for lunch and will be resumed at 1.30 p.m.

12.33 p.m.: *Sitting suspended.*

1.30 p.m.: *Sitting resumed*

The Minister of Housing (Hon. Dr. Keith Rowley): Thank you very much. Mr. Speaker, I welcome this debate so that Members of Parliament can have the opportunity to express their views on an issue which is exercising the national community and has been doing so for quite some time and I dare say, will continue to be of interest to us for quite some time. Because with the best will in the world and with the most efficient systems in the world, given human behaviour and given the nature of the problem that we are dealing with, one expects that we will have to confront this issue for quite some time as we have been doing for a long time.

Mr. Speaker, I also expect in this debate that Members will make any advances in the form of suggestions or proposals which would contribute to a better understanding or contribute to an improvement in the operations that we have in place with respect to our response to criminal activity in the society. I dare say, Mr. Speaker, after a few hours of debate from what I have heard so far, I am quite pleased that there is hope. [*Desk thumping*]

Mr. Speaker, it would not be useful at this time, in fact it would not be the best use of our time today to spend it talking about what was in the papers and read the

papers ten times over because we all have been here every day reading the papers and in fact, I dare say a lot of the crime in the country does not get in the papers. It would be more important if we try to understand, Mr. Speaker, what we are being called upon to confront and to assess whether in fact our response is a useful or positive response and therefore, if we are on the right track with respect to treating with an issue which threatens the very life of each and every one of us.

Mr. Speaker, suffice it to say that without fear of contradiction that in Trinidad and Tobago today, we are acknowledging an upsurge in criminal conduct. If one looks backwards, every time we are confronted with criminal behaviour we believe that we have seen the worst or we are at the worst. I recall when Mr. Padmore was the Minister of National Security many, many years ago, the issue of crime was on the forefront and as Minister of National Security, he like Mr. Martin Joseph was under a lot of pressure to respond appropriately and have the Government respond appropriately because even then, we thought we were at the acme of criminal conduct; but compare that to the time of Selwyn Richardson, who unfortunately, he himself as Attorney General was the victim of the criminals. We had an Attorney General in this country who was murdered and I dare say up to this day I am not aware that any person has been held accountable for the cold-blooded murder of an Attorney General in this country.

Hon. Member: A former Attorney General.

Hon. Dr. K. Rowley: Then compare that with recent times. Every time we are called upon to focus on the behaviour of our criminal brothers and sisters, we believe we have seen the end of it. It just gets worst and worst and worst, that is why this debate today would be of use to us, if we spend time talking about how we can treat with this issue. Clearly, from a scientific standpoint, when one looks back at the growth of the curve of the criminal conduct in this country, clearly it is not a matter of who is in office, who the Minister is, it clearly is not who is holding on to the post, it is that whatever we are doing to respond to the criminal element, the criminal element seems to be able to overcome whatever we are doing, and that should be of concern to all of us.

Mr. Ramnath: You should resign.

Hon. Dr. K. Rowley: Mr. Speaker, how are we in this matter? There was a time whenever one mentioned New York, Chicago or Broward County the first thing that came to mind was crime, because criminal behaviour in those communities were highlighted and life was very cheap. But these communities responded in

some ways, not the same way in every instance because different communities require different responses; different patterns of criminal conduct require different responses. But I make this point only to say that whenever there is an upsurge in crime, it ought not to be viewed as a permanent situation, the society has to respond and history has shown that if you respond appropriately, you can eventually get the better of the criminal element and the upsurge in crime turns downwards and it comes to a level which one may deem to be tolerable in human terms.

Mr. Speaker, in that context, I have every confidence that given what we are doing now, while it is not paying dividends now for now, but if we stay on the job and do what we are doing now and do even more as we should, then eventually the situation in Trinidad and Tobago will change for the better and the criminal element will recede into the background. [*Desk thumping*] I have that confidence.

I know some of our citizens react to the crime situation with fear as we all should, because the criminals show us no mercy, so one of the reactions is fear. Another reaction is anger: Why is this happening in the country and why is the Government or the parents or the police—anger about it. I dare say, even some respond by saying, there is political opportunity here. Some respond by saying there is business opportunity. One of the growth industries in the country is the creation of security services, because of the circumstances from a business standpoint. We have had responses through the growth of security companies offering a variety of services because whereas ten years ago you might not have needed a security guard at a certain point, today you need two, because of the circumstances of the environment.

Mr. Speaker, unfortunately in some quarters, crime pays, because in one of the professions a lot of money is involved. You see when a gentleman or whoever he is—when a youngster who works nowhere is deemed to be living in an unfashionable neighbourhood, his family is of restricted means and he gets himself in trouble and he has to get support, he has to look for advocates and those advocates earn a lot of money. So it follows from that, as the crime element grows, that economy itself grows. So some persons are doing very well, but again that is normal. Even if you have an epidemic and people are being killed, one man is doing very well, the undertaker is doing very well; it is good business for him. He has no interest in good health. So I do not hold it against them, but I acknowledge that there are those who are doing well in the criminal environment and in fact sometimes, one has to take what they say with a pinch of salt because they talk from one point of view but of course you know they would rather it be

otherwise. Some persons even see the criminal situation as a carnival for theatre. But again, all of these things are normal, natural, we are a group of people responding to a situation.

But where does the responsibility lie from a point of view of administration of the country? It has to lie with the Government. We have a Government in office and the Government accepts responsibility that we have to put things in place to deal with the criminal element [*Desk thumping*] and this Government accepts that responsibility. Unfortunately, given the aggravation of the circumstances, there are persons who are saying that the Government is not doing enough and I dare say, one could never do enough about crime because given human behaviour, you are always going to be called upon to do more than you are doing or do something else because deviant human behaviour knows no bounds. Given the fact that the Government is the manager of the country's business, the Government has a responsibility and the Government accepts that responsibility to do certain things.

Mr. Speaker, whatever the Government does, is restricted to be done in the vehicle of an arm of the State called the police service and it is there that the Government's focus is, not only the police service, but the other ancillary arms of the national security apparatus, but mainly the police service. It is the police service that stands between the criminal element and the law-abiding citizens. The law recognizes that. The law makes provision for that and it is only that which is permissible from the point of view of governmental action. The Government gets a lot of advice as to what to do and what not to do, but the only advice the Government can take is that advice which allows the Government to recognize that there are limits within the law as to who does what, where, when and how.

Therefore, if one accepts that the Government's vehicle for dealing with the criminal element in protection of the law-abiding majority is the police service, then we need to spend some time focusing on whether in fact that policing is adequate, whether it is satisfactory, whether it is serving the need that it should. Because if the answer is yes, then we are on the right track because we acknowledge that that is the vehicle for dealing with it. If the answer is no or I do not know, then we have a real problem.

Mr. Speaker, the Minister of National Security was trying to point out, as he has been doing for quite some time, the reasons for one of the contributory components to this crime upsurge in Trinidad and Tobago. Let me say from the beginning, there is no one reason why we have criminal conduct or runaway criminal conduct in our country. There are a variety of reasons. When two fellows

in Paramin playing water fight—a little water fight in Paramin and the next thing you hear somebody kill somebody. You ask yourself what is causing that. That cannot be drugs. That cannot be lack of opportunity, cannot be lack of jobs, it has to be human behaviour and it takes a deep discourse to get down to that.

When a man leaves his wife, the mother of his children and decides to meet her in the road and pull a knife across her throat, that is not drugs, that is not Colombia; that is human behaviour. One of our citizens, by the same token we acknowledge that there is a traffic, there is a trade that brings in certain kinds of things that are used by people who are criminally disposed. Therefore, when one talks about policing, policing has two roles, one is the prevention and the other one is apprehending those who have broken the law.

Mr. Speaker, I think in all honesty one has to say that we have some questions to answer from the point of view of policing with respect to the problem that we are trying to solve. I dare say that we are travelling fast to get there, but we have to try to catch up; our policing is trying to catch up with the upsurge in crime in this country. From a manpower standpoint, I understand that we have about 7,000 police officers in this country. The ratio of police personnel to citizens is a good one. Manpower wise we have a fairly good ratio, but it might very well be that given the nature of the problem that we may have to improve that ratio, but from a manpower standpoint, the Government is ensuring that we do have the manpower out there. What kind of manpower is it? We might have it in quantity, is it there in quality?

The Government acknowledges that we have deficiencies in quality and therefore the Government in response to that is ensuring that continuous training, new training, additional training is a feature of what the Government is offering to the police service to make the police service be able to respond. I have not heard it said from any quarter that the Government is not providing training opportunities; in fact, substantial amount of resources are focusing on training. So you have manpower numbers, you have training.

Mr. Speaker, deployment. If you have all these policemen and they are being trained to whatever level, it then falls to a deployment arrangement. You have to ask yourself, why have we come to accept in this country that every time people talk about the police station what you are hearing is shortages of manpower? This morning, one Member of the House spoke about police station being closed, I am not aware of that and if that is happening, that ought not to be happening. A police station is supposed to be opened 24 hours a day. But I do know that whenever you see any reference to police station anywhere in the country, especially on a

particular issue in a rural district, you always hear about shortages and that brings into question whether in fact, we are having the best deployment of the manpower that we have available. These are some of the issues we have to attack.

Mr. Speaker, there was a time in colonial days and in early independent days in Trinidad and Tobago when we did not have an issue about adequate police numbers in our communities and police patrols, because we had a different system of utilization of policemen. In those days, policemen were rostered in police stations for a number of days—I think it was two or three days and then they go home for a number of days, that was the old colonial system. We have changed that system down to the point where we brought the police operations down to a 40-hour work week. I think, Mr. Speaker, given the fact that we have adequate or it appears as though we have adequate numbers, we are providing resources, then the deployment issue may warrant us, looking back at this because the criminals do not have any particular working time, except that they will know that if the majority of the policemen are home between four to eight in the evening, then that is the best time to conduct their business.

It may very well be that in reviewing our deployment arrangements that we may need to re-look that and see what can be done to ensure that we get maximum utilization of the manpower that we have on the government payroll. But that has to be something that is looked at in the context of all the things that we are doing, no one thing; the same way I said there is no one single cause for crime, there is no single solution. It is a variety of solutions, because each approach or each solution that is offered will give you some relief here and there, but as the Member for Pointe-a-Pierre said, it is when all of these things coalesce, you get an avalanche of response because they are all required to work in tandem.

There are those who believe that there is some magic arrangement where if the Government close this door or open this door, the crime scourge will go away or the crime scourge will disappear. That is just 'ol' talk'. It might sound good on the political platform, it might sound good on the head of a march, but in reality it does not go like that. I could understand the frustration of the country which is not seeing the results that we want to see as quickly as possible but the problem we are dealing with is not one that offers overnight results. What we have to ensure is that the Government stays on the job with its agency, the national security services, to ensure that by staying on the job ultimately there will be a downturn in the curve. But to offer you an overnight solution, there is no overnight solution.
[Desk thumping]

What there is, is that improved management can give you the benefits of improved management in some situations today. But the overall picture is one that the issue, the nature of the problem calls for sustained attack and a sustained response and we would begin to get the responses as we go along.

Mr. Speaker, another thing that we have to look at is the whole question of the exit strategy within the police service. There are a number of police officers who would rather be elsewhere, but the system we operate they have to be at a certain point and a certain age to get certain benefits before they can leave. My contact with the police service tells me that there are a lot of people there, if given the opportunity would be elsewhere but in the meantime they will wait until their benefits are due.

So therefore, if we know that, then it might very well be that one of the things that we can do, is to put different arrangements in place for people to leave as they require to leave, rather than wait there and demoralize who want to work and bring in new people who want to work and you get a more dynamic service. And in that dynamism you have to bring people in who are energetic and the Government has done something about that in terms of trying to identify people who are energetic and also we have raised the bar with respect to who comes into the service because we realize that today's policing requires a policeman whose qualification is not just how ugly he is or how tall he is.

Today policemen are required to put brain power to work. Certain kinds of qualifications are required. I have been told that in police stations where you put a computer and hardly anybody has anything to do with it. In situations where they have dealt with crime, where they have brought the criminal element to heel, the average policeman knows how to use his computer as a tool in fighting crime, not to play cards. Therefore, if we need to do that, Cabinet has improved the entry requirements for police officers.

Mr. Speaker, I would go further. The police service used to be called a police force and some persons found the "force" sounded bad, so let us call the police service. But at the end of the day, the police service is a paramilitary organization with men of rank under arms. I think it is a lack of understanding of that on the part of a number of police officers why they behave the way they behave. You do not have a problem in the army. In the army, men understand that they are men under arms observing rank and braid and whereas it is good and it does happen in the army, for men to come through the ranks and excellent ones get to the level of "Officers" and become part of the "Officer's corps". In the police service we have reduced our situation to the point where we are now saying, you have to come

through the ranks only to become part of the management core. That is at the root of some of the problems in Trinidad and Tobago because we have a weak management corps.

Mr. Speaker, maybe the time has come for us to revisit what we used to do before and that was to have entry for officer service, so a higher quality of person can enter the service and be trained at early ages to do management work in the police service. So you always will end up with a successorship of good management because in the absence of management, all the resources you provide, whether it is motor car, computers, office, new police station will come to nought if the management is not adequate. [*Desk thumping*]

If there is any failing on the part of the police service in Trinidad and Tobago which we have acknowledged if you agreed with my argument that the police service is our shield and buckler in front of the criminal element, if there is any failing in that, it is inadequate management. I am not here even talking only about authority to manage; I am talking about quality of management.

Mr. Speaker, recently in my constituency, three low ranking police officers were caught red-handed and had in their possession a large quantity of drugs in the western peninsula. When they were caught, the defence that they gave was that they were carrying this drugs for seniors. As Member for Parliament for the Western Peninsula, I have listened ever since, till now, to hear who accepted that stupid response, because if in fact those juniors were carrying drugs for seniors, we have a real problem with the juniors and the seniors. But if in fact, it was only an excuse for officers who were caught red-handed, what has happened with that? As far as I know, absolutely nothing! My point today is this, we need no change in the existing law to deal with that. None whatsoever!

As a Member of Parliament, it has come to me—I want to say it up front—I am a staunch supporter of the police service, because there are thousands of policemen who would put their lives on the line to defend us, that is their job. [*Desk thumping*] But the reason I am making this point is to get to the real point I want to make, and that is, if in accepting that there is a serious management weakness, even with the current legislation, if we do not do what we have to do and the State can pay its way in that matter— because if it is that we have to get these small numbers of miscreants out now and the State pays down the road for breach of industrial practice, then so be it. But what you will do, you will improve the security of the State.

Mr. Speaker, in my constituency it is an open secret that certain junior police officers conduct shakedowns on the drug element in the western peninsula. They come and take the drug dealers money, they take their drugs and then the dealer says to you, I cannot go and tell the police that. So it happens and the whole community knows it. You know what happens then, there is a breakdown in trust between the people and the police and our system of jurisprudence requires not a Minister of National Security as such—he is irrelevant, he can be changed every Monday morning; for our system to work the fundamental pillar in our system is the witness. If there is no witness, accepting that the vast majority of crimes are committed in the absence of a police officer, you require a member of the public or members of the public to be witnesses and if that witness is unwilling to say, “I witnessed” or is unwilling to come forward and be a witness, then our entire system is in jeopardy and the criminal element knows that.

That is why if the trust between the population and the police is destroyed because of examples that I have just given, because of the behaviour of a few miscreants, if that trust is destroyed, then you do not get the information and the cooperation that the police needs. That is why it is imperative that one of the things that the Government will have to do insofar as the Government can do it because the Cabinet cannot—and by Government here I am using the term Government in the widest possible sense, I do not mean the Cabinet, the Cabinet cannot treat with miscreant police officers, the Cabinet ought not to, the law prevents that. So there are other elements in this State whose job it is to deal with that and insofar as we are holding the Minister of National Security responsible for his security apparatus, there are others we have to hold responsible and also as legislators we would have to look at this whole question of witness.

I heard it said this morning about witness protection. Mr. Speaker, a witness protection programme, the best one in the world can only deal with a few special instances. That is all it can do. There is no way you can have a system of jurisprudence based on protecting every witness and their family in a climate like this. Witness protection has a special minority arrangement, useful as that is.

2.00 p.m.

The vast majority of witnesses are members of the public, John Public, who will have to be public-spirited, to feel a truce in the police; to feel confident in the system, to say, "I see that as wrong," or "I observe that and I will come forward and say what I saw," so there can be a prosecution. A witness protection programme will not be the answer to a situation where terrorizing witnesses and terrorizing them are accepted as a norm in this country.

I was driving one day and a man was running in front of me with another man running behind him with a knife, outside the Magistrate Court, stabbing him and telling him, "I tell yuh doh come here," in the presence of a lot of people. I did not hear anything about that. In the United States system where they do not make any joke, the fastest jail you could make, other than maybe with the Internal Revenue Service, is for witness tampering in any form or fashion, because they understand that where witnesses are terrified either to come forward or if they do come forward, that they might be in danger, if that system is threatened, as ours is, then "de whole ting fall down". You could march by the 55,000, by the 100,000; you could say what you want, "Enough is enough," all that is vague platitude if the system is not protected. One of the things that we need to do in this country is amend the law to be very ruthless with persons who tamper with any form of witness. [*Desk thumping*]

Inside the Magistrates' Court recently, there was a case where someone came back into the court and told the magistrate, "I went outside and I was threatened," and the person got some little slap on the wrist; that should be a matter for jail, because if we do not protect the witness, then our system of jurisprudence will not defend us from the criminal element. I could see that is an amendment that will have to come very soon; to have stiffer penalties and to make the pillar of our justice system protected so we can go on from there.

As a Government, we support the police. My colleague from Pointe-a-Pierre said that she had been hearing about certain things; you would hear about them. When the Government decides to buy certain kinds of equipment, we will say so, that we have come to a decision to buy equipment. You will hear that we are buying equipment; then you will hear that the equipment is here; that it is operational. Like the radar system, you heard about it two years ago, but we can tell you today that it is now working as part of the tool box. Between taking that decision and having it operational today, 24 months, that is a reasonable timeframe. It cost a lot of money.

I will tell you something else too, in this country people have a penchant for talking about what they do not know. If they do not know, they have to talk a lot about it. We have something called a blimp, it is an airship. I do not know that the average person knows what is going on inside and they should not, because those are national security items. It is an aircraft; it has gone to be serviced to be certified, because the worst thing you would want is for it to fall down in town one day and next you say, "Oh, they bring trash." As an aircraft it has to be certified; it has to be serviced, so it comes down one day for its regular whatever

and the next thing you know in bacchanal Trinidad, "The airship eh working; Martin buy stupidity; dey waste money." That is Trinidad and Tobago not dealing with the issue. We have to be able to perceive between "ol' talk" and substance. [*Desk thumping*]

The substance is that we have a piece of equipment that is supposed to be playing its part. I do not know exactly what part it is playing, but I am convinced that it is playing a part; unless somebody knows why it is playing no part. So also is the radar system; now we can see around our coastline. Of course, seeing is only one thing; you have to react when you see, but before you could not see, you were blind; so, at least, you are little further ahead in the programme. While they are the subject of conversation, news articles and political statements, at the end of the day, all these things are tools to be used by the security services in building up the picture in dealing with the criminal element. [*Desk thumping*] It is as simple as that.

If we are serious about understanding that we are dealing with an issue which has deep roots in our community and is manifesting itself in a way that if not pruned at the moment, will continue to flourish, we will have to accept that the Government does not only have to confine its role, in response to the criminal element, to servicing the police. We service the police and the security services and we let them do their job, because they are the men under arms, uniform and so on, but the Government has more to do.

I recall an earlier time when we were in Government in 1994; at that time the issue in the country was unemployment. When we lost the election, experts, both local and foreign, said that the problem in Trinidad and Tobago was that there was no social safety net and while the Government was spending on infrastructure and other things and paying the public debt, it had not sufficiently looked at the issue of the social safety net. That was the jargon coming out of the World Bank. Today in Trinidad and Tobago, it cannot be said that the Government is guilty of that, because we do have the resources and even as we have the resources, we are, in fact, directing some of them to a substantial social safety net. We have the financial resources.

I will tell you what is being said now; unlike 1994 when we were being accused of not paying enough attention to the social safety net, so much attention is being paid to it now that critics are saying that we are spending too much on the social safety net. So there is never going to be a day when everybody will be pleased, but in so far as recognizing that in the absence of social support systems, the criminal element will have some reason to behave in a certain way; this

Government has taken a number of actions. Much of it found its way into the national budget and was described in detail during the debates. I would not go into detail as to what they are.

In terms of who is committing the crime, unfortunately when one looks at the statistics, an over-abundance of the incidents of crime, especially the horrible ones, the senseless crimes, are being committed by very young people, which means that the older people have come through more difficult economic times, but did not behave in a certain way. The younger ones are coming through a period of prosperity and have a different perspective, because they have been raised in a different value system, some of which was described by my colleague last week. They have been raised in that value system where today it is acceptable to be not bright in school. If you want to be a hero on the block, you have to be bad on the block; today's world of our young people.

Long ago if a young man wanted to be recognized by the young girls, he had to be like my friend from Couva here, he had to be bright in school and tell all the girls that he got an "A" and he would feel good about it. Nowadays, you wear your pants on the ground and walk on it with your bottom outside and you are the hero. [*Laughter*] If they hear you are selling cocaine and driving a fancy car, better still. Unfortunately, that is today's subculture; that is what the police have to deal with. It is a different thing altogether that we are dealing with and we have to confront it. You do not confront it from one direction; over and above the social support in the Government system, Government has targeted the whole area of parenting to deal with this question, because we recognize that this value system, this subculture, sometimes starts in the home, either as a result of deficiencies or failings on the part of those who brought youngsters into the world. The Government can play only a limited part in that.

At an earlier time, the church played a significant role in bringing up generations of people to have values; to value life and to respect people. I do not know today if the clergy is present, but I can tell you one thing, they are certainly not playing the role they played when I was growing up. [*Crosstalk*]

Mr. Ramsaran: They are wasting their time.

Hon. Dr. K. Rowley: You might think so, but there are others who do not. The bottom line is that our society has changed considerably. Manners and respect used to be qualities that every young boy and girl had to have if he or she was to grow up to be anything good. Nowadays parents defend bad manners on the part of their children. Absence of respect is an accepted behaviour, because

we have been thought that by American television. Our youngsters are now behaving as though what is good for North America is good for us. Things that worked for us, we as a people have tossed them out and replaced them, in many instances, with policies and programmes from outside. Much of it sometimes has failed outside and while they are changing it outside, we are here in Trinidad and Tobago taking it on.

Nowadays there is nothing that provokes me more than hearing educated people or those who are supposed to influence people talking about "the kids". When I was growing up goats used to have kids; nowadays parents in Trinidad call their children kids. American "dotishness", but we are in the sphere of America. We have 60 channels, most of them not worth watching, but we are influenced by that. Do not believe for one moment that all these things do not have an effect on us. [*Desk thumping*]

Only last night I had my television on a particular channel and a programme came on. I was bathing and changing my clothes and in a 15-minute period there were five gory murders. The numbing of the human spirit.

Mr. Ramsaran: A bathroom with a television?

Hon. Dr. K. Rowley: That is what they are being fed now. So when we say "Bring back de ole times days," we can never have the "ole" times days with the new time ways, because the new time ways create a new kind of person.

Mr. Speaker, I feel for my colleague, the Minister of National Security, because he has a job that is thankless. Unlike in my Ministry where we say, "Okay, we are building houses; we are going to build 100 houses," and you put mortar and steel together and build the 100 houses; you can see something being done. In the Minister of National Security's case, he is dealing with an intangible over which he has no control; he is a responder; he is responding. Do you know who he is responding to? He is responding to people who decide where, when and how they would act; having no control over them. Of the 300 and something murders, if we dissect them, a lot of them you ask yourself, "What was going through this man's mind?" Or whoever did this. The problem we have, is if our police service is not effective—I said earlier on that the police service is to protect us, to prevent it from happening and if it happens, to apprehend. We have a serious issue, because the level of apprehending is not high, so people are doing things and getting away with it. That too sends a signal to others who otherwise would have behaved differently, but if they see others doing it and getting away,

then they too think they can do it. That is why it is very important for us to ensure that whatever we are pursuing, results in a high detection rate of criminal conduct.

At the moment, we cannot say we are happy with what exists and, therefore, we have to work overtime to ensure that when persons behave in a certain way, when crimes are committed, that there are consequences. For there not to be consequences, is to send a signal and that signal will result in more crime, because big "peewat" do something and get away, little "peewat" do big things expecting to get away; the things are intertwined. When the hardworking police officers, as they are in the system, work and bring somebody to the courts, they have two barriers to pass.

The first barrier is the attorney who develops a phrase of "first time offender". You mean it is the first time you got caught. Then in the system we operate, it appears to me and to many people in this country, that when you go to the courts, the criminals have more rights than the victims or law-abiding people, because there are all kinds of issues and processes to protect the rights of the criminal, while the law-abiding citizen is at the mercy of the criminal in the street. You talk about people walking, some of them walk because the policeman had on the wrong colour shoe; he buttered his bread with the wrong knife; those are reasons for them to walk.

We talk about a Witness Protection Programme. I distinctly recall that a witness protection programme was in place a long time ago. There was one particular high profile witness in a particular high profile case, that the State sought to secure by putting him up and hiding him at the Hilton Hotel. That was reason in the court to raise the fact to say that he was being wined and dined and, therefore, his testimony should be thrown out. [*Interruption*]

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

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

Question put and agreed to.

Hon. Dr. K. Rowley: Thank you, Mr. Speaker.

I was talking about the witness who was being protected under police guard in the Hilton Hotel. It would be useful, at this point in time, to revisit that. A song and dance was made in the court about this particular witness being enticed with Hilton conditions and probably what he was not accustomed to and, therefore, his

testimony would have been influenced by that treatment. In trying to prevent that argument from having the case overturned, the witness was taken out of that protection and he came to a sorry state somewhere in the south, I think; he got killed in a supermarket.

Mr. Singh: You are talking about Mervyn Hall?

Hon. Dr. K. Rowley: That case never came to court, because there was no witness. Without a witness, there is no case, no conviction. When you put somebody abroad, you have to support him while he is there. The moneys you pay toward supporting him abroad, that too is argued as an enticement and, therefore, that becomes an issue in the court. Then you wonder, "Are we the same side?" I want to reiterate the point that the Minister of National Security made this morning, that until we are all on the same side of the fence, the criminals will have the upper hand. [*Desk thumping*] By all of us on the same side I mean: Government, Opposition, police, Judiciary, magistrate, church, law-abiding institutions. [*Desk thumping*] When we are on one side and the criminals are on the other side, the criminals are destined to lose, but if we play games among ourselves and point fingers and make it a blame-throwing arrangement hoping to profit by that, as my friend from Pointe-a-Pierre said, the criminals will be laughing at us, because they realize that the wall is breached and they can come through at will.

That is why we ought not to tolerate any misconduct in the police service. We ought not to be over-empathizing in the Magistrates' Court. As parents we ought not to be too indulgent with our children, because we create monsters that we cannot control and when they die we get up and say, "He was a good boy." All of us have to be on the same side. The same thing goes for the clergy, because I understand there was a time—certainly in my time you could have gone to the clergy for help. Nowadays, the clergy spends half of the time in the courthouse answering charges. [*Laughter*] That is today's time.

We deal with the security services; we deal with the social safety net; we deal with the economy to make sure that we can sustain what we are spending in these areas, because national security in today's world is not cheap. The cheapest motor car for the police service today is over 100,000. The cheapest firearm, a side arm, a pistol, might be about \$10,000. The cheapest helicopter, millions; OPVs, hundreds of millions; the blimp, \$24 million; it is an expensive exercise; the training of our officers, expensive; the payment of the emoluments at the end of the month, expensive. That is why national security in our national budget, I think, after health and education, is the largest allocation outside of the Ministry

of Finance's global figure. Outside of what the Ministry of Finance has for its distribution among the various responsibilities, health, education and national security are our largest budget items.

We are directing our resources to them and we must not tolerate individuals who do things to negate the effect of that expenditure. Nothing will negate that more than any action on the part of those officers who are privileged to exercise authority. When they put on the uniform; when they call themselves constable this or sergeant that, it must mean something good in this country and that will only be so if we are seen by the population to be actively weeding out those who fall short of the quality required to serve in the services. If we do not do that, we could spend as much money as we want, it will have no effect, because the population will continue to be afraid of the police; the police would believe that the service is there for them to get a "wuk" and, at the end of the day, the real reason for having a police service, which is to stand between the criminals and the law-abiding people, will not have been realized.

In education, the Government is spending hundreds of millions of dollars in a variety of programmes to provide support opportunities for those youngsters who we think we can pull from a life of idleness and destruction into a life of productivity, to make something useful of their lives. We are putting those programmes in place; when the relevant minister speaks, I am sure he can tell us about it, but the bottom line is that enough has been said in this Parliament for parliamentarians to know that is one other area that the Government is doing something with respect to providing some kind of avenue for those young people who believe, "Our lives are not worth anything; there are no opportunities, therefore, we can behave in the worst possible way." This Government has that responsibility.

So it is national security, education and housing. Many people in this country live in conditions you would not wish on your worst enemy and in their own minds they believe that even though they live in prosperous Trinidad and Tobago, because of the conditions in which they live they are strangers. They believe that when they behave in a certain way, they are getting even with those who believe they are living a life of leisure.

Only last week I was told by a victim that an intruder, a man with a gun, came into someone's house. When he bounced her up, realizing that she was not a person of means to hand him what he probably came for, he said, "Is not you I come for," because he felt that there were others in the community who his conscience would allow him to target and do the worse things to, because he believed that he

was not part of the system. The Government is the only agency in the country that has the responsibility to treat with all these facets.

Other people can speak as spokespersons for interest groups and make very eloquent speeches; it is only the Government that has the entire picture in front of it and has to do it within the law and with a balance across the board. The Government has a unique responsibility and constraint.

When my colleague from Pointe-a-Pierre spoke this morning, she spoke about an amendment. I was keen to see what it said, because I hope that this debate would allow persons to offer whatever solutions they think the situation calls for. But you tell me you have an amendment, which simply says that the Government should give meaningful consideration to the various proposals placed in the public domain by the Keith Noel Committee. I was a little disappointed, because I did not know what the proposals were.

What I do know is that they are expressed very vociferously, "Enough is enough," nice slogan, but that is not a proposal. A half page ad telling the Prime Minister, "I miss my husband," is not a proposal. A lot of women miss their husbands for a variety of reasons, [*Laughter*] but the bottom line is if there are serious, specific proposals that could be made and say to the Government, "We think you should be doing this," then that would be useful. I have heard people say, "Do something." Yes, we should do something, but what is not being done that you think should be done that would be helpful. What am I doing that you think I should not be doing? [*Desk thumping*]

I also take a little umbrage. It sounds nice to get up and tell the world that I am clueless, but I am part of the Government. I am the Minister of Housing. To say that the Government is clueless on the crime issue is absolutely puerile. What does that mean? What clue do you have, that we do not have? We all live here. My wife is here; my children are here; my friends are here; we are all here. We are all on the same side and the response of the Government ought to be the response of the country. It is the country that the criminals are attacking.

I know there are those who feel otherwise, but at the end of the day, it is the quality of life of all the citizens. [*Desk thumping*] So to tell me that I am behaving somewhat differently because I happen to hold this post is to insult me. This is a job just as your job is whatever you do when the day comes. We are all, in the context of crime, having to treat with the same issue. When I hear on the news some of the things happening, I cannot say I feel the same way as the families who are involved feel, but I feel for those families and I take note of my own circumstances as well. I know my neighbour feels that way. Mr. Speaker, I know

Government's Efforts to Combat Crime
[HON. DR. K. ROWLEY]

Wednesday, November 09, 2005

you feel that way, because you are a citizen of Trinidad and Tobago and you care for this country. [*Desk thumping*]

It gives me no pleasure to acknowledge that we have a problem, but to say that we do not have it is to bury our heads in the sand. By the same token, given what I know the Government is doing to treat with it and facing reality, there are no quick fixes. I want to repeat that; the last time I said that in the Parliament, it was published that I said there were no fixes. There are no quick fixes on the issue. We have got to buckle down to the job.

If the population feels that parliamentarians are not doing their jobs, they are free to feel that way, because maybe we have sent them that signal. It is for us to do otherwise so they would not feel that way. If we change their feeling and that allows them to have more confidence in the system, then something useful would have been done. A man convinced against his will is of the same opinion still. We could stay in here and say as much as we like, that we are doing as much as we like and everything is being done, but as far as the population is concerned it could feel that enough is not being done. This brings us to the point: What are the missing conditions?

I hope this debate would bring that up. Throw it up today; tell us what is missing. I am sure that if this Government gets a good idea, it would be stupid of us not to use it to protect our very selves, personally, because we are all exposed. The criminal element has no respect for any of us in our capacity, in our office, in our race, in our religion, in our class, in our creed, in our culture. All they want from us is what they believe we have, mainly your money, your car, your shoes. Persons have lost their lives for a shoe. [*Crosstalk*]

In some instances, even as you give them the thing they have come for, they still kill you. [*Crosstalk*] That is what we are dealing with. It would be a fallacy and failing on our part, as legislators, to believe that we can have a divide here about who is for and who is against crime. We would only look stupid in the eyes of the population. In the eyes of those outside who do not hold high office, we would only look more stupid, because to stay in here and say, "We are the ones who are for crime; we are the ones who are against crime; they are the ones who doing this and this one is responsible," does not impress anybody with sense. It might reinforce certain political positions on either side, but it is of no use in the fight against crime; none whatsoever. In fact, all it does is prevent the population from getting involved in the fight against crime, because they polarize themselves along political lines and that is what the criminals want. As the line is drawn and we divide ourselves, they move through the middle and score.

We want to see as a people that we understand and accept that some of our brothers and sisters have evil intents toward us and some of them are evil personified. [*Desk thumping*] Therefore, you are required to treat with them in a certain way. That is why the laws are there to ensure that there are no excesses. I will go further. As a people we have made a culture of being lawless and we boast about it.

Last year I was in England and while walking through a town I saw a box of tomato seedlings on the pavement, nice eight-inch healthy seedlings on a tray; not a soul was in sight. I saw a note that which said "10p a piece, put the money in tray." I say, "Yes, I would like to see that in Trinidad," because just for the hell of it, one of my countrymen would go with the tray, the seedlings and money and boast about it. [*Laughter*] That is Trinidad and Tobago. We have encouraged an absence of law enforcement, to the point where it becomes even ridiculous.

We glorify lawlessness in this country; even persons in leadership roles who should know better, when the law is enforced against certain lawbreakers, for their five-minute glory they get up and defend them, as though something wrong is happening to them. Absence of law enforcement, as a climate, is no place to be to talk about crime reduction, because little children see it in their parents and they have nowhere to go but along the same road. And we ask ourselves, after they get to age 18, "Why are they behaving like that; how did this happen?" It is because we have encouraged a climate of lawlessness; we do not frown on wrongdoing. There has to be consequences.

We have copied systems from abroad that are not working over there. There are parents in this country who are afraid to talk to their own children, but they want the Prime Minister to run their children for them. They are afraid of their own children, because of the way they brought them up, but they want the Minister or the teacher to deal with what they themselves have created. We have to come to the issue in that way and understand what we are doing in a small country of 1.3 million people.

I try to figure out how many criminals we have in this country; 10,000, 100,000, 200,000, 300,000; that still leaves a million people who are trying to be law-abiding. But when we have dysfunctional systems to treat with that kind of behaviour, we have problems.

The last thing I heard, I do not know if it was a correct figure, somewhere from authority, that we had 5,000 outstanding matters before the Police Service Commission. [*Interruption*]

Hon. Member: Police Complaints Authority.

Hon. Dr. K. Rowley: Whatever it is; actions relating to misconduct in the police service. Some figure like that; it might not be the correct figure, but that was the last thing I heard. In a police service of 7,000 or so officers, you have 5,000? Even if it is 3,000 complaints, that in itself points to dysfunctionality, because it is either 3,000 policemen playing the fool or a few playing the fool often. But the bottom line is that not enough is being done about them. In that climate, the hard-working police officer says, "But what, if he could be doing that, getting away with it, why I killing myself for?" So you do not only have him playing the fool, he now has the effect of demoralizing the hard worker. It is a downward spiral in the performance of the system.

I will predict today that there would be a dramatic turnaround in the competence of our police service the day we begin to demonstrate swift justice within the police service and the wider national community. [*Desk thumping*] Swift justice is a requirement to deal with a crime upsurge. If you are on a charge, your case comes up quickly and you are given justice, either exonerated or convicted, and you are behind bars based on the conviction, that is one less person out there to threaten the public. On the other hand, if there is not swift justice, you are criminally inclined and you are brought before the court and months and years you are out there roaming, especially if you are roaming to commit crime to pay your lawyer, then you are a menace to society. We find the situation where a person of no means is having to find legal fees of \$100,000 or \$200,000. [*Interruption*] I am looking at you, not because of your profession, but because you are my favourite colleague. [*Laughter*]

It is a serious matter. Sometimes I wonder, when a person of no means ends up before the court and is fined \$10,000, I say, "Jesus Christ, where is he getting that money to pay?" He has to hold up somebody, threaten somebody with a gun to stay out of jail, but he has demonstrated no interest in working and you know that. So when you charge him \$10,000, you know that he is going to commit a crime to pay it. Is that not part of the problem? The problem has so many facets, that this debate only scratches the surface, but it would be useful if today in this debate, as a group of citizens with a special relationship to the population, representing them, if in this debate we agree to focus on what needs to be done to ensure that the wall between the criminals and the citizens is not breached. If in so doing, we come up with some additional solutions, because they have to be additional; there are many solutions in train and we have to wait for them to bear fruit, but there can be additional ones, if we can convince the population that we could turn this

thing around, then they too will have some confidence. They too will begin to cooperate with the police.

We cannot be blowing hot and cold. This morning I heard my colleague from Pointe-a-Pierre saying that she is not too enamored about the Constitution; she is for adherence to the Constitution; that was a very important statement. That adherence to the Constitution is a requirement of our laws. I have had conversations with persons who virtually froth at the mouth on this crime issue, demanding that the Government do something about crime. I listened very carefully to what they were saying to me and, basically, in those few instances they were saying, "Look, allyuh go out and shoot them bad fellas; shoot dem boys." That is what they are saying to me. If that is going to work, I do not know, but what I do know is that having sworn to uphold the law and the Constitution, that is not an option available to the Government. [*Desk thumping*] If that is what you mean by do something about crime, then you are whistling in the wind, because this Government has to act within the law.

If there is any semblance of the Government acting outside of the law, that too is another issue. So when my friend said that she was for adherence to the Constitution, hear what she is saying. The Prime Minister received a complaint about the Chief Justice; he acts within the Constitution as Prime Minister; he is in the court defending himself today. Many persons had a lot to say, because he adhered to the Constitution; even those who never read it; who did not know what it said, jumped on the Prime Minister's back, "He attacking the Chief Justice." Even those who should have known better and who should have adhered to the Constitution, stoked the fire to give the impression that the Prime Minister and by extension his Government, acted illegally. So when today the Member said that adherence to the Constitution was what she was about, I think she has touched on something there.

Mr. Speaker, I am not going to break the Standing Orders, but I crave your indulgence to make an observation, because I know it requires a substantive motion. In the context of what was said about adherence to the Constitution in this debate, I draw your attention to the fact that recently I saw in a newspaper a decision from another arm of the State where an officer took the position, "Until I am satisfied that the Government has done enough for vendors, I will not rule against any vendor in this court." [*Crosstalk*] I ask, "What kind of understanding of our system is that?" Because I know my limits; I am part of the Legislature. My understanding is that that sufficiency for the vendors resides in the Executive. But, of course, another arm of the State is saying, "I will condone a breach in the

law until I am satisfied that the Executive has done enough for San Fernando vendors." I listened carefully for the Law Association; I did not hear a word. Then recently I heard worse than that; a ruling which said that the Government cannot amend the laws in the Parliament.

Hon. Member: Yes.

Hon. Dr. K. Rowley: I ask myself, when my colleague from Pointe-a-Pierre said that she was for adherence to the Constitution, that has to mean that we recognize the separation of powers between the Legislature and the Judiciary, because when we breach that, when that dam breaks, no amount of blocks in this country can block it again. And that is the road you are walking?

I will tell you one thing; I might hold this job for a while longer; I do not know how much longer, but I expect to live a long and healthy life if Almighty God permits. I expect to remain a citizen of Trinidad and Tobago. The kind of nonsense we are doing as a people from top to bottom, if we do not take stock, what we are dealing with now is a joke to what is to come. We have all the makings here of paradise. We also have all the makings of hell on earth. Look around the world and see where people are in distress; religious conflict, we have religions here. Economic problems, we could have that here if we do not behave ourselves. Social stresses, they are all here in Trinidad and Tobago; we are a microcosm of the world. It is our behaviour as a people which would determine what quality of life we enjoy. [*Desk thumping*] It bothers me when those who ought to protect us start taking liberties at the risk of all our people.

I trust that this debate would permit my colleagues to vent their spleen on how they feel on the crime issue; not to point fingers at one another in here, but to seriously take our role as parliamentarians and to understand that we are contributing only one facet, but we should have the moral authority to call on the rest of the country to make the rest of the contribution. If we can do that, we will then begin to grab this crime issue by the scruff of the neck. We have to have that moral authority to go along with the Executive authority to be able to say to parents, teachers, the clergy, the police and the army, what is required of them; what we expect.

Mr. Speaker, there is a famous statement coming out of the United Kingdom in its worse times which says that "England expects every man to do his duty". Today, in Trinidad and Tobago, forget the Carnival, forget the elections, forget all

the flash in the pan, what is important is that Trinidad and Tobago expects every man and woman to do his or her duty. [*Desk thumping*]

Mr. Winston Dookeran (*St. Augustine*): Mr. Speaker, I like how the Member for Diego Martin West ended his contribution by saying that each one of us must do our duty. That is why when I came here this morning I realized that we would be engaged in a very troublesome debate. The safety and security of our population is at very high risk. We must not forget those who are, in fact, suffering as a result of having to pay that high risk.

Yesterday, I attended the funeral of Donny Butler, a 31-year-old man who was gunned down in yet another distressing and mad act of violence. I knew Donny as a young boy and he came from very humble beginnings. His mother, Linda Butler, who at very great odds in a lowly paid job, gave him solid secondary school support. [*Crosstalk*]

Mr. Speaker: Order!

Mr. W. Dookeran: At that time he was close to me and I travelled with him during his days at St. Mary's College. Here, a promising and ambitious man from the country's poor family was making a great life for himself. He was working as an information specialist at the time of his violent death. He was the most recent victim of this dreaded phenomenon. Mr. Speaker, 330 others have gone before in the last year; they were also a human side to this debate.

Over 200 people have been kidnapped. The last victim Tessa Ramnath of Tunapuna is still in the kidnappers' hands. This is a troublesome debate. Our homes are no longer safe anywhere, anytime and our lives, as the Member for Diego Martin West said, are all at risk. It is against that human reality that we face in this society, that we must identify what really are the issues before this Parliament. There are, essentially, three issues before us today. The first is the issue of responsibility in our Government system and accountability. The second is the issue as to whether the Government, that has been mandated to handle this problem, has demonstrated the political will to do so. The third issue is whether there is any real leadership in solving this problem?

It was against this background that I listened carefully to the hon. Minister for National Security, a man good at heart, I know that, but a man who today told this nation, "We are trying our best; it may not be working, but this is all we can do; we are trying our best, have sympathy." That was the message I got from the Minister of National Security, in this most troublesome time in our lands when so many of our people are being gunned down, terrorized and traumatized. The

Government has been put in place to deal with these problems, and the Minister comes, on this Motion brought on their own initiative, and really said to us, "We are trying our best." We are in serious trouble.

Then I heard the Minister of Housing, the Member for Diego Martin West, in really a very interesting dissertation here today. But what did he say in the end? He merely explained to us why the Government cannot do the job for which it was mandated. [*Desk thumping*] That was the end result of that he said, some of which I will refer to. The Government cannot do the job. The Government cannot do the job, because in his own words, "We are a lawless society."

Dr. Rowley: I never said that. Do not put words in my mouth. I was very clear. [*Crosstalk*]

Mr. W. Dookeran: We are a people who have a culture of being lawless, quote/unquote. [*Crosstalk*] He went on to say that without change in the laws, there cannot be a solution, if only we could manage the situation; a member of the Cabinet.

Dr. Rowley: Make your own speech and stop parroting.

Mrs. Persad-Bissessar: Why do you not shut up and let him speak. While you were speaking, he was quiet.

Mr. Singh: You are contributing to the lawlessness.

Mr. W. Dookeran: He said that the reason we could not solve this problem was because there is a breakdown in the trust between the people and the police. He went on to say that there was a lot of "ol' talk" not informed by knowledge on this issue. He went on to say that we glamorize the bad on the block and today's subculture is one in which parents defend bad manners. He went on to say that the criminals have more rights in the court than law-abiding citizens. He gave us all the reasons why the Government could not do the job for which it was mandated.

He ended with what I thought was a very appalling statement, that if we did not take stock, all hell would break loose in Trinidad and Tobago.

I sat here as a Member of the Opposition, listening to a Government Minister who has the constitutional, political responsibility to deal with this most vexing problem of our time, this troublesome period in our life, this tragedy in which we have found ourselves, and his answer to me to build confidence that this Government can handle this job is that if we do not take stock, all hell would

break loose in this country. Mr. Speaker, if there were ever an abdication of responsibility in the matter of crime, safety and security, we have heard it today. [*Desk thumping*]

Miss Lucky: Good point.

Mr. W. Dookeran: He raised an interesting issue about the murder of former Attorney General, Mr. Selwyn Richardson. For a long time I have been wondering myself why that matter was never really solved.

Mr. Valley: That happened in the PNM's time?

Mr. Singh: It does not matter in which time; it was a murder.

Mr. W. Dookeran: Then the Minister makes a call for "All ah we to get together". So the way we would solve this problem is to forget everything around; we have the criminals attacking us; let us all get together: Opposition, parliamentarians, churches and so forth, get together and we will somehow get the magic wand to deal with a matter of public responsibility in this country, as serious as the safety and security of our people.

This is after four years of the Government being in office and having responsibility, in this respect, and after the revenues of this country never posed a restraint on solving the problem, because of resources. So both in terms of time and in terms of money, the Government has had its way, but the society today is more imprisoned than it has ever been before and the evidence is there. Everyday it is a matter of discussion, whether on the media, in homes or at work. I need not use the opportunity and my time in Parliament to establish that case.

As I do my parliamentary duty here today, I want to establish the case that the Government must be held responsible for the affairs of our country. [*Desk thumping*] That is my duty as I sit here today.

3.00 p.m.

I do that because by holding them responsible we might be able to get a different solution to the problem. I think it was really an act of enlightenment that the Government allowed a debate to take place on this issue. You will know, Mr. Speaker, that on many occasions, motions raised by members on this side of the House have been refused when we tried to bring the debate of safety and security in this Parliament, so I commend them for bringing the debate today.

Mr. Valley: Mr. Speaker, I take objection to that. We have never refused—the Member has an obligation and if a private motion is filed it cannot be refused by the Government. So he is casting aspersions.

Mrs. Persad-Bissessar: No, no, no. You have the majority.

Mr. W. Dookeran: Mr. Speaker, I am sure you can verify my statement by looking at the records, but I will not be deviated by trying to talk on these issues of procedure.

Mr. Valley: He will not be deviated. [*Crosstalk*]

Mr. W. Dookeran: Wherever we go; here or outside, we have always recognized that this is our greatest tragedy in our land. In the hearts and minds of our people, they know that safety and security is the number one responsibility of the State. The primary and overriding obligation of the State is to guarantee the safety of its citizens. If that cannot be guaranteed, very little matters.

The Constitution makes it abundantly clear; the right of the individual to life, liberty, security of person and enjoyment of property is enshrined in Part 1 section 4(a). It is a cardinal obligation of the State in the contract between our people and the State and associated with that is the freedom of movement and assembly as enshrined. These are matters on which there is no debate.

Mr. Valley: What do you suggest? Do you have any suggestions?

Mrs. Persad-Bissessar: Fire yourself and call election. That is the suggestion.

Mr. W. Dookeran: I have no doubt that the people of this country will shock you with their suggestion to solve this problem, but I say no more on that. [*Desk thumping*]

In a civilized democratic society, the first question we must ask is who is responsible for the protection and safety of our society. In fact, it is the very Minister of Housing, Dr. Keith Rowley who in one of his earlier contributions shifted responsibility to say that this was a matter for the police commissioner. He said in a crime wave you can see the Minister of National Security the one person you could never see on television to talk about crime is the Commissioner of Police even though it is his job to fight crime. The Minister suggested that crime control is the responsibility of the commissioner who should be held publicly accountable for his performance.

Today he has gone one step further and says it is the society that is responsible by its behaviour for the crime problems of the country.

Hon. Member: Blame everybody.

Mr. W. Dookeran: And this, Mr. Speaker, is what a Minister in the parliamentary system of this country says and asks this country to take note of. Is this going to

provide confidence to our people? I thought that the purpose of this debate initiated by the Government will be to engender what they say—confidence to handle the problem because it is one we are dealing with day by day. He himself talks about five murders in 15 minutes. That cannot be more urgent and gruesome a situation happening in our country.

Dr. Rowley: On television!

Mr. Speaker: Please, hon. Member. No, you cannot shout across the room like that.

Continue hon. Member for St. Augustine.

Mr. W. Dookeran: Three murders in three days in Trinidad is the reality.

Mrs. Persad-Bissessar: That is right.

Mr. W. Dookeran: Those are only illustrations of the point that this is an urgent matter and it requires a purposeful public response on the part of those responsible not to blame the society now. We know the society that has developed and I was really interested with his sociological analysis.

I was not in any way unhappy with his sociological analysis but today we are holding him constitutionally responsible for the delivery of safety and security of the people of Trinidad and Tobago. That is the issue. It is now evident that Trinidad and Tobago like never before is saturated with criminal activity of every kind. The level of criminal activity has escalated beyond all acceptable proportions and this responsibility must lie somewhere.

The Prime Minister is the first among equals and in the final analysis it has to be his responsibility to appoint suitably qualified and competent Ministers to superintend the ministries of government and periodically review such appointments.

If, as it has been the case, the hon. Minister of National Security has not performed, then the duty of the Prime Minister is to replace him forthwith. But you know we have reached a stage in this country that even if the Prime Minister were to exercise that function—and note the Minister of National Security virtually said that if exercising that function would have improved the crime situation of this country he would willingly resign, is to tell you that even changing Ministers in this country today will not change the crime situation. [*Desk thumping*] Because at the heart of it, the diagnosis of the problem and the prescription that has come forth is not working. It is true many things are being done, but we can only measure performance by how effective they are. What are the results of these things and the moneys that have been spent?

The Commissioner of Police has operational responsibilities and we must look deeper to the harnessing of Government of criminal elements to further its electoral fortunes. [*Interruption*] The absence of trust in the criminal justice system.

Mr. Ramnath: “Why you ain’t shut up and let the man speak. Shut up!”

Mr. Speaker: No please. I must interrupt you again. Hon. Member for Couva South, that sort of response is really not parliamentary.

Mr. Ramnath: My apology, Sir. He constantly irritates speakers on this side.

Mr. Speaker: The debate is going good so far, let us hear the hon. Member. Hon. Member, continue.

Mr. Imbert: “Why yuh just doh walk out?”

Mr. W. Dookeran: Mr. Speaker, I am belabouring this point because for sometime now no one wanted to take the responsibility for the state of affairs and even today, we saw evidence of that thinking. I want to make it abundantly clear that it is the Prime Minister, the Cabinet and Minister of National Security who must take responsibility.

If they are to do so, Mr. Speaker, then they must tell us how they are going to discharge that responsibility and whether or not the approach they are taking to discharge it is in fact working. They cannot in my view, get away by saying: “We are trying our best.” Nor can they get away by saying that there are hundreds of reasons why the Government cannot do its job. If in fact this is the view of the Government that there are a hundred reasons why they cannot do its job, then there is one honourable thing to do in our parliamentary system and they know it. [*Desk thumping*] There is a whole new generation of political leaders waiting to take on the job of managing the country’s affairs. Let us not stop them. [*Laughter*]

Dr. Rowley: Take that. That is for you and all your supporters.

Mr. W. Dookeran: I am an old man in the politics. Many Ministers have dodged this question of responsibility. I have never heard the Prime Minister say that he and his Government must take responsibility for the safety and protection of our citizens categorically. He has always said things that created more uncertainty about who really is responsible. The last time he spoke here, it gave me the impression that Mr. Big was the man responsible.

That is the kind of thing we hear and to do that we come now to the question of blame, but let us recognize that there are always obstacles on the path of any solution. Those can be seen as blame sometimes, but to blame someone is not to

exonerate you from the requirement of responsibility and this is why I want to make this point that we cannot blame the society. We cannot blame any other institutions in the country and even if there are problems there, it does not exonerate us from the requirement of responsibility.

We cannot talk of it being a matter of collateral damage, nor can we say to the population that it is a global phenomenon as true as it is, but not as a substitute for taking responsibility. We are even told that the spate of bombings that took place within the last few months was a recurrence of a historical experience in the 1980s and then I saw some reputable historians questioning even the accuracy of that statement. We went so far to say that it was a historical phenomenon, it is nothing new.

There has been a sense of denial on the part of the Government in handling this issue seeing it as a perception and as the fault of others. We heard today of the breakdown of family life. Who is responsible to solve that problem? Legislation has been another big area and there is no doubt that there are areas in which legislative changes would have to be made but that cannot be seen as a substitute for solving the problems through leadership and management.

At times—it was not said in this debate—but blame had been attributed to the political Opposition. So Mr. Speaker, let us put to rest that kind of thinking, it is a precondition that is required for serious dialogue between all aspects of those who are involved in governance.

Sen. Martin Joseph said that there are some people in the society who approached the Government and indicated that they wanted an alternative to the life of crime. As a result, they were provided with opportunities through the Unemployment Relief Programme. What we found out subsequently is that notwithstanding they were given access to the resources, some are still involved in criminal activities.

That was perhaps the wrong solution. The Government always thinks that it can solve the problem by passing money around and it has admitted that when it tried to do that through the Unemployment Relief Programme it did not solve the problem and brought further problems because he had diagnosed wrongly how to solve the problem of that element to which he referred. So when I say come together and support the Government, we must analyze whether it was right in diagnosing the problem to start with.

Mrs. Persad-Bissessar: They should resign, that is what they should do.

Mr. W. Dookeran: Mr. Speaker, the issue is not what the Government is doing as important as that is. The issue is from the point of view of accounting to this Parliament, whether it is doing things that are effective and the results are in fact improving the quality of life of our people.

I believe I heard the Member for Diego Martin West say that the more they do, the higher the rate of criminal activity. That, in itself, is an admission that something is wrong.

Mr. Imbert: He cannot understand.

Mr. Valley: Jack Warner spoke to him.

Mr. Singh: A Minister without discretion.

Mr. W. Dookeran: The population recoiled in horror when the hon. Prime Minister dismissed the anguish of kidnapped victims and their families when he said the kidnappings were largely family affairs, or in his comment which I referred to earlier on, collateral damage.

We saw the same sense of political self-interest at play when the Government and the ruling party decided to boycott the march that the Keith Noel Committee organized. In boycotting that process against the continuing slaughter, the nation saw a convincing demonstration of the Government's total lack of compassion for the victims of the crime.

The Government's impotence in the face of spiralling unresolved murders and kidnapping is enough in a civilized society in the working democracy for a motion of impeachment. What is just as distressing is the attitude of the Government to victims and witnesses, some of which we have heard today.

With the unprecedented billions of petro-dollars at its disposal, how much has the Minister of Finance provided for victims of crime is an issue I wish to raise today. What has the Government done to provide compensation to victims of crime? There is legislation for victims' compensation. That Bill was enacted during the period of the United National Congress government. [*Desk thumping*] Why has this Government not effected the provisions for compensation for victims of crime?

We talked of what is happening in other jurisdictions where the victims of crime and the welfare of the law-abiding citizens are the two most important concerns of legislation in this regard, but in our society we do not even deal with that and you and I know the trauma of the people who are victims of crime.

This is not a debate about esoteric policies; it is one about the lives of people and their family. It is one about real people who are being affected, all of us who can be affected, and some of us who have been affected—the hon. Minister, John Rahael; the Member of Parliament for Naparima, Mr. Nizam Baksh. It is a debate about real people and my friends are heckling me on small political points. Those small political points will one day become big political headaches for them. [*Desk thumping*]

Dr. Rowley: We are attacking you on grammar, your lack thereof.

Mr. W. Dookeran: It is patently clear to all of us and especially when we have heard what was said today and has been impressed by many inside and outside the House that this administration is in a state of denial.

It conveys this both by its action and the clear signals it is giving on its pronouncements. This is a perception; the Prime Minister said that the country is in fact not safe. At one time he said it was temporary, and if one traces statements over the last four years, one will always see the state of denial, and today what we are seeing is the acceptance that there is a problem, but a refusal to take responsibility to handle it themselves.

This tells us that underlying our problem is a lack of the requisite political will to appreciate the gravity of the problem and take the appropriate action.

I spoke to a number of people who are far more knowledgeable on the crime situation, and the common message I got is that the Government really lacks the political will. There have been many interventions but they are all evidence of failures. The first evidence of failure was the removal of Sen. Chin Lee as the Minister of National Security, then there was Operation Anaconda 2002 which failed to get out of its nesting. This plan was recognized as having failed and I was hoping the Minister would have spoken about the performance of these measures.

At one time 1,000 new police officers were recruited; it made little difference given the state of affairs; the Government's rejection of the Rudy Giuliani plan which was proposed by citizens of this country a couple years ago. Rather, they adopted a transformation specialist from abroad to look at police service reform. What has come out of that transformation exercise?

The Ken Gordon crime committee based on intensive police/army patrols in the city and road blocks, community policing initiatives—and I believe Sen. Prof. Deosaran commented on that saying because of the gap between the police and

the public, the role of community policing was not clear—and there was not enough follow-up on the effectiveness of this programme, and more recently, the special anti-crime unit headed by Brigadier Peter Joseph. These are some of the measures that were put on the public domain.

I was really expecting the Minister responsible for national security to tell me that these things are in fact working, but he could only say they are working if they are in fact reducing the level of anguish in the society for the safety and security of the citizens.

3.30 p.m.

The introduction of the FBI and Scotland Yard initiatives at this eleventh hour may be geared to raise another set of expectations relating to the making of a dent on this problem.

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

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

Question put and agreed to.

Mr. W Dookeran: Mr. Speaker, I thank you and hon. Members for the extension of time. We have had Scotland Yard Reports before. They identified the presence of rogue elements in the police service many years ago, but there has been no evidence of any action. Maybe, the Minister can tell us.

Another report talked about the small size of the country and the ability and measures that can be employed to eradicate the illicit drug trade. Have these measures been put into place? In terms of accountability, we would like to see the results. I was very disturbed when the Minister of Housing said that he has been told by many people to do something about crime and they were getting very angry about that. He interpreted that to mean that they were saying to shoot the bad boys. They were saying to put in leadership management and handle the problem of crime. [*Desk thumping*] I have absolutely no doubt that that was in the minds of the people who were talking to you. You interpreted it to mean shoot the bad boys. That is what you said here today.

It is a kind of sinister thinking, evidence of third worldism—as my friend from Oropouche says—that is dominating the mindset of those who are in charge of public policy in our land.

I come back to the issue of lawlessness because I thought that was an important statement that the Minister made. When all the relevant facts are considered one would have to conclude that a major contributor to lawlessness sweeping the country is the lawlessness at the very top in our society, including the Government. We see a Government Minister charged with physically assaulting a former mayor. We see a Mayor of San Fernando, close friend of the hon. Prime Minister on charges of illegally tampering with ballot boxes on election day. [Laughter] We see a prime minister being held in the highest court of the country of violating certain constitutional rights of citizens. [Interruption] I shall not be intimidated by what you think. I can assure you of that.

A great deal of all this reflects the moral tone of our leadership and the ethical index for many persons who now have no regard for law and justice. We must not succumb to the "ol' talk" and robber talk that the Ministers give us on this issue. The Minister of National Security went to the United Kingdom to see how to do it right. There is utterly and absolutely hopelessness in this situation.

There is a lot that could be learnt from the visit to the United Kingdom. There is a criminal justice strategic plan in the United Kingdom which is worthy of some consideration by those who have knowledge of these matters. As I said earlier, the overriding principle of the concept in that plan is to deliver criminal justice that puts the victims of crime and law abiding citizens first. Putting the victims of crime first must be one of our priorities. If the Minister is asking for new suggestions at this time, I suggest that they put that on the front burner so that we have some focus on that problem.

There are many other ideas in the criminal justice strategic plan that are worthy of consideration and the development of a code of practice in the development of an intelligence system. Instead of spending untold millions on pie-in-the-sky and limp blimps, the Government should already have every police station and all police vehicles on line to a finger print and file photo database. Those are some of the ideas.

Where is the accountability? I said earlier that this debate is about accountability and responsibility. If we were to be enlightened here today, we ought to be enlightened on the issue of accountability and responsibility. This debate is also a debate about the will of the Government. What we see is an admission that it can do very little about it.

The Keith Noel 136 Committee must be complimented for their strength and commitment to place the issue of safety and security of our people on the national

agenda. Their recent march was a timely and spontaneous civil outpouring of the hearts and minds of law-abiding citizens. It was most unfortunate that some tried to discredit these efforts, but the Keith Noel 136 Committee raised another important issue focusing on the economics of the crime industry.

As long as there is the temptation of getting easy money by means of dealing in illicit drugs, guns, money laundering activities and corruption, we would be fighting not only an uphill battle, but also a war that we may not win. Has the Government ever done an analysis of the economics of this industry? Has it ever looked at the flow of funds and how it might be appropriate to handle that problem as a solution? I would like to add the issue of the economics of the industry as another suggestion apart from the victims of crime issue that I have raised.

Recently, there was a debate on money laundering. The Governor of the Central Bank in a statement said that he was taking additional measures to handle the problem that has emerged through money laundering and terrorist financing. In September 2004, Central Bank issued revised guidelines on anti-money laundering, then, we heard a leading Trinidad and Tobago banker say that the authorities have been too slow to act on the issue of money laundering. Asked if he thought that these were untouchables in the society, the senior banker said that the situation has developed and I quote: "...only because we do not have a will in the leadership and a will in the police service to deal with the matter. It is not for banks to arrest people. It is not for store owners. We all subscribe to a society that has a framework of law and order to be enforced".

Commentators are talking about the flow of funds. I have never heard from the lips of the Ministers responsible any proposals to look at the economics of the industry and deal with it in such a way so that there can be measures to restrict the growth of this industry.

I come here today like so many of us with the knowledge that we are in a troublesome debate, one in which our country bleeds for the thousands of sons, daughters, brothers, sisters, mothers and fathers who have been senselessly killed over the last few years and the unfulfilled promises of their lives. I believe that there can be a solution but I believe that the solution should start with a very honest assessment of what I call the new terms of engagement. It is quite clear that we are not producing the goods that the country needs in this field.

Nation states exist to deliver political goods, security, education, health services, economic opportunity; social mobility for the poor and disadvantaged; a healthy environment; a legal framework and a judicial system to administer it. Nation states fail because they can no longer deliver these positive political goods to the people. In almost all cases the root causes lie in ethnic, religious and intercommunal conflicts and in the growth of criminal violence. When the Minister said that if we do not take stock all hell would break loose, I really began to get worried. These are words from those who are responsible for public management of the country.

We have had the absence of an agreement on some very basic principles. An honest dialogue must start with the acceptance of some of these basic principles like measures to ensure that the police service is not brought into the realm of politics and used to advance narrow self-serving interests of any political organization. There is much evidence that that principle is not adhered to and there must be collectively, an agreement that must be a principle. It must not only be a principle but the practices that are followed must adhere to that principle.

There must be a cessation of indirect public funding of criminal activities which the Minister spoke about, an important source of our problem. There must always be the full protection of our civil liberties for there is always the fear that in a period of panic and fear, you may trade off civil liberties and we must not fall into that trap. The political process in the country must be and must be seen to be free from the influence and involvement of criminal and violent elements. There are important concepts that we must agree upon as a people. The Minister said let us come as a people. I am going further. I am outlining some initial thoughts on the basis upon which we must agree on how we govern this country so that there would be deeper dialogue. It should be done on the common understanding of fundamental principles like these.

The population must not be hoodwinked into believing that legislation is a solution for crime; if some piece of legislation is passed, crime would be decreased. In other words we must treat it openly and fairly and not as a public relations exercise. It must always be recognized that the Government of the day has the resources and constitutional responsibility to deal with the criminal elements that now hold the nation in this grip of terror.

If we could find the appropriate mechanisms to foster a positive environment for deep and serious dialogue, this would be a positive result of our deliberations. That requires a discussion, a debate and indeed, an agreement. Other than that it would appear to be coming together with false hopes and expectations and

without any result. I suggest that we find ways and means to put that on the agenda. As we said, we must be careful of the moment of our history. This debate is taking place at a time when our history can go into a smooth forward path, or as the Minister said, "all hell break loose". I am not going to dismiss what he said.

The Minister of National Security was quoted somewhere before as saying that we are living in a lawless society. His Excellency, the President claimed that we are on the edge. The Principal of the University of the West Indies asked: "Are we living in a failing State"? At the very funeral which I attended yesterday, the pastor asked: "Has the country gone through"? It is a moment of seriousness. I said when I started that this is a matter which I consider to be serious.

I am sure that all Members who have come here and those who are participating in this debate in any form or fashion acknowledge the seriousness of the time. Our nation is in serious trouble. Our people are bleeding. Our Government is not functioning. It is certainly not delivering the most basic needs of the society, safety and security of our people. We are not seeing the leadership to solve this problem. To some extent we see the Minister of National Security overpowered by the demands of his portfolio. I get the impression that the Cabinet is numbed and bewildered by it all and is silently regarding itself as having failed too.

Our real purpose that has ignited this debate are the sufferings of our people, a small nation of 1.3 million people, where mothers and fathers grieve for their children; victims of crimes that seem to have no end; no one responsible; no solution and no hope. We have come here today for the families without fathers and mothers, victims of crime spree that has affected our country's carefree and fun-loving spirit. I come here today for the child of a pan yard whose innocent life was cut down by a crime spree that holds no regard, respect or mercy for the youngest or oldest among us.

We come here today for the kidnapped victims and their decent law-abiding families whose lives will never be the same again. There are hundreds and hundreds. We must, as a civilized society, be concerned about the hundreds more to come. We must be able to put an end to this. We must be able to get the right leadership and management to handle this problem. We cannot ignore the real beneficiaries of the Government which is the people of our land. I join with others to take the responsibility. It is not enough to proclaim quick-fix solutions or to deflect the problem or to play politics with the lives of our citizens.

The issue of crime is one of good governance not just good policing. It is a question of better management and administration, not bigger budgets. It is a

matter of accountability not public relations gimmickry. We as a society must acknowledge that if the Government cannot take on this responsibility so that we can provide safety and security for our people, then it is necessary for us to look deeply at other ways in which we can use our political system to bring some sense of hope for our people.

I end my contribution on this debate knowing that the Government has failed in this regard, but hoping that we can find the appropriate platform in order to provide our people with the comfort and hope required in these troubled times. Let's us not use this occasion for small politics in our land.

Thank you.

The Minister of Health (Hon. John Rahael): Mr. Speaker, as I stand in this honourable House to make my contribution to this debate, I do so as a Member of Parliament with shared responsibility for making laws to curb this upsurge in crime and as a victim of the most brutal of crimes. I have lost a cherished nephew and a respected son of the soil as his fellow board members at Petrotrin called him. My pain is real and raw. I still have visions of his gruesome fate that are painfully vivid. Perhaps, they will go away in time, but my loss is permanent and final.

This is the first time I am addressing this honourable House since facing that tragedy. I take this opportunity to thank the Members of Parliament; the numerous citizens of our nation; friends and well-wishers who have personally expressed their condolences; made phone calls; sent cards and emails and conducted prayer sessions for us. My family and I appreciate your support in what is undoubtedly our darkest time.

Crime reaches us in spite of whatever personal security measures we put in place. My nephew had gone to work early that morning and was locked in at his office when the criminals literally knocked on his door. His only involvement with them was to politely answer a simple enquiry for directions, nothing more than a normal act of human kindness. The scourge of crime is transforming a fun-loving and trusting population into paranoia groups becoming fearful and hateful. It is fragmenting our society to a degree that we are struggling to hold our centre. Indeed, we are being ripped apart literally and figuratively by the demonic acts of a minority of people.

Now we seem to blame each other for allowing crime the upper hand rather than come together to join forces to turn back the evil that now stalks our land.

4.00 p.m.

Mr. Speaker, unquestionably, our society is being challenged as never before to unite and reclaim our country. I am as angry and frustrated as anyone else that we are not stopping the man who walks up to someone on a street corner and relieves that person of his or her cell phone; that we are not stopping the drivers who overtake recklessly on our nation's roads and crash head-on into another car, killing its occupants and often themselves; that we are not stopping the youth who lime on the street corners and put down a "wuk" to support their drug habit; that we are not stopping the credit card fraudsters, or tax evaders or those who dump waste in our watercourses, in our vacant lots and on our street corners.

Our misguided youth roam the city streets with guns and shoot each other and then casually walk away without remorse, and our people cry out, with justification; stop the mayhem. The senseless march of murders and kidnappings, even as our law enforcement agencies struggle with increased resources to turn the tide of lawlessness that is seemingly going out of control.

Mr. Speaker, I know first hand that it is little comfort to us that this wave of crime that we are experiencing is, in fact, a worldwide phenomenon across developed and developing countries. Yet we must recognize this fact to examine the causes of this unprecedented level of crime and share each other's strategy in dealing with, what is for us, a modern-day hydra-headed monster.

I know and appreciate that the root causes of crime are many, varied and complex. These are only some of the factors of crime, Mr. Speaker. The experts point to:

- the breakdown of family life;
- the widening gap between rich and poor;
- the diminishing exposure to religious teachings; and
- lack of effective parental guidance.

Mr. Speaker, permit me to quote in part from the recent remarks of James Baker, the Mayor of Wilmington in the American State of Delaware. I find this quotation very instructive when he referred to crime. He said:

"Unless it is attacked at its very core and resolved, crime will always overshadow the most coordinated efforts designed to help any city reach its ultimate greatness.

We cannot continue to be baffled by the existence of crime or continue to run and hide from it. We cannot continue applying simplistic answers to the very complex reasons why crime has overwhelmed almost every city and town in America. We cannot look to the police as our only real solution to the epidemic of violence, caused in a large part by our own children who are enthralled with guns, drugs and making money illegally.

This crisis of crime, fueled by crises of values has gripped urban neighbourhoods around the nation.”

This was said by the Mayor of the City of Wilmington in the State of Delaware. In other words, the solution of crime is as multi-dimensional as its cause and it requires the involvement of every citizen—[*Desk thumping*]*—whether as parent, as teacher, as politician, as lawmaker, as enforcement officer, as religious instructor, as judge or jury. There is a role for everyone. We cannot and must not shirk this responsibility. [Desk thumping]*

We simply cannot afford to wait for a better social environment or economic development. Yes, we must strive hard to meet and eradicate the problem at its source and that is a long-term project, just as much as its manifestation was long in coming.

Mr. Speaker, up to a few years ago our citizens knew that they lived in a paradise and they believed that God is a Trini. Today, their faith is being shattered. Mr. Speaker, 1.3 million people are being held hostage in terror by what must be only a few hundred seasoned and hardened criminals working in concert with each other whilst this House remains divided on much needed legislation to begin the turnaround. [*Desk thumping*]

While Members opposite withhold their support for critical measures, people are living under a self-imposed curfew and the country locks down as soon as it becomes dark. Mothers are afraid to send their children to learn to play pan or take a walk with them to drop something off at a relative down the road. A birthday drink in the neighbourhood rum shop has become very risky and taxi drivers are becoming easy targets.

Business owners and their families are afraid to work in their businesses or even maintain the simplest of daily routines for fear of being kidnapped. We go to the bank or walk the streets with constant fear. The entire population is traumatized, not just the victims and their families.

Mr. Speaker, hon. Members, crime is no respecter of age, profession, ethnicity or political persuasion. A daily paid worker is in as much danger as a top CEO. A 13-year-old child and a 61-year-old pensioner are brought down by the same bullet. A small business owner is held for ransom in the sum of \$20,000 in the same awful way and manner as big businessmen are held for \$2 million. Every ethnic group in this country has lost members to murder. Even in this honourable House kidnapping and murder have crossed the aisle to extend its horrible reach to Members on both sides of the political divide. It is sad to know that the effects of crime seem to be our most common denominator and not our willingness to put our heads together to save our country.

We must be careful and not allow crime to divide and conquer us. In our desperation and urgency we are resorting to speech and behaviour that is divisive and intolerant. I note with alarm the tendency to broad-brush segments of our society.

Yes, there are corrupt policemen but the entire police force is not corrupt. I am sure that the majority of police officers are hardworking, honest and committed. Yes, there are also those who are involved in money laundering but broad statements about the deep involvement of all legitimate businesses in the importation of drugs and guns are just not true.

Yes, Laventille and other areas harbour some criminals but not all the people from these areas are gangsters. [*Desk thumping*] We broad-brush Laventille and other areas as places of criminals but not all of them are criminals. I know of many workers in my family business who come from Laventille and they are our finest employees: honest, hardworking and loyal. [*Desk thumping*]

There are bad apples in the Judiciary, as one columnist puts it, but the whole bunch is certainly not rotten. It does not serve our common good to tarnish any one group or the other with a broad brush. Such stereotyping and profiling will only cause people to become defensive and detract them from the work at hand, and God alone knows there is a lot of work to be done.

The public must do its work of being alert and willing to come forward as the police keep asking them to do. The business community must partner with the authorities to weed out white collar crime. Parents—single or otherwise—must not accept financial help from sons and daughters who do not have legitimate means to provide that support. [*Desk thumping*] The churches need to play an even greater role in strengthening family life within communities. Non-governmental associations who crusade against crime must get our unconditional

support. The police must serve and protect. The Judiciary must do its part and not grant bail in Chambers to repeat offenders to whom magistrates deny bail.

In fact, I want to advocate that this House consider, at the soonest appropriate time, adapting from the American jurisprudence what they refer to as the “three strikes” laws. These are categories of laws enacted by state legislatures in the 1990s to mandate long periods of imprisonment for persons convicted of a felony on three or more separate occasions. [*Desk thumping*] The term is borrowed from the game of baseball in which the batter who misses three strikes at the ball is given out. The underlying philosophy of these laws is that any person who commits more than two felonies can justifiably be considered incorrigible and that permanent imprisonment, with no possibility of parole under 25 years, is then mandated for the safety of the society.

When these laws were passed in California there was an initial concern that the state prisons would have overflowed with prisoners. The reality is that recent statistics show a slight increase of 1.3 per cent but, amazingly, the crime rate is down by 32.7 per cent. This underscores what we all know, that it is only a few hardened criminals who are responsible for the major crimes in any society and so it is the same in Trinidad and Tobago.

Mr. Speaker, will the Members opposite support such measures? I repeat, Mr. Speaker: Will the Members opposite support such measures? Only time will tell. [*Crosstalk*]

Hon. Member: You are a schoolmaster?

Hon. J. Rahael: The Government though will continue to provide the resources, people and technology to halt the takeover of this country by criminals. One thing is certain; this Government will never surrender our country to the criminals. [*Desk thumping*] We will take the fight to them in every nook and cranny: in the east; in the west; in the south; up and down the length and breadth of this country. We shall not rest until our homeland, Trinidad and Tobago, is made safe again for every citizen and visitor alike. [*Desk thumping*]

Yes, we will also bring in the speedboats to patrol our coastal waters. We will continue to beef up our security forces with manpower and equipment. The eye in the sky and the blimp will continue to provide surveillance. We will bring in more helicopters to patrol our air space. A radar system is already in place to increase surveillance of our shorelines. We will also install surveillance cameras on our major streets. We will bring in the FBI; we will bring in Scotland Yard, and whoever else can help. [*Desk thumping*] And believe me, if the Canadian Mounties could help, I say bring them also. [*Desk thumping*]

Mr. Speaker, you see no one measure will solve our problems overnight. It is our combined effort of all these measures that will in time redress this situation.

Most of us in this hallowed hall must not remain a talk shop. The time for action is now. We, as parliamentarians, need to act decisively and in unison to tackle crime seriously. We need to pass whatever legislation or regulations required to deal with the issues at hand because that is our sacred duty and job. That is what the people elected us to do, all 36 of us in this Parliament. [*Desk thumping*]

When the Keith Noel Committee and the 17 business organizations called, they did not just call on the Government; they called on Parliament to act decisively. The Keith Noel Committee did not march against the Government, they marched against Parliament and you are a part of Parliament. When the leader, the Member for St. Augustine, of the political party that is in opposition comes here and tells us that he is not responsible; he has no part to play; that it is Government's responsibility and no one else's responsibility, Mr. Speaker, it is the responsibility of all of us.

Mr. Ramnath: You are talking stupidity.

Hon. J. Rahael: We were really hopeful that when the Member for St. Augustine said that he was bringing new politics into the equation, what he did here this afternoon certainly was not new politics. He reduced the debate to purely political. He made absolutely no recommendations, at least the Member for Pointe-a-Pierre, in her contribution, talked about putting country first. [*Desk thumping*] She talked about saving Trinidad and Tobago. The leader of the UNC and the Member for St. Augustine did not take that position. His position is he is not involved. He is not responsible. It is you, the Government and only you the Government that is responsible.

Mr. Speaker, any city, any country in the world where crime was an issue, it was not just the Government; it was the people—[*Desk thumping*—all of the people coming together to fight this curse that we are now experiencing. Yet the Member for St. Augustine—I really did not expect that contribution today. I am so disappointed because we really thought there was going to be this new politics coming from the other side. [*Interruption*]

Mr. Speaker: Order!

Hon. J. Rahael: Mr. Speaker, how could you not support the Police Reform Bills? How could you not support making kidnapping a non-bailable offence?

[*Desk thumping*] With your permission, I want to address the Member for Naparima. Member for Naparima, would you not support making kidnapping a non-bailable offence? [*Crosstalk*]

Mr. Speaker, are the hon. Members opposite hearing the cries of our people? While we all call on the citizens and the police to play their part, what are we doing but quibbling about constitutional reform. As necessary as it might be, while our country burns—if I sound angry today it is because I am. The responsibility is ours to unite and put our collective heads together to devise a more effective course of action. Our constituencies demand nothing else. Your constituents are also suffering, like all other constituents in Trinidad and Tobago.

Mr. Ramnath: “Yuh buss their throats in Caroni; doh talk stupidity!”

Mr. Speaker: Hon. Member, please! [*Interruption*]

Mr. Ramnath: He is addressing me, you know.

Mr. Speaker: Let me remind all hon. Members that this debate is being carried live and your behaviour is being telegraphed to the entire nation. Please, let us behave with some measure of decorum. Continue, hon. Member.

Hon. J. Rahael: Mr. Speaker, one situation that is crying out for action is the crime of kidnapping. This crime is terrorizing the population who cannot believe that in a small country like this, snatchers grab you in public places; hand you over to holders who hide and appoint a negotiator to harass your family for money. Phone calls are made; persons are moved from location to location; bags of moneys are dropped off and a victim is released or murdered, sometimes in the middle of the night in some village or town. Even if suspects are held they are soon out on bail to continue their evil deeds.

We must put an end to this ridiculous situation, which is becoming a travesty of our justice system. Today, I call on this House and I beg the Members opposite to put aside any partisan interests and focus on passing legislation that has a chance of working. That is our job as parliamentarians. Too many kidnapped victims, who are lucky enough to survive, are deathly afraid to give evidence because the kidnapers are out on bail. Kidnapping must be a non-bailable offence! [*Desk thumping*]

All those who are involved in kidnapping from the driver, the snatcher, the holder, the negotiator, the mastermind should all be charged for murder if one of the kidnapped victims dies while in their possession, whether they die from heart attack, diabetes, stab wounds or whatever cause, they should be charged with murder.

Mr. Speaker, I again call on the Members on the other side—I believe that the Member for Pointe-a-Pierre set the right tone when she made her contribution only to be disappointed by the contribution of the Member for St. Augustine and the leader of the party.

Mr. Speaker, we cannot pussyfoot around when we are losing our brightest and best to this most awful crime. History would judge us badly and, justifiably so, when we stand by and allow blatant politics to prevent us from doing the right thing. [*Interruption*] Mr. Speaker, that is not the role I saw for myself when I gave up my private business and joined this Parliament. I hardly think that anyone here signed up for that. Yet, if we sit by and allow it because we are grandstanding or playing politics with people's lives that is exactly what will happen.

It is said, Mr. Speaker, that evil prevails when good men do nothing. I know that there are good men and women in this honourable House. I also recognize that passing laws alone will not by itself deliver us from crime. We have never said that. Passing laws alone will not deliver us from crime but they are essential to supplement the development of the social structure and the education system to create a more equitable society.

It pains me, Mr. Speaker, that so many of our young children are given to a life of crime. Perhaps that is our greatest tragedy; the loss of our children through the breakdown of family life and values and the consequent lack of spirituality. Our children reflect what we teach them or do not teach them. If as parents we leave them to their own devices to gather knowledge of life from their peers, from popular culture, from entertainment, from the media or from television then surely we are breeding ignorance and despair.

I remember the many lessons my father taught me through stories of building character and values, always giving me a positive and encouraging view of life. That is the power we hold as parents, as adults to teach our children the right thing to build strong morals. Shakespeare wrote, and I quote:

“The voice of parents is the voice of God. For to their children they are heaven’s lieutenants.”

Let us take time to bring up our children to be proud citizens of this country—Mr. Speaker, it does not matter how gas rich or oil rich we are or what measures we put in place to exploit these resources to the fullest—and so enjoy heavenly rewards of our paradise on earth. The stark reality is that the heat is on. The heat is on not only in the internal wars among the gangs. The heat is also on the police service to police the place. The heat is on the Government to put all measures in

place to fight crime and then prevent it. The heat is on our homes to return family values that served us well, even when we had so much more poverty in our midst. The heat is on this august body to do the right thing and cooperate to deal with crime. Let us not be burnt by the heat of wickedness but instead bask in the warmth of a job well done.

There is a clear and irreplaceable role for us as parliamentarians. It is not to take the place of family and community but it is to articulate a compelling and positive message to the criminals by our united action. In this honourable House we must send a clear message—all of us—that crime does not pay.

The question is, Mr. Speaker, are hon. Members now prepared to unite to fight crime? I heard it from the Member for Pointe-a-Pierre. I am hopeful I will hear it from the Member for Naparima. I am confident I will hear it from other Members on the other side—[*Interruption*]

Mr. Speaker: Order!

Hon. J. Rahael:—at least from four or five Members on the other side. Mr. Speaker, if this debate is to be meaningful we must now give a firm commitment to support the Police Reform Bills with whatever minor amendments that may be necessary or whatever it would take to make sure that it is effective. [*Interruption*] But it is you who laid the Police Reform Bills in the Parliament!

Mr. Speaker, we must give a firm commitment on that the Bill for making kidnapping a non-bailable offence and the introduction of the “three strikes” law. Let us make this debate meaningful. Let us agree on these three areas: police reform; that needs to happen; the fact of making kidnapping a non-bailable offence and introducing the “three strike” laws.

Mr. Speaker, I pray that God grant us the wisdom to do the right thing. Members, let your conscience be your guide. Let us save our nation.

Mr. Speaker, I thank you and may God bless our nation. [*Desk thumping*]

Mr. Speaker: Hon. Members, the sitting of the House is suspended for tea and will be resumed at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. Roodal Moonilal (Oropouche): Thank you very much, Mr. Speaker. I join the debate on the one-line Motion brought by the Government:

Government's Efforts to Combat Crime
[DR. R. MOONILAL]

Wednesday, November 09, 2005

Be it Resolved that this House take note of the Government's efforts to combat crime.

The Motion is in the name of the Minister of Trade and Industry.

Mr. Valley: The Leader of the House.

Dr. R. Moonilal: I am seeing "the Minister of Trade and Industry", the Leader of the House, who is yet to make his contribution.

About a week or so ago, after we had adjourned for the religious and festive celebrations of Eid and Divali, and the Minister of National Security indicated that the Government would be debating a motion on crime, my first reaction was that the Minister may have misinterpreted the Order Paper, in that on Friday coming, there was some type of agreement that at the next sitting of the House, which is usually held on a Friday, we would give way to Private Members' Day and a motion raised by a Member of the Opposition.

On Friday, it was our intention to debate a motion in the name of the Member for Pointe-a-Pierre, on the serious criminal activities in Trinidad and Tobago; the inability of the Government to fulfil its mandate to provide effective national security and the statement made by His Excellency Professor George Maxwell Richards at the ceremonial opening of Parliament, in which he faced, in a frontal manner, the issue of crime.

The Member for Pointe-a-Pierre also intended to raise with this House the matter involving the Keith Noel 136 Committee and other organizations, their initiatives and their proposals for dealing with this troubling problem of crime. So it came as a surprise for many of us that, instead of coming on Friday to debate a matter that was on the Order Paper, dealing with crime in all its facets, filed by the Member for Pointe-a-Pierre, the Government initiated its own motion.

I asked colleagues of mine, not senior to me, when was the last time a government placed a motion on the Order Paper; not one to approve an agreement between Cuba and Trinidad and Tobago or to adopt an Article of a treaty and so on, but a "take note of" motion. A colleague told me I would have to go back to the period of Dr. Eric Williams, when he placed a motion to take note of economic and industrial development initiatives by the government. So it is highly unusual that the Government would initiate a "take note of" motion and seek in this way to, in a sense, prevent the debate that was coming on Friday—a motion in the name of the Member for Pointe-a-Pierre. I am wondering why.

What also is instructive is that this Government is fresh out of a budget debate and during the period of a budget debate, it is customary that all Members, and Ministers in particular, would give an account of what they have done—all their achievements and credits. They would tell us of their efforts to combat crime, provide better health care, sports and so on.

So coming a few weeks after the budget debate, before a substantive debate by the Member for Pointe-a-Pierre on crime, I am left to wonder why. Mr. Speaker, I think I know why. This Government has been under enormous public pressure as it relates to their incompetence in handling crime in the society. One method to seek to take the steam out and to bring some coolness to the national domain is to say: Okay, you want debate, come to Parliament, let us talk about crime and we will have debate. It is also in response to the Government's clumsy, ill-thought-out approach to handling what was maybe the largest protest activity mounted by citizens of Trinidad and Tobago for quite a long time—the march organized by the Keith Noel 136 Committee a few weeks ago.

The Government, on that day, did not know what to do. When the party at Balisier House said that members could march, but not wear a PNM jersey, the Cabinet, it was reported in the press, said not to go. They prohibited members from going, as if a Cabinet could instruct members of a party what to do.

Jump high, jump low, on the morning, you could not have seen a single PNM face anywhere around. They boycotted the march and this is an attempt to catch up with some goodwill. So they come to the Parliament and say, bring in the marchers and let us discuss. Having said that, it is fine that they have come to outline their efforts.

Mr. Speaker, this is a rare occasion in our parliamentary history. It is not often that a government brings a motion of no confidence in itself; Usually the Opposition brings a motion of no confidence. On this occasion, the Government has brought a motion of no confidence in itself by way of this debate on crime. The crime debate is probably the most important issue confronting this nation. They have brought a debate on this matter and it is really a motion of no confidence in the Government.

Our friend, the Minister of National Security—I do not know if one should be angry, amused or numbed—was described by a regular columnist, Peter O'Connor, as Elma Fudd. Elma Fudd, for people who do not know, is a character in a cartoon who chases a rabbit or a duck, but somehow the object always eludes him. It is always that he is aiming his gun and the gun folds up, comes back and shoots him. He is really a character who is hapless.

This is where the Minister of National Security has reached in the public domain. That is not the UNC describing him. That is a columnist and a public officer for many years.

The Minister came today and I thought he threw in the towel. He said that he was trying his best; not to blame him; there was nothing more he could do than he was doing already and work with him. In a sense, this Minister really precipitated the lack of an encouraging mood in this House and the national community will find no comfort, no encouragement, no inspiration on the presentation of the Minister of National Security. In fact, he could have taken his text and passed it to Natalie Williams or Shelly Dass and they would have read it on the evening news. It was nothing new; absolutely nothing new. It just rehashed what we have been told before. That was his great contribution to this debate in the morning period.

I really sat here and wondered, as he came to the end with a rhetorical flourish, should he not just have used the opportunity to tell the Prime Minister: "Mr. Prime Minister, I hereby tender my resignation", and end the matter? The Minister is not here, but I would like to ask him, through you, Mr. Speaker, to name one other occupation where a person could be in office for three years, have all the results go in the opposite direction to what the employer wants and he or she keeps his or her job? Tell me one.

Could it be the CEO of Pepsi? Could you be the CEO, no Pepsi is being sold, and after three years you are still the top man? You say it is a problem with the bottling plant and it is a problem with the marketing people. Could you be the Managing Director of a company selling motor cars, no cars are being sold after three years—sales have dropped dramatically—and you say the problem is the salesmen, who cannot sell anything, and keep your job? No!

The Minister must know that in no occupation could a person hold on to his job while the figures point in the opposite direction to what the employer wants. The only employer who keeps him is the Member for San Fernando East. By the way, the only profession that you can hold on to where the killing rate goes up and you do not lose your job is that of an undertaker. That is the only profession you can hold on to because the more people die, it is better for you. It would look good in your book. It is a pathetic presentation by the Minister of National Security, who, today, did his reputation, which was already in a bad state, no good. I will say more about this Minister in a while.

We heard next from our very good friend, the Member for Diego Martin West. When the Member is jumping up in the House, many of us really listen attentively because we understand the Member represents an important view in

the PNM. For example, the Member for La Brea, when the Member for Diego Martin West is talking, he wants to hear, because he represents an important view from the PNM. Yet, when Members on this side talk, he remains on that side muttering and disturbing, sometimes in the most crass way. More about that later.

Our friend, the Member for Diego Martin West, spent his time reflecting on crime in a holistic, global and philosophical way. We learned a lot about pop culture and youth culture, but we also got an insight into the mind of the PNM on this matter—that we need to look at crime in a holistic way; that this is the result of globalization, poor parenting, a breakdown in the education system; of popular culture, influenced by American culture and satellite and so on. We learnt that today, as if we did not know that. We got a good lecture on that.

This Member for San Fernando East said before that crime was a result of development or was it global warming? It was a result of either one.

5.15 p.m.

Mr. Speaker, what is happening now is that this Government cannot, at any point in time, come to the conclusion that they are in office and they are the Government of the people of Trinidad and Tobago. And, as they say, the buck stops here. They are responsible and if nobody helps them, they will do it alone; they will show the results alone.

They spent hours telling us about globalization and people pants and so forth, but at no time you get the feeling that they are responsible as a Government. Surely, citizens are also responsible. When you hear them you would think that 1.3 million persons are really to be blamed for crime; and it is really not the Government. The Member said that in New York, Miami and elsewhere, there was a situation where crime went down, but it was really the people getting together.

I have never spoken to 10 million persons in New York, but I heard the former Mayor, Rudy Giuliani; I heard the former police commissioner. They provided leadership. What is important in fighting crime is leadership. The former Mayor of New York, commissioner of police and governor and so forth provided leadership. Citizens would follow where there is leadership. Ten million persons living in New York City did not take the lead in dealing with crime. It was really one man, or a leadership team, that took the lead. This is a Government that has not provided leadership in dealing with crime. That is the point.

I told my colleagues on the other side that this is a Government that has done things. This Government is not incompetent in every facet. They are not. This is a Government that has done things. They had the political will and the know-how to dismantle Caroni (1975) Limited. They sent home people. It took political will to do that. This Government has been chasing former members of the UNC administration by hunting down bank accounts all over the world. The Attorney General announced that they have reclaimed \$27 billion or some figure like that. They have been chasing people all over the world. Why can they not use that same political will to chase down people in Trinidad? There are millions of dollars being paid in kidnapping money. How come they could chase down money in Ubrick Star and Big On and so forth and they cannot find a couple millions of dollars in Trinidad that people have paid for kidnappings? This has to do with political will that this Government lacks. There is a root cause of that.

Mr. Speaker, if you do not understand the root cause of a social crisis you cannot prescribe to it. If you do not understand the root cause of any problem—could you imagine trying to get a vaccine for bird flu and you do not know what causes it? You cannot! You must know the cause. You must know what the cause of crime in Trinidad and Tobago is and you must stop blaming.

I heard Members on the other side blaming the Opposition at every minute—Police Reform Bills were not passed and so forth—as if asking them to account is wrong. I just want to remind hon. Members that in November 2001, mere weeks before a national general election, on the *Trinidad Guardian*, on page 8, the Member of Parliament for Arima, Miss Beckles, who is now a Minister—the headline on page 8 of the *Trinidad Guardian* dated November 2001 interestingly is: “Beckles blame UNC for spate of murders”. The article says that Penelope Beckles criticized the UNC for the spate of murders which have been rocking the country recently. She was speaking at a PNM public meeting in Arima. Beckles said that the number of murders to date was too high—Mr. Speaker, there were only 121 murders—and it was increasing. Incidentally, there were 85 murders the year before. Beckles blamed the UNC squarely for the murder rate.

Now, that was when they were in Opposition. Today, when we try to hold the Government to account, they are saying that we are only blaming and we are happy. Mr. Speaker, they are the Government of Trinidad and Tobago. Whilst we are all responsible for passing laws and so forth—the Member for Pointe-a-Pierre, the Member for Princes Town, the Member for Caroni East and the Member for Siparia and others—several times in our legislative business, these Members

bring good suggestions of policy and law-making and they have tried to correct the Government and so forth. We are also doing that; we are always doing our part.

Generally, citizens would not know the role and the part the Opposition plays in making laws. When we have a committee stage of a bill and a Member makes a suggestion that is not carried live on television, as this debate is being carried live. It is not! The Opposition plays its part at that level, but the Government has to assume its responsibility. They cannot blame the UNC for the crisis that is facing this country.

Mr. Speaker, I just want to read from a document that says crime is out of control; we want a safe Trinidad and Tobago for all our citizens and especially our children; the level of crime is hurting our economy; and we are prisoners of the criminals. This is unacceptable and crime would only get worse if we do not change the Government. In addition to developing measures to generate employment and to bring stability to the family, the Government must deal in a comprehensive way with the root causes of crime.

Mr. Speaker, I am reading from a 1995 manifesto of the United National Congress. Now, you are going to think that I was reading from some document printed yesterday. Look at the similarity of the problems in 1995 that we have identified and the problems that we are faced with today. Look at the similarity and there is a reason for it. Whether there are industrial accidents or crime, this Government has developed an uncanny ability to develop, nurture and sustain relations with the criminal elements in this society and this is the problem. In a way, as one friend told me, this Government owes zakat and that is the problem, and the society would eventually pay for that. They owe part of their "profits" to another "prophet". That is the problem that we are faced with.

When you can have someone in detention in a police station telling a reporter that I cannot talk to you now, I am on a cell—in police custody answering from a cellular phone—that also demonstrates the breakdown in law and order. That is symptomatic of the wider problem that criminal elements have taken control.

In 1995 the UNC came into power with this manifesto and the murder rate went down. They may pretend that they do not know, but it went down to an all time low of 85; rising to 92 and then to 121. *[Interruption]* Mr. Speaker, today, the murder rate is catching up with Brian Lara's world record—the first record and then the second record. In 2001 with 121 murders, we said that there were too

many murders. Somebody has to be blamed, whether it is an institution or the Government. This does not happen by guess.

Mr. Speaker, in a fit of boredom, I picked up the PNM manifesto of 2002. With absolutely nothing to do on a day, I spent an afternoon reading this document—

Mr. Valley: You have to learn something.

Dr. R. Moonilal: Mr. Speaker, in the PNM's 2002 manifesto—I want to close it quick before I am photographed with it in my hands—the PNM said that its social sector programmes would have a positive effect on reducing crime in the medium and long term. The PNM said that it would direct more resources to address the issue of personal security and safety in the short term. So, a big part of the PNM's manifesto promised to link its social sector programmes to the reduction in crime.

When you accused them of spending money and wasting money on its social sector programmes, they would say that we do not like the poor and we are anti-poor. When moneys are siphoned to criminal elements through bogus social sector programmes, there is where crime is being created. The PNM said that its social sector programmes would reduce crime. Thank God we had that social sector programme. I would hate to imagine what would have happened if they did not have these social sector programmes.

Mr. Speaker, they went on in their manifesto to address the issue of national security. I could read on and on. They said that they were going to create public safety by reducing the levels of crime, juvenile delinquency and drug-related activity. This would be done by an aggressive order maintenance policy; a confidential crime unit; and by the expansion of community policing programmes. They said they would upgrade the police management system through specialized training in strategic management, et cetera. Of course, we are buying more vehicles and so forth.

Mr. Speaker, they also promised to construct several fire stations—which they have not done; they promised to restore several police stations—which they have not done and so forth. That was their manifesto commitment in 2002, and today we have had an increase in murder, serious offences, and reduction in detection rates and so forth, and they continue as if they are really on course for Vision 2020 which is developed country status.

One of the hallmarks of developed country status—and many ministers are now travelling all over the world in developed countries—is that only when you come down from your hotel room you could walk safe on the road. That is

developed country status. This is a country where businessmen and businesswomen go home on evenings and they hide under their beds. There are persons who are scared to go out to exercise. They are scared! Businessmen and businesswomen would tell you that when they jump on a plane and they clear immigration at Piarco Airport they start feeling safe. Interestingly, they feel safe when they are 35,000 feet in the air, but not on the ground in Trinidad. That is where we are at. Their manifesto has collapsed, and as far as crime is concerned, they have failed.

If you look at their manifesto commitment and this Motion of no confidence in the Government, they have failed. They have been a colossal failure. When we address the issue of their failure, as the Member for Port of Spain North did, they throw the ball back at the UNC.

The PNM reminds me of an American game which was made popular in a movie called *Dodge Ball*. The objective of the game was to stand in the middle and let people take a ball and pelt you with it and you just have to dodge the ball—duck, jump and skip. This is what they are doing in government. They dodge their responsibilities and they get the ball and try to pelt it back at the Opposition. That is what they are about; removing themselves from responsibility.

Mr. Speaker, I must confess that I was saddened by the tone, character and content of the Member for Port of Spain North/St. Ann's West. I was saddened. Members on this side who understood and sympathized with his recent family crisis said that we would not really hurl any abuses onto the Member, and we would treat him kindly since he is going through a difficult period and so forth. I always tell Members that the PNM is from Mars and the UNC is from Venus. In our good nature, we said that we would not say anything to disturb the Minister since he is still getting over that shock, but he stood here today and attacked everybody in the UNC. I think we would have to ask our Chief Whip to give us permission to use those choiced lines that we have crafted and were waiting for, but we would get to him. His argument was the Police Service Reform Bills.

I would have thought by now that Members of the Cabinet who read would stay away from blaming crime on the failure to pass the three Police Reform Bills. I was also hoping that Members who read would desist from doing that at this time. Since that widely televised public debate on the Police Reform Bills which the Government lost convincingly, prominent scholars, writers and persons in the security industry and so forth, have come out in support of the then position of the UNC Opposition and suggested that the Police Reform Bills, the Constitutional (Amendment) Bill and the other Bill would really do nothing in the short term to deal with crime.

I had the good fortune of securing the proposals and commentary from the Police Service Commission. There were six articles dealing with the Police Service Reform Bills and these articles were published in the newspaper. I would think that if you were a Member of the Cabinet you would have an interest in reading. Ambassador Christopher Thomas, a former diplomat and Independent Senator, was at pains, in this commentary, to explain to all and sundry that the Police Service Reform Bills, the Constitution (Amendment.) Bill and the Police Complaints Authority Bill—while they may have some good use in some parts—generally would not bring any substantial change to what obtains now and, furthermore, they can be dangerous.

I would take a few examples. When they talk, you would believe that they come to us with clean hands. You know, in that branch of law, you must come with clean hands when you are coming. Mr. Speaker, when they come to the Opposition for support to deal with crime, they pretend that they are innocent. That would only fool someone who landed in Piarco an hour ago. They cannot fool the population.

This is an administration which is led by the Member for San Fernando East, who has been caught on several occasions with his hands in the cookie jar. He has been caught interfering with the appointments of public officers—whether it is Marlene Coudray, the Commissioner of Prisons or in customs—wherever you go. This man would prevent someone working in a theatre from being appointed.

Recently, a lady in the Customs and Excise Department had to go to court to say that she was best suited for an appointment and so forth, because they had bypassed her. This man has been caught interfering in everybody's business.

Dr. Rowley: Who is that?

Dr. R. Moonilal: The Member for San Fernando East is before the courts concerning a matter with the Chief Justice. They are now looking to “cook up” something called mediation behind closed doors.

Mr. Speaker: That is extremely dangerous. I would ask you to withdraw that statement. [*Interruption*]

Dr. R. Moonilal: Mr. Speaker, they are not trying to “cook up” something behind closed doors. I withdraw that.

Dr. Rowley: Do you understand?

Dr. R. Moonilal: Mr. Speaker, let me go back to the point that I was making. The Member for San Fernando East has been before the courts and he is before the courts in several matters dealing with appointment of public officers, promotion and so forth. [*Interruption*] Well, the office is not before the court. Whitehall does not go before the Magistrates' Court. Do you lift up the building and carry it to the High Court? It is the human being who occupies that office.

We also had the outstanding matter of the Bajan fishermen who were released and the Office of the Director of Public Prosecutions—that building across the road—is before public scrutiny. They are looking at the building—the windows and the doors. The building acted without discretion in dealing with matters. The point is that this Government's hands are dirty in meeting and treating with public officers and in dealing with matters of law and order.

Mr. Speaker, there is a matter that has been concluded and that is the matter involving Prof. Vijay Naraynsingh and the way in which he was brutally hounded down by elements of the State. Prof. Naraynsingh really epitomizes in that sense, the heavy hand of the State, using and abusing the law.

Mrs. Job-Davis: What is the relevance?

Dr. R. Moonilal: You are now benefiting from tertiary education. Listen and you would get the relevance. [*Interruption*] Mr. Speaker, as I was saying, the point is that the head of the Government has been fingered in several matters, and the Police Service Reform Bills were giving powers to the very office, whose incumbent is the Member for San Fernando East, to get greater powers over the appointment of police commissioner, assistant commissioners and so forth.

There was a proposal in the Bill where both the Leader of the Opposition and the Prime Minister would in some way have power of parity, but that is really not true. The very Police Reform Bills say that if the Leader of the Opposition and the Prime Minister cannot agree on a composition of the police management authority, the President makes that decision and that office, by itself, is also a result of the will of a majority in Parliament. The point I am making is that the UNC in Opposition would do nothing to give the incumbent Member for San Fernando East greater powers over the police and protective services in Trinidad and Tobago, given the recent track record of that Member and his office. He is a serial offender.

Dr. Rowley: That is a poor excuse.

Dr. R. Moonilal: Mr. Speaker, Ambassador Thomas, Chairman of the Police Service Commission, made the point that the matter of consultation is neither here nor there. The President can appoint if the Prime Minister and the Leader of the Opposition cannot agree.

The Police Service Commission also made several points with respect to the management functions. Those functions are already delegated to the police commissioner. Under the Constitution, the Police Service Commission can delegate authority to the police commissioner, as they have done. The matter is to get the police administration to work. It is not just a matter of making laws to give greater powers to the Prime Minister on the one hand, and then keep the existing arrangements as they are. That does not make any sense. When there is a situation where the Police Service Commission comes out against these Bills that were brought to the House by the Government, we must take note. Intelligent citizens and right-thinking citizens should take note of that; not just the Police Service Commission.

Mr. Speaker, for example, Mr. Kenneth Lalla, Senior Counsel, and former chairman of the Police Service Commission, in an article in the daily *Express* dated Tuesday, October 25, 2005 headlined “Lalla beware of police state”—this is a gentleman who has served for decades. This Government is in a position where its only support comes from a room in Balisier House. They cannot get support from the Law Association; they cannot get support from the commissions; they cannot get support from the Opposition; and they cannot get support from a cricket team. The Police Welfare Association came out and attacked them on these Police Service Reform Bills. They said the Bills were useless and it would change nothing.

Mr. Speaker, police officers have complained to us and members of the public. They said that they do not have good quality bulletproof vests; they do not have vehicles. At one time in San Fernando they complained that they did not have water to drink. This is what they have complained about. They have complained about basic utilities. You do not need the Police Service Reform Bills to provide water, bulletproof vests, gloves, raincoats and vehicles. How many times we have called a police station informing them that there is a problem and we would like the police to send a vehicle or to do patrols in an area to prevent the commissioning of an offence, they would tell us, point blank, that they do not have any manpower and they do not have any vehicle.

Dr. Rowley: And you believe that.

Dr. R. Moonilal: I do not live in the police station. I do not know that. That is what they tell us. The Police Service Reform Bills cannot cure these problems. They have created this as a giant mas costume. If they deal with the Police Service Reform Bills, they would now be able to deal with crime.

We dealt with a bill before called the Occupational Safety and Health Bill. I am going to talk about that later. How come that did not solve any problem of industrial death, fatality and accident? It was passed. We must not allow this Government to get away by holding on to the skirt of the Police Service Reform Bills by declaring that they cannot deal with crime because of the Police Service Reform Bills.

Mr. Speaker, another central point made by the Police Service Commission evolves around control and management of police operations in the police service. They indicated a list of activities to be undertaken. It is very instructive that we have before us this Motion dealing with crime, and a document was circulated by the Member for Pointe-a-Pierre, consistent with her Motion, in which the Member outlined several initiatives of the Keith Noel 136 Committee, acting within the existing law, to address crime.

This document is about three pages and it is in point form. These proposals are to deal with crime within the existing law. Why can we not just agree to implement it? The Police Service Commission is saying that what has to be done like administrative matters; issues of management and control, are outside the scope of the legislation. That is what they are saying. It is not the passage of the Bills. That is not the issue. They went on to point out that the political appointment of persons to the police management authority is in direct contradiction to the tenets of a parliamentary democracy.

So we heard from Mr. Lalla, former Chairman of the Police Service Commission; Senior Counsel, Russell Martineau; Ambassador Christopher Thomas; Prof. Ramesh Deosaran and Sir Ellis Clarke. Are all these men wrong? Do they all hate the PNM? No! What they are telling you is that you could deal with crime; it does not involve this legislation. Whilst there may be positive elements in it, it may not be necessary to address the issue of crime. The Government is really running out of plans now.

The Member for St. Augustine talked about the Government's operations—operation Anaconda, operation Baghdad and operation LEAP and so forth. The Prime Minister is making it a habit by coming to Parliament on budget day and opening his briefcase and declaring with fanfare a new initiative to deal with

crime. Do you recall the Prime Minister coming to this House and, in the first page of his budget speech, he said that he has now acted to appoint or promote Peter Joseph as Brigadier in charge of the Special Anti-Crime Unit to deal with crime in Trinidad and Tobago? I believe that was in 2003.

On the last occasion, the first thing that the Prime Minister said was that they were calling in FBI and Scotland Yard to assist us with fighting crime and to take note of that because that is the plan that might work. We are calling in for international help and so forth.

What amazed me was when I looked at *Trinidad Express* newspaper dated Friday, October 21, 2005 the United States Ambassador, Dr. Roy Austin, said that there was no decision on the FBI. So the Member for San Fernando East announced with fanfare that the FBI would be helping us to deal with crime, and the American Ambassador said that that there was no decision taken on that matter. The FBI is willing to assist, but they are busy all over the world, so it depends on if they have the resources to assist. Mr. Speaker, do you know what the truth here is? The Prime Minister came and made his statement on what they are trying to do to take the heat off the Government. So they take the heat off by saying the FBI is coming and Ambassador Roy Austin said that there was no decision on the FBI.

They come and appoint the Brigadier. I do not know what has happened to that Special Anti-Crime Unit. The next thing now is to look at all the positives that they have been outlining and so forth. If we go back to the very beginning when the Prime Minister took up the telephone and called the Marabella Police Station, that was the beginning of his interference with the police service in Trinidad and Tobago.

Mr. Speaker: The speaking time of the hon. Member for Oropouche 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. Ramnath: Continue with your brilliant speech.

Dr. R. Moonilal: Thank you very much, Mr. Speaker and colleagues. The point I am making is that all their crime plans have failed. I want to correct the Member for Diego Martin West. The Member for Diego Martin West was making the point that as Minister of Housing, when you build 20 houses you could go and

look at 20 houses and say you did something, but the Minister of National Security has a job that involves intangibles. I think that was the point. I want to say that there is nothing intangible about crime statistics. If you look at it year to year or quarter to quarter, you are going to see whether the murder rate is going up or down; whether serious assault went up or down; and whether rape went up or down. There is nothing intangible about that; it is tangible. You could measure the performance of your security sector by statistics.

Dr. Rowley: I said that the Minister of Housing has control over steel and concrete—

Dr. R. Moonilal: Okay, we are now taking it one step further. The Minister of Housing has control over steel and concrete—

Dr. Rowley: Output.

Dr. R. Moonilal: I want to tell him to be very careful with that control over gravel, sand and so forth. I would not go there. The Minister has control over output, but the hon. Minister of National Security—I do not think you should be commenting at all on control over building materials—does not have that control over output. I beg to differ. This is not the first Minister of National Security in Trinidad and Tobago. Many have gone before and they took a performance-oriented approach to their ministry and provided general control and management. The role of a Minister is to provide general control, management and policy. If you are failing in that then you should bring new policies and new plans and seek to better the job.

I want to simply ask: What really is the role of the Minister of National Security? Why do we not close down the office and send him home and continue? It seems that he is not in charge of anything. He has no control over anything. We should close down that Minister's job? In this country, we have two Ministers of National Security backed up with about three former ministers, in advisory capacities. With all of that, they cannot come close to dealing with the scourge of crime in Trinidad and Tobago.

Mr. Speaker, as I said before, to understand why they cannot deal with crime, you need to ask "big Brent" and "small Salim". They are going to tell you why they cannot deal with crime from the Magistrates' Court. This is because of an unbilical cord that connects criminal elements to the People's National Movement. That is the reason they cannot deal with crime and that would be the reason why they would never deal with crime. The Member for Diego Martin West was correct when he said that "all hell would break loose here". This matter will not get better.

The latest challenge that this Government is facing is in the arena of terrorism. The Member for Laventille East/Morvant is referred to fondly as “yappity-yap”. An editorial referred to the Member—I think it is something good, but then I may not know. They are faced now with this threat of terrorism. You know, the first response was that this was not international terrorism, and this was really some low-class small operation. We have reached a stage where people cannot go close to a garbage bin; they are scared to walk in Port of Spain. When the football match is finished at the National Stadium, they dread going to St. James to have a celebratory beverage. You dread that! That is terrorism, where you instill fear in the minds of citizens. Whether it comes from Libya, or Afghanistan or wherever, that is terrorism, and the Government must address it. Let us get away from the rubbish that the country must address that. So the people in Barrackpore, Penal and Debe must address that? The Government must address this challenge. They have been bungling even with that.

There have been about five bombings in Port of Spain. The Prime Minister said that it was nothing new and it happened in the 1970s or 1980s. It happened before. That is their response to crime. They lack sympathy. They are flippant and ambivalent to dealing with crime.

Today, when you look to this Government for leadership with the terrorist threat facing citizens in this country, there is none. If we depend on the Minister of National Security, then we are dead. Under this Government, there are two terror alerts: one is run and the other is to hide. That is the terror alert that we are faced with in this country. Sometimes I believe that the Government's crime plan is to bully the criminals. Every time they talk, they talk big and tough on crime, and the army and police officers are protecting them at Whitehall. They bully the criminals and say that they are going to get them; it is zero tolerance. I pray to God that it was not anything less otherwise we would be in trouble. This approach has failed.

Mr. Speaker, at the risk of upsetting my friends on the other side, a risk that I seldom engage in, I would like to remind Members in the House and members of the national community—because they like to mislead the country—that it was the government of the UNC that provided resources and leadership in fighting crime, apart from legislation. I just want to remind Members about that. I have the date—I can get it from them.

One Saturday morning there was a confrontation at Mucurapo. The then government made up its mind to build a wall to cordon off that same group whose leader was enjoying on a “cell” in a cell. The government of the UNC took a

decision to build a wall and that organization threatened the then UNC government, and the government stood tall. The government said at the time that it was putting up a fence, come hell or high water. On that Saturday morning the headlines read: "UNC showdown with Jamaat" and "Government humbles Jamaat". Those were the headlines a few years ago. It was sometime in March 1999. When the headline rolled "UNC humbles Jamaat", the government stood tall. The then Prime Minister, the Member for Couva North, said that this country has one government and it is either the UNC in government or the Jamaat in government. We cannot have two governments. That is the point.

They do not understand that they must have one government. You cannot have people telling you to give you a slice of the URP pie, the NHA pie, the social sector pie and rights over government ministries and so forth, and then say that they are dealing with crime. You could never deal with crime! As long as the PNM is in power, they would never deal with crime. [*Desk thumping*] It will take a government of the UNC to return to office to deal with the criminal elements once and for all. [*Desk thumping*] It is a UNC government that would have to address this matter; not a PNM government.

I want to tell Members on the other side that any time they think that the UNC is down to tell their Prime Minister to empty his back pocket; not the front. Tell him to empty his back pocket anytime he thinks that the UNC is down. You would be surprised that when the time comes the only objective of the people of this country—I think regardless of what—is to remove the PNM from office. [*Desk thumping*]

Mr. Speaker, let me remind colleagues on the other side that during the UNC term in office, from 1995 there was a decrease in crime in every single year. The murder rate decreased every year and it was down by 24 per cent; but not only murder. Sometimes we believe that murder is the only crime that we have, but murder is not the only crime. Shooting and wounding were reduced by 33 per cent under the UNC. The UNC government gave the police the crime-fighting tools.

I remember returning to this country from abroad when the UNC was in office and there was a big headline when there was the commissioning of an offence. You would see 10 E999 vehicles appearing on the same spot and the headline was "Panday police". That is what they called it. That was when we protected citizens. Citizens could have walked freely and not hide under their beds.

Mr. Speaker, the UNC gave the police the crime fighting tools. We placed 1,600 new police officers on the streets; we built 22 new police stations; we

renovated numerous police stations; we added 241 police vehicles; and, importantly, we implemented the E999 rapid response system. We introduced technology; highway patrols and community police.

In dealing with drugs, we reintroduced programmes to reduce the incident of the abuse of drugs. Drug-related arrests went up by 19 per cent. We strengthened the Coast Guard and deployed anti-drug aircraft and ships to protect our shores.

Mr. Speaker, under the Dangerous Drugs Act, we seized assets belonging to convicted drug traffickers. That is how you do it; that is how you send the powerful message to the unlawful community that you mean business; not with gun talk and “bad John” talk from Whitehall. That is not how you communicate.

In fact whenever the Minister is addressing the nation, people are usually kidnapped. He should keep the addresses down. Anytime the Minister goes on television you are sure the next morning to hear that somebody was kidnapped the night before.

Mr. Speaker, in our term of office, the UNC proved that with the political will and basic resources—people do not remember that when the UNC government was in office a barrel of oil was \$9 and today it is above \$55. So with basic and small resources we were able to deal with this giant social problem. Today the price of oil is over \$55 a barrel. Today in Trinidad and Tobago you could find bodies in a barrel. They cannot deal with crime with or without money. They just simply cannot deal with the problem. Mr. Speaker, this reminds me of another issue that the Member for St. Augustine raised.

6.00 p.m.

ESCALATING INCIDENCE OF INDUSTRIAL ACCIDENTS

Mr. Speaker: Hon. Members, you would recall that earlier this morning I had given leave for the hon. Member for Oropouche to raise a matter of urgent public importance, the escalating incidence of industrial accidents that has led to the deaths of four contract workers in the last 14 days. It is now 6.00 p.m. and it is time to take this Motion. Could I inquire how many Members would be speaking?

Dr. Moonilal: I am speaking.

Mr. Speaker: Okay, just one Member. I now call on the hon. Member for Oropouche.

Dr. Roodal Moonilal (*Oropouche*): Mr. Speaker, let me change gears now on another matter before us. The matter of the Occupational Safety and Health Act has been haunting this House somewhat, for a long time. In December 2003, the Member for Point Fortin then, the very distinguished Minister of Labour, following in the aftermath of an equally distinguished Member for Nariva, as Minister of Labour, came to this House and announced with fanfare, that the Government of the People's National Movement (PNM) was going at this time, in December 2003, to give a Christmas gift to the workers of Trinidad and Tobago. That Christmas gift in December 2003 was the passage of the Occupational Safety and Health Act.

On that rare occasion, this country stood still, many of our supporters in awe, when we decided, against the wishes of some, to render support to the Government on this matter of the occupational health and safety. Point Fortin said it was a Christmas gift in 2003; today as Christmas comes again in 2005, that gift is yet to be opened, it is still there. Under this Government with three Ministers of Labour in four years, they cannot implement the Occupational Safety and Health Act.

This matter points in the direction of the State sanctioned crime, and it is really consistent with other matters I have been speaking about recently. This is a crime. For a government to participate in corporate manslaughter is a crime. For this Government to have on the books, legislation for protecting workers and not implement it must be an offence, and I am sure there are people out there who would easily challenge that in the court, but it gets worse.

This very Minister of Labour—the new, well not new anymore, I think he was appointed somewhere around May 2005—came to this House, when we debated this matter on a private motion raised by the Member for Nariva, and told us, in his presentation, that the Occupational Safety and Health Act will be proclaimed and will be implemented. He told us that the Government will act and it will implement the legislation and so on; he gave us some type of assurance. But this Minister of Labour also told the Trade Union Movement, hours before Labour Day, June 19, 2005; he is quoted as saying:

"That sections of the Act might well be implemented before Labour Day."

Labour Day was Sunday, June 19 this year. To this day, we have had nothing; we have seen nothing. All we have had really is a level of—I have to look for a proper word.

Mr. Singh: Hypocrisy.

Dr. R. Moonilal: Hypocrisy, that is soft enough for me. A level of hypocrisy, where every Monday morning the story changes. So one Monday morning we will implement; the next Monday morning, employers object; employers have some concerns; we have to look at it. The very Minister said that he met with the Employers Consultative Association, and they raised serious issues that he thought were important, and he would take them to Cabinet to discuss.

Now what level of incompetence is this, where a government comes to the House with a Bill, lures us into supporting you, as you are wont to do, and then comes and says: "You know it had some problems with that Bill, we discovered it after you support us?" Then you come begging for support in another area. That is the level of incompetence and hypocrisy. Today, we do not know where we stand. We are hearing on the one side, health and safety legislation will be implemented. The latest song we heard was, "get ready, it coming". "Get ready, it coming". And when one breath is drawn, in the next breath, there are some important issues that need to go back to Cabinet for amendment. So we do not know where we stand on this Occupational Safety and Health Act. This business has been around the Parliament since 1975, when Williams was Prime Minister.

Hon. Member: Who?

Dr. R. Moonilal: Former Minister, Errol Mahabir brought this matter to the Parliament. When the UNC was in office, the distinguished Member for Nariva, on two occasions, I believe, came to the House to secure the support of the opposition PNM.

Mr. Ramnath: They refused.

Dr. R. Moonilal: They refused point blank. They said they had no interest in supporting the UNC government in passing the OSHA; that is a matter of public record, I believe. They refused. You know when they brought the legislation, the UNC, in the interest of the workers of Trinidad and Tobago, said we have a position of not supporting Government, but we would support the Government. [*Desk thumping*] On this matter, the collective voice of the workers reigns supreme; we support it; it has not been implemented.

Mr. Speaker, and that by itself is not a problem—the non-implementation of legislation—because when we accused this Government of not implementing the OSHA earlier this year, this very Minister stood in this House and said: "Do not accuse us for being malicious to workers and hating the working people. It is not

just OSHA; in fact, there are about 20 Acts that we never implemented." And he outlined all the Acts: The Trustee Act, Land Registration, Succession—

Mr. Ramnath: Condominium.

Dr. R. Moonilal: Condominium Act, some Dangerous Dog Act and all sorts of things. He said, listen, it is not malice, it is incompetence; that was the position of the Government. "We have nothing against the workers, we really do not implement much, anyway, so it is not specific." But Mr. Speaker, with great regard to the people who have been bitten by dogs and so on, I want to say that for this year 16 men have lost their lives—16. It is the highest death rate in the industrial sector of workers being killed in the history of Trinidad and Tobago for any one year. It is the highest.

I would like, with your leave of course, to outline that the conditions of these disasters, there are some patterns that we can pick up when we look at the killings in the industrial sector—there are patterns. Many of these workers work in contract work with contractors, not with principal or main employers; they do not; they work with subcontractors and contractors, in conditions of poor health and safety. They go on to a plant without proper boots, health and safety equipment, and so on, because the workers themselves are vulnerable; they need money, and we take advantage of that. We take advantage of that; and it is a phenomenon of the contract sector.

Another important observation is that many of these contractors appear to be new contractors, not the traditional contractors, so to speak. Not well-established contractors, but new contractors, and it may suggest that given the economic development taking place in this country, particularly, in the energy and energy-related sector, we may have had a lot of contractors mushrooming overnight. Many are also sponsored by the PNM; their friends and family and so on, who are now contractors, and their policy is to help their friends and family; we would deal with that in the next hour in the next business. But what is happening is new contractors come on line and they have no proper health and safety practices. They get contracts worth millions of dollars and then expose our workers to industrial accident, injury and death. That, Mr. Speaker, is an important observation.

Mr. Speaker, just for the record and really to do some semblance of justice in remembrance of these people, I thought it fit to remind Members of this House and the national community, that since February to November we have had about 16 tragedies.

In February, Shivan Harrilal killed at an explosion at Industrial Gases Limited. That was the same explosion where they said later that they lost a nozzle and they could not give a proper report because a nozzle was lost. And the Minister came to this House—we have his speech here, where he said by July 2005 we would have a report on that accident at Industrial Gases Limited. Unless I missed it, I may have been out of the country for a day or so, there was no report made public; no report at all.

Sanjeev Rampersad. Sanjeev Rampersad worked at the Port in Port of Spain; he was crushed to death. It was a tragedy of enormous proportions. He had just called home in San Juan, spoken to his baby, a young girl; said goodbye to her; then he was crushed on the Port.

In March, Marcus McDavid died falling from a warehouse roof in the Port of Spain Port. In May, Curtis Busby electrocuted at the Centre of Excellence in Macoya. Leon Ray Jackman, struck by the boom of a crane on an API project. Leon Jackman was the sole breadwinner; the provider of a home, where the parents died and Leon was providing for the education of the younger children. I want to ask whether this Government knows that and whether they have done anything at all to assist the children of Leon Jackman? Because Leon Jackman is really a statistic. I mean, if I did not remind you, you would never have known about him anyway.

June, Wayne Caldera, Anthony Hamlet, Lester Charles, Eustace Carillo died in an explosion on MV *Tradewind Sunrise* at Chaguaramas; that was highly publicized. Where are the reports? Why is it that reports on industrial accidents must be matters of secrecy, confidentiality? Why? Under the health and safety legislation that we passed, there would have been an enquiry in which—would you believe, Mr. Speaker—members of the public, including the media can attend, enquiries dealing with accidents and death.

August, Wayne Sookram crushed at Petrotrin administration gate—I think he was also working with a contractor. October, Sunil Persad, Wendell Blenman died from injuries sustained in an explosion at National Flour Mills. And just a few days ago, Dinesh Rampersad, a 17-year-old boy, was buried alive at the Trinidad Cement Limited (TCL), where he was cleaning a silo when cement fell on him and buried him alive. Dinesh Rampersad was 17 years old. He was working to get money to continue his studies, incidentally, which he would not now. “Sunil Balgobin dies after falling down a flight of stairs at TCL.” Unless I am mistaken,

there is one missing here, of a worker who died at Digicel, doing work in Gran Couva on a tower. You have about 17 deaths in industrial accidents in this year; the year is not finished.

Mr. Speaker, this is a crime, because an industrial accident or death is not natural. When people tell you that accidents will happen, no they will not happen; that is a myth. When you advertise for people to go and clean a silo, part of the risk is not cement would fall and bury you alive. That is not part of the job when you accept, I know I am doing this and I would be buried alive. There are things to put in place, whether it is strands of cable, platforms, safety equipment—

Mr. Ramnath: Operating procedures.

Dr. R. Moonilal: —operating procedures. Under the Occupational Safety and Health Act, do you know that before contracts workers go to undertake a particular activity, they must have in writing what is called a "risk assessment"; working out the risk of the job. Where the worker would know the company. And in the event of an accident, we can go to the books and say: What is the risk associated with this job? What did you find? What happened? You can lay blame quickly; you can find liability. But it will force employers and contractors, to organize their work, provide training, safety equipment and confront risk.

Because in industrial jobs, whatever an industrial job is, there are risks associated with jobs. I mean, there are some jobs that are risky. If you go to work in the steel plant, it is horrible; there are risks there. If you are working on a refinery, there are risks. All jobs carry risks, but all jobs do not carry death; all jobs do not carry injury, that is man-made. And the job of a government through public policy and law is to prevent accident. This Government has failed miserably in proclaiming and implementing the OSHA legislation.

All we ask this Government, through the eloquent Minister of Labour, Small and Micro Enterprise Development, is to tell us why and when. Tell us why you cannot implement. Is it that all the brilliant skilled resources in health and safety are abroad? Are they otherwise working at Petrotrin? Tell us why; that is all. Why? Get to the bottom of the issue; why and when. If you are going to implement it, tell us? Why you cannot say the end of December, the end of March and stick to it? You presided over the transformation of the telecommunications industry by giving meat and flesh to the Telecommunications Authority. So today we are talking about opening up the cellular market, and so on. You presided over that, notwithstanding the problems. But why this lax approach in protecting workers; in protecting citizens? That is what you have to explain to us.

Escalating Industrial Accidents
[DR. MOONILAL]

Wednesday, November 09, 2005

This Government is deaf and numb; the trade union movement, business persons, Opposition have all called—Just today, in light of the recent accidents, the *Daily Express*, in their “Opinion” headline: "Implementation of OSHA is long overdue". Again they made the points I am making here: that the Government has failed as far as it relates to implementing the OSHA.

It is a sad reflection of this Government. There can be no developed country status without protecting workers. You all travel to developed countries; when you go in an elevator, what is the first thing you watch in an elevator? The certificate; to see when it was certified and “when next”—The chances are, if you go in an elevator and you realize that the "when next" is before, the date “gone”, you know you might be in some trouble there. That is what you do. When they are constructing buildings they cordon off the areas to protect people.

This Prime Minister boasts that Port of Spain will be the biggest centre of development in the Caribbean. He said they would have tall, tall buildings. Now whether people fall off tall, tall buildings is irrelevant. They fall off tall, tall buildings, but they would have tall, tall buildings.

Hon. Member: Salvatori.

Dr. R. Moonilal: Yes, the Salvatori building, somebody fell off there and died. But there is no emphasis on health and safety, none whatsoever. The Minister is at pains to explain that the Government is not in the pocket of big business or small business, or the URP operators, or the CEPEP contractors. The CEPEP contractors are not influencing the Government to resist implementing the law. But why? Why it is 24 months, two years later, you cannot put a board and start putting things in place? At least show something. The latest act of hypocrisy, we are told, is when the Minister of Labour, Small and Micro Enterprise Development now seeks to lay blame on the staff of the Ministry of Labour.

A few hours ago, we were told in the press, that the Minister of Labour, Small and Micro Enterprise Development has said the problem is now with some staff members there, departments and so on. They are not on line with him or his thinking or his Government's thinking. Now the problem is the public servants. But, the problem they face at the Ministry of Labour—

Mr. Ramnath: All six of them.

Dr. R. Moonilal: The problem all these Government Ministers face is not really the staff, you know. Today, the *Guardian*, Wednesday, November 09, 2005, page 8:

"South labour office shuts down"

This is the south labour office.

"Reports of rat invasion, floods and faulty wiring"

Mr. Speaker, when the Ministry of Labour closed down because of poor health and safety standards, we are in trouble. That is when you know you are in trouble. They paint this picture of the southern headquarters. The Ministry of Labour in south, incidentally, is where they do conciliation; where they have an employment bureau. The staff there has been complaining about the invasion of rats; faulty electrical wiring; flooding in the basement. An electrical panel exploded in the building on Thursday last. That is what is happening; explosion in a government office that is responsible for health and safety. Senior citizens come in there and have problems, given the health and safety constraints. During the rainy weather, more than two feet of water floods the basement; there is no secondary fire escape and nothing is being done to improve working conditions. This is what staff is saying; nothing is being done.

The Ministry of Labour, Occupational Safety and Health Division is in charge of inspecting buildings, but yet the Ministry of Labour does not inspect the building of the Ministry of Labour. I think all fall down with this Government when you look at this. The Ministry's Chief Industrial Inspection Supervisor could not be found for comment. They have been complaining for some time.

Really, this typifies the crisis this Government is facing, and it is not just the Ministry of Labour. You recall some time ago, workers at divisions in the Ministry of Health; workers in the Ministry of Education, San Fernando and so on, have been complaining bitterly about poor health and safety conditions. It is something for Members on the other side to check, but I am told that there is almost an informal work to rule at the Ministry of Education; because of the bad working conditions, workers are allowed to go home half day.

Could you imagine in a government office workers are allowed to go home half day, because they cannot stay the whole day in bad conditions, without air conditioning and proper ventilation? This is what is happening throughout in public buildings. You cannot deal with your public buildings—I imagine if they proclaim the OSHA legislation, half the Government buildings close down. I think half would close down because the magistrate in San Fernando may discover that he can make a complaint to the labour inspection team and close down the court as well. The Government must act swiftly to deal with their own health and safety crisis and proclaim the Bill.

Mr. Speaker, the last point I wish to reiterate and raise another point, is that we should not take this easily. While we really deplore the state of crime in the country and we speak with great emotion about crime, just remember for a moment, that these 16 people who died, they were really not involved in any criminal activity; they were not even on the street in the night; they were not businessmen who were kidnapped and killed.

A fundamental human right of every working person is to go to work and come back home, safe and alive. When you go to work to earn an honest day's wage; to work and earn an honest dollar, and you lose your life this way; it is a tragedy of immense proportions, and speaks to the Third "Worldism" of this country. This tells you it is not developed country status you are going after, it is banana republic status you are going after; that is the indicator. Those of you on that side who do not know an indicator for what is a developed country, it is really where you reduce all risks associated with your employees; whether they are in the private sector or in the public sector.

Once again, we want to put on the table, that in other places, particularly in Australia and New Zealand, and now in the United Kingdom, they have introduced bills for public comment—in England, but in other places it is law—where they have now created an offence of corporate manslaughter. A criminal offence, that where in a situation where an employer or a responsible manager is found to be negligent in terms of implementing safety and health codes, and that results in the death of a worker, that person is liable for an offence of corporate manslaughter, and will face jail for that. That is what I think we should all be focusing on, because unless and until you look at this problem and deal with it in that manner, by putting the harshest of penalties, employers would have very little motivation to improve their health and safety conditions.

Mr. Ramnath: Reckless and danger.

Dr. R. Moonilal: That is it; it is a crime of recklessly endangering life and limb, and you need to subject employers, and employers would not be vex with me for saying that, I am sure. I have spoken to employers, because the established employers, the people who are in business, they are very careful; they implement safety procedures, and so on. It is generally the fly-by-night contract operators, whom we need to look at to regulate. If you get the 16 workers, find the 16 companies they work for, I bet you no company has been established for more than five years.

Mr. Bereaux: Do not take that.

Dr. R. Moonilal: You can find situations where these people are working with subcontractors on a principal employer compound. Where you are killed is not the new employer, is who brought you there, is the new employer. So, you could be on a principal employer—

Mr. Bereaux: I do not want to take up your time, but just let me give you a piece of the law. May I tell you that even though—

Dr. R. Moonilal: I do not need to know, but—

Mr. Bereaux: No, it is good for you to know, for all of us to know. Even though you are on the premises of a principal and you are the employee of a subcontractor, the principal is primarily liable.

Mr. Ramnath: That is true. [*Crosstalk*]

Dr. R. Moonilal: Okay, I am sure the Member for La Brea would give me a good tutorial in civil tort law and that liability as opposed to the liability for a criminal offence of corporate manslaughter that I am talking about. Because employers are liable for a duty of care, and so on. Apart from that, I am talking about this offence that we must look at, because with 16 people having died for the year, clearly, whatever we have there is not working.

When 16 people die, whatever you have there is not working; otherwise if it was working good, and employers were scared of this big threat of legal action, they would not be presiding over 16 deaths. That is the point, it is what works. and if we reach a stage we would have to look at new policy and new law to protect workers, because I will tell you why.

In the context of Trinidad and Tobago, given where this country may go in the next five to ten years with industrial development, particularly the energy and energy related areas, you would have more and more heavy industry, high risk work available in Trinidad and Tobago. Because of that, more workers would be in contract work. There will be more contract workers than there will be workers in principal employ, and they will be unprotected unless you pass this legislation that empowers. This legislation also empowers committees of workers to monitor health and safety, and gives enormous rights and duties, and so on. So that it creates a comprehensive framework—like an umbrella—to protect workers, particularly contract workers. Notwithstanding their rights before, this will add a lot to the protection, to what is called "worker protection".

I hope that the Minister will take this opportunity to respond to some of these issues, and just tell us why he has not implemented it and when it will be implemented.

Mr. Speaker, I thank you.

6.30 p.m.

The Minister of Labour, Small and Micro Enterprise Development (Sen. The Hon. Danny Montano): Thank you very much, Mr. Speaker. It is always a pleasure to come to this House. I listened with interest to the Member for Oropouche and it was interesting. He has come close. He has also almost got it; almost sees what the problem is, but has not quite seen the whole thing, and I will try this afternoon to articulate as best as I can what some of the problems are with the architecture of the Act. Allow me to say before I start though, that this Government will not compromise when it comes to the health and safety of workers. [*Desk thumping*] It is a commitment of this Government and we will do it. [*Interruption*] And if there is any threat to the other side, it is not that we would not do it. It is that we will do it and that we will get it right. That is this threat that they face.

Mr. Speaker, before I get into some of the difficulties or some of the issues, allow me to congratulate my colleague from Point Fortin, who was the ultimate architect of the legislation and who brought it here successfully, [*Desk thumping*] and managed to do what the other side could not do. [*Interruption*] But, Mr. Speaker, notwithstanding that, as with many good pieces of legislation there are some issues with it that are less than perfect. In the same way that years ago we passed in the 'Other Place' the DNA Bill, now the DNA Act, which I think was a good piece of legislation and which I personally worked on very hard; the Bill as it was then was sent to a committee of the Senate. We worked very hard on trying to get it right. We thought that we got it right and up to now there are issues with it and it cannot be proclaimed. Again, a good idea, that did not work and we have a similar situation here.

But, Mr. Speaker, allow me to say that this Government is absolutely committed to getting it right and I am working very hard on it, so let me just talk about what the issues are. Let me just try to describe briefly, the architecture of the Act and what it attempts to do. To a very large extent what this Act does is that it attempts to codify the common law, what is already law but in the common law. And an issue that was just raised a few moments ago about a subcontractor working at some other place, as in the case of TCL. Whereas in the common law the principal is liable, it was codified under the Occupational Safety and Health Act and part of the provisions of OSHA is that the principal is liable. It has not changed the law, it has simply put it into writing and codified it. In that context section 6 the Act attempts to codify what the Member for Oropouche referred to and that is the standard of care, the duty of care under the common law.

The Act also attempts to establish that businesses codify their practices and policies in conjunction with workers, and I will talk about that in a little while. The Act also attempts to codify into the Act, the common law right of a worker to refuse to work in a condition that is inherently unsafe. It also attempts to codify certain procedures with respect to the instruction of training and supervision of young persons on dangerous machines. It also attempts to codify procedures with respect to fire safety and health and welfare. [Interruption] It also establishes an authority and an agency. The authority would operate like a board and the agency would take the place of the Factory Inspectorate, as we now know it. The Act also is designed to give certain powers to the agency so they can police, inspect, recommend improvements and to prosecute for breaches of the Act. The Act also attempts, in the closing chapters, to set up provisions so that companies can be punished for breaches of the Act.

Mr. Speaker, allow me to say this, the Act falls short in a couple of areas, and it is fairly significant. One of the areas that you cannot separate from occupational safety and health is the issue of compensation for injury or death. Under the existing Workmen's Compensation Act which was passed in 1960, there is a situation where under section 5, if a worker is killed and he leaves a dependant he must be paid 36 months salary, that is three years salary. If he is killed and leaves no dependants he must be paid for his funeral expenses to a maximum of \$500. This is the state of the law as we now have it. If a worker is permanently, totally disabled, an adult would get four years' salary; a minor would get eight years' salary. If he is permanently, partially disabled then he gets a percentage of that, and if he is temporarily disabled he gets one third of his earnings for a maximum of five years, even if it is on a total basis. This is for a temporary disability.

So clearly, Mr. Speaker, something has got to be done about that. When you look at the issue of occupational safety and health—the Member for Oropouche spoke about a banana republic and so on. The fact of the matter is, history has shown us over the years that when life and limb are cheap, the regard for it is scant, and that is one of the issues that the Act has not addressed. It is true to say, Mr. Speaker, that it was contemplated and there were certain recommendations to abandon the Factories Ordinance and to come with a new Act—the Employment Injury and Disability Benefits Bill—and to actually bring it in as part of the Occupational Safety and Health Act. The decision was taken to proceed with the Act in the form in which it is, but the two issues cannot be separated.

Section 86 of the Occupational Safety and Health Act makes provision for the court to fine an employer, the greater of either \$100,000 or three years wages in

Escalating Industrial Accidents
[SEN. THE HON. D. MONTANO]

Wednesday, November 09, 2005

the event of an accident. Now, the point of raising this, is in terms of compensation there are two aspects of it. In the common law a worker could sue a company for loss of earnings, that is one part of the compensation. The other part of the compensation was punitive in nature, in that it tended to compensate him for the hardship that he would go through. What has happened is that the Factories Ordinance creates a situation where the liability of the company is strict. The company must pay according to the Factories Ordinance, regardless of whether there is any negligence or not. It is a strict liability, but of course, as I have just indicated the amount is very small.

The issue then becomes, what happens in terms of the punitive damages, and this is where workers are seriously disadvantaged, because most workers are unable to finance a lawsuit against a major corporation. Corporations can afford very expensive attorneys. It is against the rules of ethics of attorneys in this country to take a fee on a contingent basis, and therefore employees would be required to pay fees up front and they cannot do it, so that the worker in fact, is prejudiced when it comes to compensation.

It is known, Mr. Speaker, that regardless of any penalties that may exist in the law on companies, that the one thing that companies understand is money—dollars and cents—and therefore, in terms of looking at having any Occupational Safety and Health Act succeed, it is imperative that the compensation issues be properly and fairly dealt with. [*Interruption*] Part of the problem is something that the Member for Oropouche, in fact alluded to. Under the existing Act, under the Occupational Safety and Health Act, the primary form of punishment is to be charged under the Summary Courts Act in the Magistrates' Court and it is a criminal charge. The same situation existed in the United Kingdom and it has not worked, because it is difficult to identify any officer in the company and hold him responsible.

One of the ways that the UK, in fact, attempted to solve the problem, was what the Member for Oropouche was referring to and that was corporate manslaughter legislation. But that is punitive from a criminal standpoint. Bear in mind that the greatest incentive to businesses is dollars and cents.

Mr. Singh: Are you surprised or what?

Sen. The Hon. D. Montano: The Member for St. Augustine, I think, understands that. Therefore, one of things that the Act does not yet allow, it does not allow the State to step into the shoes of the worker, to be able to take action, civil action against a company, for the benefit of the worker, and that is something that we

need to look at very seriously. To deal with some of the specific issues, let me try and be fairly brief, just to show you where some of the little issues lie that we need to address and this is only an example of some of the issues.

In section 4 of the Act, it defines a young person as someone over the age of 14 and under the age of 18. In other words, if you are 15, 16 or 17 you are a young person and the Act contemplates that young persons of 15 will be working. Now that clearly is not on. Members on the other side have already been saying publicly—yesterday I was hearing it very loudly in the ‘Other Place’ that it should be something more than that. By contrast, in Barbados a young person is defined for the purpose of their Occupational Safety and Health Act, as someone at the age of 16 years and over and less than 18 years. *[Interruption]*

Mr. Speaker, in section 6 of the Act, it sets out the general duties of employers and I was talking about that earlier, about the duty of care. One of the things, I think, that Members need to understand is that the duty of care, that standard, is still established in the common law and it is based on the facts of each particular case and the issue as to whether the incident that caused the injury could have been reasonably foreseen in the circumstances. You still have many instances where the accident happens and it may not be reasonably foreseeable under the circumstances and that is the difficulty. So even with the Act you still have the test of trying to establish negligence in the traditional sense.

Section 6(7) of the Act requires that companies that have more than 25 employees prepare a written copy of their policies and procedures while they consult with their employees. One of the issues that I have raised with the legal persons in the Ministry is this, that is a very good thing, but there are two aspects that could be problematic. One is that if you have any form of industrial action going on in the company the workers will use that as an avenue to complicate what should happen as a method of procedures.

Mr. Singh: Implement the system and we would not have that.

Sen. The Hon. D. Montano: On the other side of the coin, the difficulty for workers is the question of an estoppel. The fact that they have signed off on a list of safety procedures does that not estop them from claiming or suing for negligence? A dangerous situation and a question for which at this point I do not have a straight answer; I do not have a firm answer for it, but I need to find an answer to make sure that workers are not prejudiced. *[Interruption]*

Section 9(2) gives the chief inspector, and this is highly unusual and it does not exist in the Barbados legislation or in the model Caricom legislation. It gives

Escalating Industrial Accidents
[SEN. THE HON. D. MONTANO]

Wednesday, November 09, 2005

the chief inspector powers to set standards of environmental safety, the powers to write environmental policy and all he needs to do is inform the Environmental Management Authority. So you have now two agencies doing the same thing and according to the Act there is virtually no appeal from that.

In section 15 of the Act, it gives the worker the right to refuse work under certain circumstances. Let me just deal with that one, section 15 of the Occupational Safety and Health Act reads like this:

“An employee may refuse to work or do particular work where he has reason to believe that—

(a) there is serious and imminent danger to himself or others...”

He can stop work if he believes that somebody else is in danger. So in other words, everybody in a plant could stop working if one person’s life is threatened. I was told when I began working through the Act that that section had come from the Caricom model. Let me read for you what the Caricom model says:

A worker may refuse to work where he has reasonable justification to believe that any equipment, machine or device the worker is to use, presents imminent and serious danger to the life of himself or another worker.

In other words, the Caricom model is saying, if I am a worker and I am doing something that threatens somebody else I can stop work. Now that only makes sense. The way that it is written in our law it really does not make any sense and if you think that it ends there, in Barbados how they dealt with it was similar. They said:

Where during the course of his employment there is sufficient evidence to indicate that an employee’s health and safety are in imminent danger that employee may refuse to carry out the task assigned to him.

Mr. Speaker, just again to continue with some of the issues that we have. Section 26 of the Act deals with the requirement of the companies to get an inspection from the fire authorities every two years; every two years the company must be certified for fire safety. According to the Occupational Safety and Health Advisory Council they estimated—now this applies to companies with 20 persons or more—there would be some 27,644 companies. Let me just tell you now, they are talking about limited liability companies. The Company Registrar right now has approximately 50,000 limited liability companies registered and 43,000 unregistered or unlimited liability businesses. If we use the 27,000 number that would require the fire authorities to certify 60 businesses a day—let us compare—

now I ask you whether that can actually happen, because you cannot operate your business without the certificate. But in Barbados, for instance, you get the certificate only once and the certificate relates to the fire exits, and if you read the Barbados legislation it makes imminent sense, it makes extremely good sense.

Mr. Singh: Who implemented this Act?

Sen. The Hon. D. Montano: In section 43 of the Act, it requires an ambulance and a first aid room for every factory with more than 250 persons, regardless of the level of risk involved, no assessment. One of the major problems comes in section 74, where a factory inspector can issue a prohibition notice to a company and virtually shut them down and the factory inspector does it on his own, without reference to anybody or any other thing. In the circumstances, the company, the employer has to cease operation immediately as the notice is issued. He must do it immediately as the notice is issued.

Now, Mr. Speaker, you know this is a small country and you understand what happens here. I do not think that people—let me try to put it this way. We know that we already have agencies that have similar types of power and we also know that many of the persons who hold this type of power tend to extort little bonuses for themselves from the persons that they have the authority over, and this is something that we do not want to do in this Act. It is too serious an issue. By comparison, in Barbados they have a very similar provision, it is very similar, but the factory inspector who goes out in Barbados does not have the authority, on his own to issue any kind of a notice. The notice has to be issued in Barbados by the Chief Labour Inspector not just by the worker, himself. And the Chief Labour Officer, I think that is his title does not have to simply shut you down right away, he can set it for a specified date. In other words, he can give you two days, three days a week, whatever it is to put it right before the notice comes into effect. That is in the Barbados legislation, not in ours. Furthermore, if—I have the legislation right here in front of me, it is section 113 of the Barbados Act—a company files an appeal to the court against the notice, the effect of the notice is suspended until the matter is heard by the court. That is what makes sense. What we are going to have here is a rampant situation of complete abuse and a dangerous thing for a country like ours, where we are trying to promote industry and growth in the economic sphere.

Mr. Speaker, there are many other parts of the Act that require some fixing. One of the major issues that the Act has not dealt with is the question of testing workers for the use of drugs. We know that we have, unfortunately, an economy that is being inundated with drugs from foreign sources, the impact on our young

Escalating Industrial Accidents
[SEN. THE HON. D. MONTANO]

Wednesday, November 09, 2005

persons has been dramatic. We know that it is going to cause a problem for youngsters—young men and women—who are working in hazardous situations, and we need to have a mechanism where we can at least try to protect them from themselves, and this is something that we will be looking forward to doing something about.

Mr. Speaker, just to finalize, the way forward—the Member for Oropouche was asking me for some kind of a time frame and I would just like to correct something that he said. He said that I said before Labour Day that I would have certain parts of the Act implemented. I have no idea where he got that from, because while I was appointed in May, 2005 I was in fact on vacation at the time and did not take up my duties until the early part of June, 2005. Before Labour Day, about four or five days before Labour Day were my first days in the office, I had no knowledge or understanding of the Occupational Safety and Health Act and I could not have said that. That would not have made any sense whatever.

Mr. Singh: Anti worker—[*Inaudible*]

Sen. The Hon. D. Montano: And whoever reported that simply got it wrong; they were being a little bit ambitious. But the way forward, Mr. Speaker, I would like to tell you and tell this honourable House, that notwithstanding the fact that we do not have the Act in place, that I have been attempting to meet with the companies that have had serious accidents during my tenure and shortly before my tenure as Minister of Labour, Small and Micro Enterprise Development and I have been doing so with a view to try to persuade them to better their compensation to the workers. I have met with modest success so far and I am meeting with three companies on Friday again of this week, of which TCL is one.

Mr. Speaker, to go forward within the next two weeks we will be holding, what I have described as a stakeholders' conference, so that we can air all the issues in the Bill. We can hear what the comments are from all sides; whether it is labour or whether it is business, and of course we will be hearing from Government as to ways that we can improve the architecture and framework of the Occupational Safety and Health Act. It is my intention to have all of the issues in my mind resolved by the end of November, 2005 with a view to going to the Cabinet by the middle of December, 2005 to get their agreement on my way forward. Once I do that then I can try to finalize the specific amendments that can be made and I would hope, and it is my hope that I can be ready to be back here with the package, finished by the end of March/April, 2006, that kind of a time frame.

7.00 p.m.

Mr. Speaker, what I can tell you is that I already have here drafted, a list of some 27 amendments that are pretty well ready, but this is just the start, some of the more complex issues, we have not yet finalized and that is what we are really working on. So that we cannot go any faster than we are going. I have one minute left. While I say that, Mr. Speaker, the Member from Oropouche said 16 lives have been lost this year. Let me assure the hon. Member that one life is too many.

Mr. Singh: I agree with that.

Sen. The Hon. D. Montano: One life is too many. [*Interruption*] I would not go there. One life is too much and we are committed to the proclamation of the Occupational Safety and Health Act.

Thank you very much. [*Desk thumping*]

GOVERNMENT'S EFFORTS TO COMBAT CRIME

Mr. Speaker: Hon. Members, the debate will now continue on the Motion before the House as proposed by the Government. The hon. Member for Oropouche has 16 more minutes.

Dr. R. Moonilal: Thank you very much, Mr. Speaker. Let me return to another file, but it works quite nice because in the last part of my presentation on the Motion dealing with crime, I wanted to address the issue of corporate crime and corporate manslaughter, so it is really a good opportunity to talk about the Occupational Safety and Health Act.

Mr. Speaker, in the few minutes remaining, I want to get back to a point raised by the Member for Diego Martin West first. The Member for Diego Martin West cried aloud about the decay of the society, about the state of lawlessness that has engulfed this country and all the manifestations of lawlessness and called upon all of us to do something. In fact, the Government often calls upon all of us to do something about crime. In fact they refer as "we" the Parliament; we are all parliamentarians. Incidentally, when they pass the budget and they allocate moneys and so on, is not "we" then, is the Government.

I want to put on record again the call from the Member of Parliament for Fyzabad who a few weeks ago made an important initiative when he suggested that it is high time Government consider establishing developmental budgets and funding, for all Members of Parliament to undertake developmental, social and charity work in their respective constituencies whether you are in Government or in Opposition. I would like to support that call and to indicate that in other

countries, particularly Jamaica, the Parliament there, under the leadership of Prime Minister Patterson is already initiating policy measures to support all Members of Parliament, to promote their work in their respective constituencies and so on.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, this issue of lawlessness that we are all talking about and condemning and so on, if we ask ourselves when did this start? We are all clear on where it might end, but when did it start? When did this culture of lawlessness, of disrespect, of youth anger, of social delinquency, how does it start and who are responsible. There are many many reasons for why this is so prevalent.

The Member for Diego Martin West pointed out to the declining role of the church and the parents. But it is also related not only to the church and parents, but to work which I like talking about, employment. Because Mr. Deputy Speaker, as you know, over the last 30 years or so, we have had a situation where the very character of the home has changed, where women are now working and outside the home. Families are not big and large as before. With education awareness and population policy and so on, there are now smaller families, generally, and you have had the a situation where the traditional family system is not as prevalent as before where you can trap youngsters and correct them and take care of them.

I recall growing up, Mr. Deputy Speaker, even in San Fernando, if you were late in the night liming on High Street for example, and your uncle or aunt saw you there, apart from a few taps on your head on High Street, when you go back home and your parents heard that you were late on High Street liming or in the dark and so on, you are in for more trouble from your own parents. You could not answer back your mother or father and tell them you were doing something constructive, you know you would get it.

Those days seem to have gone, because the family is not like that anymore, and increasingly, public policy would have to intervene through community centres, through mentoring programmes, through outreach programmes and so on and public policy driven by the Government, but in partnership with what is called the voluntary sector would have to intervene to assist young people, to help young people to keep them straight.

But the Government also plays an important role, because the Government is also a role model of sorts. When young people look at us and Members of Parliament and Ministers and so on, they want to see role models and if they perceive that with a Government anything goes, that is the message you send.

Mr. Deputy Speaker, we can ask this Government to outline what are their strategies that they have adopted to promote lawful conduct, to promote respect for parents, respect for village, respect for community and respect for people who work hard. This is a society where you feel sometimes that young people disrespect elderly people. There was a time when if an elderly person came on a bus, a young man or woman would get up from the front and go to the back and allow the elderly person to sit, that culture seems to have been lost. There was a time when people crossing the road, you stop and give way; today you bounce them down, this is the culture now.

Government, through public policy must also undertake strategies to promote proper behaviour and conduct, to show by mentoring programmes and so on, to promote law and order, to promote respect. This Government also falls short on this matter in terms of promoting respect for property, promoting respect for business, for work ethic. Can this Government seriously say that they have portrayed themselves as a Government that respects people who work hard, that respects people who have a good work ethic? Does it promote this?

The Member for Diego Martin West talked a lot about parenting, but Mr. Deputy Speaker, what programme does the Government have in place to reward good parents? We know of bad parents, we read about bad parents who abandon children and they promote delinquency. What about good parents, mother and father, man and wife who have four or five children as the case may be, all grow up as straightforward, upright citizens, have education, contribute to the society, do we reward families like these or do we just forget that? This is an important point; you must also reward, promote and showcase positive families.

There are families in this country, sometimes I meet families in my constituency where a father and a mother boast to me that they have five children and all graduated from the university and they are working now and doing well. And I look at them and say, you have been good parents. What has the community or public policy done, not only to reward you, because you get your own rewards by your children, but to promote this as a model, to promote this as something worthy? Because we always pelt the stone and condemn bad parents, but what about good parents. Mr. Deputy Speaker, that is an important initiative.

Mr. Deputy Speaker, two final matters. When the Prime Minister stood in this Parliament and indicated to this Parliament that the Government knew the identity of what he refers to, again as "Mr. Big", the Prime Minister also made a startling confession. When the Prime Minister said that we had information, but we could

not turn information into evidence, Mr. Deputy Speaker, that is a very, very important statement, because at the heart of that statement, is a confession that the Government has failed as far as collecting information or intelligence and translating it into evidence that you can take for arrest and for court prosecution. That requires competence on the part of investigators.

So that you have shown in that sense your competence by not being able to transform information into evidence and that is a startling condemnation because the Government may really know all the killers and kidnappers in the country. But knowing these people is irrelevant. It is irrelevant if you know who are criminals, if you do not have the competence to turn what they call "Intel" into evidence then it is worthless, is best you do not know. This is a tragedy that this Government faces.

Mr. Deputy Speaker, as I said before, the Government with the same breath that they asked for the Police Reform Bills, they cannot and will not implement the Occupational Safety and Health Act. Mr. Deputy Speaker, we are now being told that this Occupational Safety and Health Act, there will be 27 amendments and much more serious amendments to that Act to go back to Cabinet. To come back from Cabinet to the Parliament, to debate again, to go through the same process—

Mrs. Persad-Bissessar: 20 years again.

Dr. R. Moonilal: —so we are looking at a next 25 years. We passed in this Parliament occupational health and safety legislation. We have passed that. Instead of implementing that and dealing with the problems as they arise, whether in an administrative or a policy manner, the Minister was bold enough to tell this House that there are 27 amendments to come to that Act and those were not the serious ones, there are more complex ones to come. The chances are that Occupational Safety and Health Act will not be implemented for sure, during the term of this Government and it is a UNC Government that will implement the Occupational Safety and Health Act. It is the UNC.

Mr. Deputy Speaker, to deal with crime we have already embarked on a programme of outlining—in small doses—to the population some of the issues that will pre-occupy our manifesto preparation and we have pledged that we would provide strong political leadership to lead the charge against the criminals. Law and order must be led by strong political leadership and the UNC will do that when elected to serve the people at the next general election.

Mr. Deputy Speaker, the UNC will also pledge to provide the resources for the police officers on the street, to return to what is called "street policing". The UNC will pledge to return to street policing to provide enough police officers for every street in Trinidad and Tobago, to provide patrols on a 24 hour basis. The UNC will embark upon a programme of introducing the newest and state-of-the-art technology to combat crime. It appears with this government that they talk about technology, but you see nothing, you hear nothing.

Mr. Deputy Speaker, we are hearing for two years now about a programme to put cameras in Independence Square. About two years we are hearing about this programme to put CCTV on Independence Square. It would be a government of the United National Congress that would introduce this level of technology to combat crime. Mr. Deputy Speaker, then they hurl abuses to us and say when, when.

Mr. Deputy Speaker, my very good friend from Tunapuna would have read the latest poll in the *Sunday Guardian* by the McAl pollsters and would have seen that the UNC is now leading the PNM [*Desk thumping*] as the popular choice to replace the PNM at the next general election. Let me tell them again, the Prime Minister is here, let me say anytime the Prime Minister feels that the UNC is down, empty your back pocket. Anytime you feel that they down, empty your back pocket and bring it on. I want to tell them they could jump high, they could jump low but I want to tell them the country is united in its condemnation and desire to remove the PNM and the country is well united.

Mr. Deputy Speaker, the Member for San Fernando East would have seen the poll last Sunday and would have seen that his popularity—he is now heading southwards with his popularity, and I want to tell him that that popularity will never go back north. So if he knows what is good for him, the sooner, the better. That is my advice to the Prime Minister that if anytime he feels that he could make it, come with it, bring it on. Mr. Deputy Speaker, the UNC fears no political party in Trinidad and Tobago. The UNC fears none and we have the human resources and we have the personnel.

Mr. Deputy Speaker, let me end with the promise to the Prime Minister that the UNC has the resources, has the personnel, has the vision to continue our work from 2001 when we were unceremoniously removed by certain forces and I want to indicate to you that anytime at all you feel the coast is clear, bring it on.

Government's Efforts to Combat Crime
[DR. MOONILAL]

Wednesday, November 09, 2005

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

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 the House do now adjourned to Thursday, November 10, 2005 at 1.30 p.m. when we would continue this debate. I think it is an appropriate time to take the adjournment.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 7.15 p.m.