

Leave of Absence

Friday, July 02, 2010

HOUSE OF REPRESENTATIVES

Friday, July 02, 2010

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I have received communication from the Member for Laventille East/Morvant, Miss Donna Cox, requesting leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

PAPERS LAID

1. Notification of His Excellency the President in respect of the nomination of Mr. Dwayne D. Gibbs for appointment to the office of Commissioner of Police. [*The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended September 30, 2007. [*The Minister of Finance (Hon. Winston Dookeran)*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Chaguanas Borough Corporation for the year ended September 30, 2006. [*Hon. W. Dookeran*]

Papers 2 and 3 to be referred to the Public Accounts Committee.

4. Report of Taurus Services Limited Review of Operations 2008 to 2009 and Business Plan 2009 to 2010. [*Hon. W. Dookeran*]
5. First Citizens Trustee Services Limited financial statements 2009. [*Hon. W. Dookeran*]
6. First Citizens Asset Management Limited annual report 2009. [*Hon. W. Dookeran*]
7. Audited financial statement of National Commission for Self Help Limited for the financial year ended September 30, 2008. [*Hon. W. Dookeran*]

Papers 4 to 7 be referred to the Public Accounts (Enterprises) Committee.

8. Special Roads (Traffic) (Amdt.) Regulations, 2010. [*The Minister of Works and Transport (Hon. Jack Warner)*]

STATEMENT BY MINISTER
Water Taxi Service
(Purchase and Repair of Catamaran)

The Minister of Works and Transport (Hon. Jack Warner): Mr. Speaker, I wish to make a statement to this honourable House on the purchase and repair of the high speed Catamaran name Su, purchased on the second-hand market for the Water Taxi Service.

Mr. Speaker, first permit me to give a brief background on the introduction of the Fast Ferry Water Taxi Service between Point Fortin and Diego Martin, the first phase being San Fernando to Port of Spain.

Mr. Speaker, on January 04, 2007, Cabinet considered Note WT (2006) 103 together with recommendations of the Finance and General Purposes Committee and an addendum and agreed, inter alia, to the proposal for the introduction of a fast ferry water taxi service between Point Fortin and Diego Martin with the first phase being San Fernando to Port of Spain.

Subsequent to this Cabinet Note on March 20, 2008, Cabinet considered Note WT (2008) 22 together with recommendations of the Finance and General Purposes Committee and agreed inter alia:

- (a) that a decision recorded in minute No. 2461 of September 20, 2007 for the acquisition of four high speed catamaran vessels from Sea Containers for the water taxi service be no longer applicable;
- (b) to the acquisition of two interim vessels through either of the following options:
 - (i) a time charter at the prevailing rate of US \$5,150 per day per vessel, which is equivalent to US \$7.51 million for two vessels for a two-year period; or
 - (ii) the second-hand purchase of two interim vessels at an estimated cost of up to US \$7.5 million per vessel equivalent to US \$15 million. This was done in order to facilitate the expeditious commencement of phase I of the water taxi service from Flat Rock, San Fernando to the Port Authority, Port of Spain;
- (c) that the acquisition exercise at (b) above be undertaken by the National Infrastructure Development Company Limited (NIDCO);

- (d) to the purchase of four newbuild passenger fast ferries in accordance with design specifications prepared by the Ministry of Works and Transport and in accordance with the tender procedures of NIDCO, at an estimated cost of up to US \$40 million. This boat must allow for a maximum speed of up to 38 or 40 knots;
- (e) that in connection with (d) above, that the purchase be overseen by the ministerial committee for infrastructure works; and
- (f) that funding for the acquisition of the vessels referred to at (b) and (d) above be sourced by NIDCO, in consultation with the Ministry of Finance, by way of loan financing, the Minister of Finance to issue an appropriate Government guarantee/letter of comfort to secure the loan, if required.

My fellow Members of Parliament, to date, the water taxi service has established terminals at Flat Rock, San Fernando and at the Port Authority, Port of Spain. In this respect, three hydro cruisers; the *MV Milancia*; *Katia* and *Olivia* each with a passenger capacity of 150 persons were purchased on the second-hand market at a cost of US \$1.85 million each, for a total cost of US \$5.5 million. These vessels are currently in very good service under the management of a marine and terminal operator, Hornblower Marine Limited.

Between January 2009 and April 2010, a total of 5,362 sailings were recorded during weekdays with a total of 420,548 passenger movements recorded, at a daily average of 2,000 persons. At present, the service is over-subscribed during peak periods of commuter traffic and the volume of passengers is projected to increase to an average of 5,000 persons per day when the four new fast ferries are delivered to Trinidad in September 2010.

The *HSV Su*, a 45 metre, 450 passenger capacity catamaran was built in 1996 by Marinetechnik Shipyard, Singapore. The vessel was purchased by NIDCO, on the second-hand market, through the brokerage services of Austal Marketplace and OBI Limited, respectively at a cost of €2,678,000 equivalent to US \$3.29 million. The vessel was previously owned by L'Express Des Iles and operated in Guadeloupe as the *MV Rubis Express*.

The vessel, the *HSV Su*, was inspected in Tasucu, Turkey, where it was laid up at wet dock out of class and out of service. The vessel was registered with a local Turkish classification society called Turk Loydu, which is not a member of the International Association of Classification Societies (IACS). Therefore, the maintenance, repair and operation of the *HSV Su* was not subject to the strict enforcement of safety standards, characteristic of international classification societies.

Water Taxi Service
[HON. J. WARNER]

Friday, July 02, 2010

In July 2008, the UK firm of Seaspeed Consulting Limited was contracted by NIDCO to conduct a survey and valuation of the vessel. The inspection was conducted in the water, without a full hull inspection and without guarantee or assurances given by the surveyor. During a one hour sea trial, the vessel attained a speed of 38 knots without vibration or propulsion problems reported.

The survey estimated the value of the vessel at €2.5 million based on depreciated costs at prevailing market prices in 2008. Mr. Speaker, it was determined at that time that the vessel needed €500,000 to have the vessel repaired to white funnel condition, that is to say, to get the vessel ready for entry into service. The valuation survey concluded that even with the best market conditions, the value of the vessel is unlikely to exceed €3.5 million equivalent to US \$4.3 million.

In August, a subsequent survey report and proposal was submitted to NIDCO by its marine surveyor and consultant, Mr. Darren Edwards of HSC Global Marine Limited, which proposed to repair the vessel at a budgeted estimated cost of €750,000, subject to Flag State Authority safety certification in order to make the vessel serviceable for a stated one year of operation.

The recommendation to purchase the vessel and conduct repairs in Curacao using the services of a qualified and experienced surveyor was made by the previous Minister of State in the Ministry of Works and Transport, hon. Roger Joseph and Ms. Kaisha Ince, past president of NIDCO. They based their reports on the inspection of the vessel in Turkey and their reports were submitted by NIDCO's marine surveyors and consultants.

In September 2008, the vessel was then purchased by NIDCO through a loan financing agreement with Scotiabank in accordance with the earlier directive of Cabinet.

1. 45p.m.

In October 2008 the vessel was shipped by heavy lift carrier from Turkey to St. Thomas from where it was towed to the Curacao Shipyard for repair. A substantial amount of repair work was then undertaken in Curacao by Mr. Edwards, using highly skilled workers contracted from Australia and Sweden together with local labour over a period of six weeks.

However, the condition of the hull, machinery and propulsion system of the vessel showed many substandard repairs performed by the previous owners in Turkey. It showed deformities, pitting and perforations to the hull, together with problems associated with poor maintenance practices and the poor condition of

the propulsion shafts, key jet components, generators and main engines and electrical systems, all of which again required additional repair and cost and rendered the vessel unserviceable.

Mr. Speaker, the vessel was eventually towed to Inter Isle Construction and Fabrication Shipyard in Chaguaramas, Trinidad, where I was yesterday, and where I examined the boat myself with an inspection team together with the Minister in the Ministry of Works and Transport, Mr. Rudranath Indarsingh. The boat has been docked there since December 2008 undergoing periodic repairs. Various maintenance and repair tasks have been undertaken by engineers placed on the vessel by NIDCO as well as by Inter Isle Construction and Fabrication Shipyard Limited, as follows:

- (i) HVAC work to render the system operational;
- (ii) various electrical repairs;
- (iii) some measure of generator and main engine repair; and
- (iv) pumps, motor and other small components have been repaired or replaced.

In June 2009, at NIDCO's request, representatives of Austal inspected the vessel at Chaguaramas and discovered a level of pitting and deterioration of the transoms, that in the inspector's opinion, required a refit and a replacement of the transom and hull components. Austal then submitted a bid for this service. Other bids were subsequently invited for the repair of the transom, one of which was provided by an Italian marine service company San Giorgio del Porto.

In July 2009 NIDCO then contracted the UK survey firm of Mc Ausland & Turner to survey and investigate the repair work done on the vessel in Curacao. The report advised that Mr. Darren Edwards had not completed a comprehensive specification of the repair work to be done following his initial report, as a result of which the whole refit became a downward spiral lacking direction and proper management and concluded that the entire Curacao refit was mismanaged to the extent of gross incompetence. The question therefore is, Mr. Speaker, what was the current status of repairs to the *HSV Su* which was brought to this country and has not been used for a single day from December 2008 to the present time?

In August 2009, the Ministry of Works and Transport requested a statement from NIDCO showing the actual and estimated additional cost budgeted for the repair of the *HSV Su* and the date proposed for its entry into service. NIDCO subsequently advised that the actual and estimated cost of repair to the *HSV Su* was TT \$29.5 million equivalent to US \$4.7 million and a target date of mid December was given for its entry into service. [*Interruption*]

Water Taxi Service
[HON. J. WARNER]

Friday, July 02, 2010

In May 2010, the Ministry of Works and Transport again drew to NIDCO's attention the repair cost of the *HSV Su* in relation to the Cabinet approval granted and requested that a value for money assessment of the repair costs to the *HSV Su* be conducted pending any further repair of the vessel having regard to the impending delivery of the four new fast ferries in September 2010.

Members of Parliament, my dear colleagues, please note that in June 2010 NIDCO subsequently advised that a total of approximately TT \$50.1 million has been incurred in expenses so far to repair the vessel which—I repeat—has not made a single trip so far. Then they were asking for an estimated TT \$14.1 million additional to conduct further repairs to bring the vessel into full operation. It meant therefore, that for the boat that was bought second-hand in Turkey, we were spending a total TT \$64.2 million for a boat that had not made one single day service so far. What they were asking for this time:

- (i) Repairs to the transom;
- (ii) repairs to the waterjets;
- (iii) painting of the hull; and
- (iv) administrative and consultancy services.

In this respect, NIDCO advised that on May 07, 2010 a contract was executed with San Giorgio del Porto at a cost of €600,000 equivalent to TT \$5.1 million for the refit and repair to the transom of the vessel, and should NIDCO terminate this contract with San Giorgio del Porto, it would incur a minimum cost of €60,000.

NIDCO further advised on completion of the repairs to the *HSV Su*, it intends to put the vessel for sale [*Interruption*] as it will be a surplus to NIDCO's requirements for the water taxi service having regard to the impending delivery of the four new fast ferries in September 2010.

The Ministry of Works and Transport has not approved this contract pending a review by the hon. Minister of Works and Transport. In this respect, the following factors have been considered:

- i. The valuation report on the *HSV Su* prepared by Seaspeed Marine Consulting Limited in July 2008 concluded that in its best condition, the best value is unlikely to exceed €3.5 million.
- ii. the vessel is 14 years old—and may I add, it is not normal to buy a vessel that is more than 10 years old.

Dr. Moonilal: No normal person buys a vessel—[*Inaudible*]

Hon. J. Warner: However:

- ii. The vessel is 14 years old and given its age and condition the major classification societies have refused to take the vessel into class. Consequently, the additional cost of vessel insurances is likely to be high in relation to its value.
- iii. There are additional costs to be considered for the provision of safety equipment, drills and drydocking inspections required to meet the safety certification requirements of the flag state authority, the Maritime Services Division, for entry into service, which will further escalate the costs beyond TT \$64.2 million.
- iv. The four new fast ferries for the water taxi service are due for delivery in Trinidad in September 2010, and therefore it is a fact that as a consequence of this the vessel—if repaired at all and if even serviceable and that is remote—will be surplus to NIDCO's requirements.
- v. The current conditions on the second-hand market for similar fast ferries do not offer any prospect for a recovery of costs associated with the continuous repair of the vessel.

Accordingly, in view of what I have said, I want to inform this honourable House that the Ministry of Works and Transport has directed that:

- i. NIDCO cease to conduct any further repair to the *HSV Su*.
- ii. NIDCO contracts the services of an international shipping broker to sell the vessel on the second-hand market on an as is, where is basis.

Mr. Speaker, as I conclude several questions come to mind and these questions are as follows:

1. Why was due diligence not exercised in accordance with proper procurement practices and procedures?
2. What evidence is there to demonstrate that Mr. Roger Joseph or Ms. Kaisha Ince have any prior experience or knowledge in ship purchasing, inspection and surveying? If they had none, why were they sent?
3. It is reported that a local surveyor, Captain George Alexis, Marine Consultant to NIDCO at the time, accompanied the team to Turkey for the purposes of the inspection. Why is there no evidence of a written report from this individual—Captain George Alexis—who was contracted by NIDCO to visit and inspect the vessel in Turkey?

Water Taxi Service
[HON. J. WARNER]

Friday, July 02, 2010

4. Why was the inspection conducted in the water, where only a partial inspection could have been completed and not a full hull inspection? Normally you would lift the vessel and inspect it, this was done in the water.
5. Given the age of the vessel when purchased—it was 12 years old at the time—why was a follow-up drydock inspection not arranged, with the sellers, prior to the purchase of the vessel, in accordance with due diligence?
6. Why was a comprehensive specification of the repair work not done following the initial report in accordance with standard international practice?
7. Why was NIDCO's Marine Surveyor and Consultant, Mr. Darren Edwards' company, HSC Global Marine Company Limited, contracted to perform the repair work to the vessel when there is clearly a conflict of interest between the role of consultant and contractor?

So the consultant Darren Edwards' company, was the one used to do the contract work on the vessel.

Mr. Speaker, this conflict of interest was in fact confirmed in the findings of the report submitted by Mc Ausland and Turner, which concluded that the entire Curacao refit was mismanaged to the extent of gross incompetence. The report said that Mr. Darren Edwards is a marine surveyor and not a ship repair contractor. [*Interruption*]

Furthermore, the evidence suggests that Mr. Edwards then sub-contracted an international team of ship repair workmen at short notice and at high cost to do the work. These repair works could have reasonably been conducted by local and/or regional contractors in certain aspects of the repair works, but no, it was not done that way.

In addition, the report of Mc Ausland and Turner concluded that the cost overruns—I am talking here now about TT \$50 million and a request made for \$14.1 million more—which resulted in Curacao were as a result of questionably high rates of pay and work performed with particular reference to repair works allegedly done in Curacao, on the vessel's main engines.

Mr. Speaker, I was there yesterday with a team, I saw for myself the *HSV Su* and I hung my head in shame for what was put on this country and I say to you and the Members of this Parliament that the evidence for the *HSV Su* speaks for itself.

I thank you.

2.00 p.m.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Could we have some silence, Members. Hon. Members, this item will be deferred for sometime later on in the proceedings. Do I have your concurrence?

Assent indicated.

Let us proceed.

**COMMISSIONER OF POLICE
(NOMINATION OF MR. DWAYNE D. GIBBS)**

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal):
Mr. Speaker, I beg to move the following Motion standing in my name:

Whereas section 123(3) of the Constitution of the Republic of Trinidad and Tobago ("the Constitution") provides that the Police Service Commission ("the Commission") shall submit to the President a list of the names of the persons nominated for appointment to the offices of Commissioner or Deputy Commissioner of Police;

And whereas section 123(4) of the Constitution provides that the President shall issue a Notification in respect of each person nominated under the said section 123(3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas clause 3(l) and (m) of the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2009 (Legal Notice No. 102 of 2009) provides, inter alia, in relation to the selection process for appointment to the offices of Commissioner of Police and Deputy Commissioner of Police, that the Commission shall take into account all information on the candidates and thereafter establish an Order of Merit and shall select the highest graded candidate on the Order of Merit and shall submit that candidate's name to the President in accordance with the procedure set out in section 123 of the Constitution;

And whereas clause 4(1) of the said Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2009 provides that where, in relation to the said clause 3(m), the House of Representatives does not approve of the highest graded candidate on the Order of Merit List pursuant to section 123 of the Constitution, subsequent nominations in order of merit may be submitted to the House of Representatives from the Order of Merit List only in accordance with the procedure set out in the Constitution;

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

And whereas the Notification in relation to Mr. Neal Parker, the highest graded candidate for the office of Commissioner of Police, was not approved by the House of Representatives on the 25th day of June, 2010;

And whereas Mr. Dwayne D. Gibbs is the second highest graded candidate for appointment to the office of Commissioner of Police on the said Order of Merit List;

And whereas the President has on the 25th day of June, 2010 issued a Notification in respect of the nomination of Mr. Dwayne D. Gibbs for appointment to the office of Commissioner of Police;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the President in respect of the nomination by the Police Service Commission of Mr. Dwayne D. Gibbs to the office of Commissioner of Police be approved.

Mr. Speaker, the matter before us is indeed the very matter that was dealt with last week in this honourable House, that is, the approval of the Parliament for the appointment of a commissioner of police.

On the last occasion, the hon. Prime Minister of the Republic of Trinidad and Tobago, led in debating this Motion and raised several pertinent matters pursuant to this issue. It is not my intention to spend a terribly long time this afternoon repeating what was said by the hon. Prime Minister on the last occasion, nor is it my intention to delve into too great a detail on the situation as it involves criminal activity and the level of crime in Trinidad and Tobago at this moment. I believe that all Members of Parliament, and indeed all citizens in the Republic, are fully aware of the very serious circumstances that face this Government and people as it relates to combating crime and confronting the criminal elements wherever they may be.

Mr. Speaker, it is indeed the number one issue facing the people of Trinidad and Tobago. What is significant is not only the incidence of crime, but the rapid escalation of crime in our twin island state. It must be on anyone's list the number one priority in meeting and treating with the challenges facing Trinidad and Tobago. For far too long law-abiding citizens have been under siege from the criminal elements. It is almost as if we are holding our lives to ransom. For far too long we have had this situation of murders, kidnapping, rapes, home invasions, now land invasion, robberies and other serious crimes, and there appeared to have been no ease, there appear to be no serious dent as it relates to confronting this issue.

Mr. Speaker, having campaigned on a promise to restore law and order in the shortest possible time frame, it is indeed the duty of the Government of the

People's Partnership to move swiftly and with dispatch, to radically reform the crime and the criminal element dealt with in Trinidad and Tobago. Faced with an almost exponential increase in murders and other serious crimes, Trinidad and Tobago can no longer afford to fight crime the way it has always done. We can no longer afford to maintain the status quo, utilize the same old tried methods of crime fighting and expect different results. The statistics show us all too clearly that the old ways are simply not working.

The time has come for new methods, new means, new blood, to infuse our police service with not only the knowledge and the know-how, but a renewed commitment and enthusiasm for crime fighting. Make no mistake, this is war. We are at war. The criminals are attacking us wherever we live; innocent law-abiding citizens are the casualties; and the victims are often our sons, our daughters, our mothers, our fathers.

Mr. Speaker, the Government in accepting this responsibility for security and safety, intends to discharge this responsibility fully, faithfully and with every method at our disposal. In keeping with this promise, we have again in the shortest possible time returned to the House of Representatives to meet and treat with the representatives of the people. We have returned in one week for the approval of the House for the appointment of a commissioner of police. No institution of the State, and particularly, no police service, should be without stable leadership for any period of time, far less the three years it has taken us to arrive at this day.

As we move swiftly with due care and attention, and as we make decisions, today, we are here to make a decision, a decision that may or may not go down well with some, but we are confident that it is a decision that will go down well with the majority of Trinidad and Tobago, and it is a decision that must be made with courage. The Government will today, display the courage of our commitment to ensure that Trinidad and Tobago has a police commissioner. [*Desk thumping*]

Mr. Speaker, the debate has started. Last week in this honourable House, we had an opportunity to get for the first time in the public domain, the gist of the concerns of Members of the Opposition. It is no secret that this matter has also engaged the widest public participation. There have been editorials in the daily newspapers, commentaries, and various persons and the institutions have been involved in the conversation. The hon. Prime Minister reported on the last occasion that the Government felt it fit to meet with the stakeholders, to meet with the representatives of the Second Division Police Association, representatives of the Executive of the Police Service, representatives of the business community, and representatives of the NGO community that are involved in crime fighting.

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

Unless we are mistaken—and I must say this for the record as well and reinforce the issues—it is the first time in the history of Trinidad and Tobago, that citizens were participating in building consensus for the appointment of a commission of police—[*Desk thumping*—members on both sides, particularly Members who have been here before, understood the system that we replaced in 2006. It was by a prime ministerial veto, and the Prime Minister of the Republic, traditionally, would make that appointment having accepted the nomination. In fact, it was a couple years ago that the then Prime Minister, the Member for San Fernando East—my friend is in this House. In fact, while we are extremely grateful and happy to be providing good governance, one of the saddest parts of the operation is that our friend the Member for San Fernando East, is not as close to us as he was before in the previous incarnation.

Mr. Speaker, that system has been abolished and done with. We are now in a situation where the Parliament will meet for approval, but on the last occasion, the matter that seems to occupy the attention and concern of the Opposition was indeed the matter of the national origin of the commissioner of police. It was only on that occasion, last Friday, that the Opposition for the first time in the public domain had a sense of the concerns in a way with some details. That led us to do our research, to look at this situation, to look at the debates in 2004, and the Police Service Bills so to speak, to look at the debates in 2006 when this Parliament with bipartisan support, moved to pass the relevant Bills to amend the Constitution to provide for the system; and in 2008 when a nominee came to the House for approval, there was also another debate. It was incumbent upon us to revisit those debates and to look at the position of the then Government and Opposition in the matter.

Mr. Speaker, I want to say at this early stage before I finish my introduction, that we could not find sufficient evidence of a previous policy concern with nationality of the commissioner of police. We could not find sufficient evidence of that. It appears to us that this is indeed a new concern, a concern of the newly appointed Leader of the Opposition and newly appointed Political Leader of the People's National Movement. It appears to be a concern that has arisen at this time because of the circumstances.

Mr. Speaker, we could not find sufficient evidence in the record that the previous government articulated a concern, in depth on the issue of nationality, but everyone, including our friend, the Member for Diego Martin West, we are entitled to revisit our positions. [*Interruption*]

Dr. Rowley: Yes.

Hon. Dr. R. Moonilal: We are entitled to revisit policy as circumstances change. We are entitled to do that. We cannot deny anyone, particularly someone who has an unenviable responsibility at this time to marshal the forces and so on, and to regroup in the aftermath of the events of May 24. We cannot envy that at all. That is by no means an easy task, but that person and that team needs to have the freedom to change their minds so to speak.

Today, this issue of national origin is upon us, but I wanted to remind our colleagues opposite, that in 2008, it was the then Leader of the House, in the person of our friend, the Member for Diego Martin North/East, who had the honour on that occasion of leading the debate on the Motion that came to the House to appoint one, Stephen Williams to the office of Commissioner of Police. On that day—[*Interruption*]

Dr. Rowley: What did he say?

Hon. Dr. R. Moonilal: I will not read the *Hansard*, but the argument on that day was clear, that there was a problem with the process.

2.15 p.m.

The then government was at pains to point out that it had no difficulty with the individual, Supt. Stephen Williams. In fact, in all fairness, the then government sang his praises; they were very impressed. The then Leader of Government Business in the House, our friend from Diego Martin North/East, led off on this matter and indicated that the problem was the process, that it had taken long and it was cumbersome and that Penn State, the recruiting agency, had problems.

It is very instructive that one of the concerns raised by the Member on that fateful day, July 04, 2008—almost two years to the day, the United States independence—today is July 02—the Member for Diego Martin North/East in making his case, raised several issues. I want to quote from the *Hansard*. The Member on that date was concerned with the qualifications for the office of Commissioner of Police. The Member was looking at the situation and when he reflected on the regulations, pursuant to the Order, had a problem with the fact that you can be a commissioner of police without sufficient education. I quote:

“So, in the case of the person with the degree, that person can be an overseas applicant, but in the case of the person who does not have the degree, by this wording—which I consider to be a bit unfortunate, because it uses the words, “20 years in the police service”, the police service referred to here is the Trinidad and Tobago Police Service, so that the first weakness in the process, in my opinion, was introduced by the words ‘the police service’.”

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

He was then Leader of the House:

“was introduced by the words ‘the police service’” because it limited the applicants.

Mr. Speaker, he goes on:

“When you look at the two legal notices very carefully, as I indicated with the first one, if the person does not have a university degree, we are limited to local candidates and not overseas candidates,…” [Interruption]

Mr. Roberts: “Who say dat?”

Hon. Dr. R. Moonilal: So the concern was in the structure. There was a limitation to local candidates and not overseas candidates. The Member continued:

“...and when you look at the selection process, it introduces a number of delays into the system;...”

The Member continuing with the process indicated:

“You should be allowed, if the process does not yield a suitable candidate, to head hunt.”—That is a managerial term, I think it means searching for people—“That is what is done in any organization and anybody who is serious about the process of recruitment will know that you need that kind of flexibility.

This built-in four-month delay, in our view, has to come out. Certainly, this error where, ‘if the person does not have a university degree’, ‘you can only pick a local’ has to come out as well.”

Let me repeat that. He said if the person does not have a university degree:

“...‘you can only pick a local’ has to come out as well. If you are using the normal phrase, “a suitable combination of qualifications and experience”, you will be allowed to do that whether you are picking a local or foreigner.”

The concern of the government of the day was that you needed a suitable combination of qualifications and experience; you should be allowed to pick whether a local or a foreigner.

The Opposition has, of course, taken a policy u-turn on this matter, to which they are entitled, particularly post-May 24—not post-licks, I mean the events. Not in that language. The Opposition should not begin its innings on the wrong foot, by coming to the population and the Parliament to indicate, “Look, we are for a

foreigner, and the importance of culture and knowhow and the importance of local this and local that and local content." All I am saying is not to begin on the wrong foot. Indicate that you had no difficulty with a foreigner and a local in 2008 when you rejected the local; [*Desk thumping*] when you properly rejected the local. You had no difficulty at that time. Your difficulty is today, and we work with that, if that is the difficulty.

The hon. Prime Minister on that occasion, as a Member of the Opposition, along with the Member for Oropouche East, the Member for Caroni East and others, voted in favour of the local nominee of the Commission [*Desk thumping*] that was duly sent to the House by the President, pursuant to the law. So that is not an issue on our side of this support for local, foreign and so on, while the Prime Minister has articulated our concern that we would encourage. We are proud, we are happy and pleased when local persons aspire and achieve the highest offices. That is something which brings pride; there can be no doubt about that. When we read the comments in the newspapers, it is clear that citizens of Trinidad and Tobago, if they had the choice, would prefer a local to head the police service, because there is a pride. All of us are proud, whether Mr. Brian Lara or Richard Thompson or others conquer the world, when they reach the pinnacle of their success. We are proud when a commissioner emerges, a local man, as in 2008, we are happy; that is something we accept joyfully.

The situation today in these circumstances has changed to the extent which that process that has not changed has given rise to a situation where we have a foreigner for the office of Commissioner of Police. We have made the commitment to work swiftly and urgently with the Opposition to ensure that we review the relevant law, we review the order.

Two things: We can remove the cumbersome nature of this process, remove these delays so that you can get to an outcome quickly and also reduce the costs. Mr. Speaker, earlier in the evening, like you, I was shocked to hear the revelations from the Minister of Works and Transport. Let us not fool ourselves; this three-year process has cost the taxpayer almost \$8 million to appoint a commissioner of police. Even when he is appointed, that man would not earn \$8 million by way of wages and salaries; so it cost more to appoint than it would cost to pay the officer; that is where we are. Now we have a responsibility to act on this matter swiftly and bring closure to this matter, as we commit ourselves to working with the Opposition, but also the wider society.

It is a point we also want to make, that it is not that the Opposition and Government could get together in a conference room and say, "Well, what do you

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

want, what do I want, we do this, we do that," and we arrive at a point where we say, "Good, we change the law." It does not work like that, particularly when it relates to matters of the Constitution and matters where it involves the use of a special majority, matters where it involves the office of the Commissioner of Police, the security of the State. It will require consultation with the stakeholders; it will require building consensus, hearing the population.

This is a process that we will embark upon, but we need to cross this obstacle today; we need to cross this obstacle, otherwise we go back into that spiral where there are delays—the Member for Diego Martin North/East indicated the reason for the delays—and money, precious dollars, where the Minister of Finance has painfully alerted us to the troubling nature of the economy. So in a situation like this, we cannot go back to that process to spend money, take time, continue with acting this, acting that and acting everything in this country and the police service is not settled.

I also want to remind my friend from Diego Martin West—I listened attentively on the last occasion to our friend. It is noteworthy and laudable that our friend from Diego Martin West speaks about the need to build quality management in the police service, the need for performance appraisals, the need to have the police service functioning with the highest quality of management and institutions and vision. But the Member for Diego Martin West knows that on a previous occasion and on previous occasions, he has spoken about the weaknesses in the police service, about the quality of management that we have in the police service. It is something the Member acknowledges, that the police service is challenged as it relates to management.

I had the opportunity to review the contribution as well on Wednesday, May 09, 2007, of the hon. Member for Diego Martin West and then the Minister of Housing and the Environment. In this House on that occasion, in supporting a view for the then Member for Pointe-a-Pierre, the Member for Diego Martin West spoke about the problem of trust and mistrust in this country, as it related to institutions. In dealing with developing this culture, he said that, "I am afraid this is not a culture that exists in this country." In reference to the police service, the weakness in management and the inefficiencies of institutions, the Member said:

“today we are talking about the police service, if there is anything in this country that represents that dysfunctionality, it is the police service.”

He was very fair in indicating that legislation, while it is good, will not cover all bases. You cannot legislate to cover all the bases and all the problems and we have to depend on good management in the police service if it is going to be effective.

In recognizing that the police service then, and I presume now, had this dysfunctionality, to use that term, there was a need to meet and treat with this. So the Member for Diego Martin West understands the inefficiencies and problems in the service. Let us use the word "challenges", rather than "dysfunctionality".

Today, we take a courageous step to meet and treat with these challenges, in approving a commissioner of police, when on the last occasion the Member for Diego Martin Central was proud to count himself among those who rejected a local commissioner of police. [*Interruption*]

Dr. Browne: Hon. Member, you congratulated your Government, yourself included, on widely consulting on this matter for the first time in the history of our country, including consultations with First and Second Division police officers. You have been quoting the Opposition's views quite extensively. I am wondering whether you could share with this honourable House and the national community, what were the views of the police officers with whom you consulted?

Hon. Dr. R. Moonilal: Member for Diego Martin Central, I am eternally grateful to you. It was a point I forgot earlier. Thank you very much.

Mr. Speaker, I forgot earlier to mention that while the Prime Minister did lead a delegation a couple weeks ago to discuss these matters with the relevant organizations of the police service, it was yesterday that the Prime Minister initiated another meeting, because we took note in the public domain, in the newspapers—we read the newspapers—and there was a change of leadership in the police Second Division Association. We took note of it.

2.30 p.m.

The Prime Minister initiated a process where we held consultations with the new executive because we are concerned that we are taking the views of persons who hold office, who represent people, and who have just been given a mandate by their members. We are conscious of that and while we consulted with the former office holders, it was incumbent upon us, committed to consensus building and shared governance, to meet with the new officers. I am happy to report that these officers indicated to us, as their predecessors did, that they would like to see a local commissioner of police. However, recognizing the circumstances, they would have no difficulty in supporting a commissioner of police, whether local or foreign. They would obey the law and work with due diligence in support of anyone appointed by this Parliament as Commissioner of Police. We should congratulate and commend the Second Division Officers for this approach.

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

While this country felt a few weeks ago that there would be problems and that the police would not work and would be demotivated—those are serious issues—the Second Division Officers and the new president—we had the honour of meeting him yesterday—indicated they would give 100 per cent support to any Commissioner of Police.

Of course, we would like to see the emergence of a local commissioner of police. There is no problem there. We have spoken to them. [*Interruption*] I thank the hon. Member for Diego Martin Central for reminding me of that information that I inadvertently left out.

Our friend, the Member for Diego Martin West, in recognizing the need to get good management in place, said—and it is the truth; we agree—on May 09, 2007:

“In fact, in many instances, some of the criminal nests are better managed than some elements in the police service. Therefore, we have to focus on this improvement in management. That is what brought us to the Parliament, with this set of legislation which says that we want to change the management approaches in the police service, so as to get the benefit of good management.”

So the Member for Diego Martin West acknowledges the management challenge in the police service in dramatic style. The Member for Diego Martin North/East, leading the government charge on that day, speaking to policy, said that the shortcoming was that it was restricted only to local.

Dr. Rowley: [*Inaudible*]

Hon. Dr. R. Moonilal: I am checking that you are alert and that you are cognizant. The 2007 Police Bills. In July 2008, the then Leader of Government Business, speaking to government policy, spoke to the issue of the restrictions when the regulations provide only for local. Those were the two areas. The Opposition, on those occasions, came to the Parliament in 2008 and approved the Motion for the appointment of Stephen Williams.

I am skipping some pages here. There is no need to speak about the murder rate, the nature of crime and the horrible situation that confronts us now.

The nominee for the position of Commissioner of Police before us today is Dwayne D. Gibbs. We have had the opportunity to review the background report on Mr. Gibbs. It is my understanding that the Opposition has also received a brief that speaks to the qualifications and the expertise of this nominee.

Just for the benefit of the public, we thought it also important to indicate that Mr. Gibbs is indeed a national of Canada. He has been involved in the police

Commissioner of Police

Friday, July 02, 2010

service in Canada. He has been involved in several departments and divisions of the police abroad. He has also been involved in what we believe to be critical areas in dealing with gangs, the challenge which is facing the police. He has been, as well, exposed to international training in matters dealing with organized crime. He has been involved in training in matters dealing with the illegal movement of firearms. I raise these issues because it is felt that these are the challenges we are facing—organized crime, gang warfare, illegal movement of firearms.

He has also had training as it relates to dealing with social issues and community policing, which is a big challenge we face. *[Interruption]* We have to check here to see if it involves anything such as the purchase of boats. I am sure that will fall under some area of expertise. He has also had some training and expertise in high-tech crimes, abuse of children, multi-disciplinary training in social issues affecting crime, management expertise. In fact, there is a note that the nominee has both undergraduate and postgraduate training in management, sociology and related fields. The nominee has a Bachelor of Education degree, a Masters Degree in Sociology, an MBA in Business Administration and, from California Coast University, a PhD in Management. That area of research was community policing.

He has held the position of Superintendent, Human Resource Management; has been involved in career counselling; has been a detective on the Drug Control Unit; and a detective, Auto Tech Unit. So there is a fair amount that the Opposition is aware of, of the candidate before us.

This candidate has qualifications, training, and expertise and has had a range of experience in significant areas we consider target areas and challenges facing us.

We make the point that this debate is not to compare and contrast the CV of Mr. Gibbs with that of Mr. Trinidad and Tobago. We are not comparing and contrasting the CV of the foreigner with that of the local. There are locals in Trinidad and Tobago who are not nominees, and we have qualified locals who are attorneys trained in management, but whose experience and expertise, for reasons known—and the same procedure that we talk about—they are not before us now. We wish they were. They have training, they have expertise, they have university qualifications, exposure to international fora; but they are not before us now.

We are not putting this on the table to suggest that someone from Canada is better trained, better exposed, has more university qualifications than the local. That is not the objective and that is not our concern. Our concern is that the procedure has given rise to this nominee. The nominee, as far as we can see, satisfies the requirement. There may be other requirements, but the nominee satisfies the requirement.

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

I want to end by indicating to the population again and again that this is a decision that must be taken, but we must have the courage to put finality and conclusion to this matter. In the future, there is a process. Some persons have asked what happens next, but there is a process where the relevant institutions in government, the Chief Personnel Officer in collaboration with the relevant ministries of government, will meet and treat with a candidate who has received the approval. They will work out terms and conditions of work. We are also concerned that they must also work out certain provisions that lend themselves to a performance appraisal. There must be guidelines and targets so that a person will be measured by their performance. We do not want someone and there is no guideline, procedure or contractual obligations to perform at the highest level.

We are concerned that this contract will have built-in, relevant conditions that allow for the fair review of the incumbent Commissioner of Police. We cannot bring a commissioner of police here and indicate to him that he has six months or a year to make a dent in crime and we have not been able to do it for 10 years. We cannot ask a new commissioner to come and solve the problem in one year. It does not work like that. You have to give the person adequate time and resources.

The Commissioner of Police will require resources. We have the commitment of the hon. Minister of National Security, Sen. The Hon. Brig. John Sandy, that he will make available to the police service and its leadership the requisite resources to do their jobs.

On the last occasion, the Prime Minister indicated—[*Interruption*] How much is it? Two and a half years? That is almost as much as they had in government. Maybe that is adequate. They want to distract me. There will be no 36:1 today.

The Minister of National Security made a commitment that we will provide the resources. The Prime Minister, in her first address in the House, has committed 60 vehicles to the Police Service of Trinidad and Tobago. That is for them to warm up. More to come. That is the commitment.

We are confident that with ample resources and with the political will—today is not the day; we are now starting. I have it here, but I did not quote from the former Minister of National Security, the hon. Martin Joseph. The former Minister of National Security and policy spokesman of the former government indicated to this House that it was important that the pool to select the commissioner should be from an international consideration; it should come from wherever the best resides. That was in 2008.

I am saying that, in the contract provisions, performance appraisal, a reasonable time for the person to have an opportunity to bring his expertise and to work with the

officers. There is a sense, because of the previous appointments to the offices of Deputy Commissioner of Police, that we have as well locals and that we are on the move.

Others will have an opportunity. You know the system in the police. As persons are confirmed as Commissioner of Police, their substantive positions change so that vacancies arise and everybody goes up one notch so that the constable becomes the corporal, the corporal goes to sergeant, et cetera.

2.45 p.m.

We are on the move. Persons are on the move. This process will lend itself to that as well. The management of the police service, as recognized by the Opposition Leader, is not an easy issue. The former government has spent how many millions, I do not know; \$80 million or so. *[Interruption]* Not the boat; the boat is \$50 million. I am talking about the \$80 million that has been spent by the previous government on consultancy, input, expertise, Mastrofski and others, to bring better management to the police service. *[Interruption]* Mastrofski was not local. He is not a national of Trinidad and Tobago. The sum of \$80 million has gone in consultancy management and \$8 million more to appoint. We are edging up to \$100 million. Not the boat; forget the boat for now. The boat is \$50 million. The Minister of Works and Transport spoke to that earlier. They have tried, they have tried, they have tried. Today is not a day for that at all. The sum of \$88 million has gone. We would talk about that another time. Today is the day we do something about it. Today is the day we put our feet down and say: "Enough is enough, come get a commissioner of police in place and let us move forward."

These are the issues and this is the approach of this Government. Ministers of this Government were sworn in on May 28, 2010. We have served four weeks in office and within that four weeks we want to bring closure to this matter of the appointment of a commissioner of police. That is what we are about today.

In this period, I appeal to the Leader of the Opposition and his new team, eager to move—*[Interruption]*

Mr. Warner: Old team in new clothes.

Hon. Dr. R. Moonilal: You cannot say that. I appeal to our friends opposite to give support to the appointment. I appeal to our friends opposite, that the police service is in need of management. The nation is crying, as it relates to crime. This is not a time to dilly-dally, pussyfoot and abstain; it is not a time for that; it is a time to say—*[Interruption]* yes, I agree that the Government has the majority. Look at that, we have the majority, but we still wanted to consult the Police

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

Service Second Division, the police executive, NGOs and the business community. We have the majority, but that is not our approach. We are here to beg you for your support; to say yes. That is why we are here. We have the majority. We know it and we see it. In fact, we see it on this side and on the next side. I cannot help but not see the majority. They are behind, at the side and in front. [*Interruption*]

Mr. Roberts: They are all around.

Hon. Dr. R. Moonilal: We are surrounded by the majority here. That is not our approach. Our approach is that we are humbly asking the Opposition to give us your support on this matter, so that the police service and the nation will read from that, the real and symbolic unity of all the representatives of the people, in taking the police service forward.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Colm Imbert (*Diego Martin North/East*): Thank you, Mr. Speaker. I notice that in today's debate and in last week's debate, the Government avoided giving this House and the national community details of how we arrived at this place. One would get the impression that Members opposite, especially the Member for Siparia, had nothing to do with where we are today. Since they have no intention of letting the country know, we will let the country know.

The first thing that we need to take note of is Legal Supplement Part B, Volume 59 of May 15, 2009 and Legal Notice 102. This Notice was the Notice that gave effect to the Order, with respect to the Commissioner of Police and Deputy Commissioner of Police selection process. In this Order, which was not opposed by Members opposite, paragraph three indicates that after selection of a firm by the Director of Personnel Administration, in accordance with the Central Tenders Board Ordinance, the firm shall advertise vacancies, both the Commissioner of Police and the Deputy Commissioner of Police, utilizing local, regional and international print media and that the firm shall select from the applications received the most suitable candidates for the assessment process.

Having done that, the Police Service Commission after quite a long process, shall take into account all information on the candidates and thereafter establish an order of merit list. The order of merit list is then used to send the highest grade candidate to the President, in accordance with section 123 of the Constitution and the President then sends the first ranked candidate to the House of Representatives for its approval or non-approval, as the case may be. If, [*Interruption*] I have 75

Commissioner of Police

Friday, July 02, 2010

minutes—the—[*Interruption*] You could always refuse. Let me put it this way, I have 45 minutes. If the House of Representative does not approve of the highest graded candidate on the order of merit list, subsequent nominations in the order of merit shall be submitted to the House from the order of merit list.

A feature of this Order is paragraph 4(2), which states:

“Where the Order of Merit List is exhausted, the process set out in this Order shall be recommenced.”

It is our understanding that there was an order of merit list with five people on it and, according to this Order, if the House of Representatives goes through this process and rejects all five, the process will be recommenced, which would be re-advertising, et cetera.

Last week, the Government rejected the nomination of Mr. Parker, who had approximately 29 years service in the police force in Canada and elsewhere. It is difficult to get the exact figure, but when you work it out, he was in the Royal Canadian Mounted Police (RCMP) from 1974 to 2003 and thereafter in other jurisdictions, including St. Lucia and Antigua. The Government rejected Mr. Parker on the grounds that he had been part of the assessment process on the previous occasion, some years ago in 2008.

The Government is now proposing that this House accept the nomination of Mr. Dwayne D. Gibbs, who has some 28 years service if you add it up, in the police force and has, after leaving the police force, worked for the Executive Driver Programme in Alberta Transportation. The Leader of Government Business said that Mr. Gibbs has a Master of Business Administration from California Coast University and a Doctor of Philosophy (PhD) also from California Coast University—[*Interruption*]

Dr. Browne: The same year?

Mr. C. Imbert:—on community policing. Yes, you are quite right Member. He got his Master of Business Administration from California Coast University in 2006 and his PhD from California Coast University, also in 2006. While the Member was speaking, I used my Blackberry and I did a search on California Coast. I plugged in four words, California Coast Diploma Mill. It is amazing what you can get off of Google. I have pulled up several hits. I want to read one of them to Members, so if you do not know, now you will know.

“The General Accounting Office of the United States has identified California Coast University as a diploma mill and an investigation”—this is in 2005—“showed that California Coast University sold degrees for a flat fee.”

Commissioner of Police
[MR. IMBERT]

Friday, July 02, 2010

They sold degrees for a flat fee. Let me repeat:

“The General Accounting Office has identified California Coast University as a diploma mill and it sells its degrees for a flat fee.”

That took one minute. I would expect that the Government is aware of this, since the Government is proposing Mr. Dwayne Gibbs for the Commissioner of Police. I assume that the Government has done some research and is also aware that California Coast, from where Mr. Gibbs got two degrees in one year, a Masters and a PhD—I must say that is fast. The normal time to get a PHD is about four years. Some people do it in three and some do it in six. Mr. Gibbs seems to have done it in one, from California Coast University. I am assuming when the Government made its decision to support Mr. Gibbs, they investigated the fact that the gentleman has obtained two degrees from this university, which is accused of being a diploma mill, in one year. I am assuming you did that and having done your research and discovered that is so, I am assuming that you have decided that was not a sufficient reason for you to have a second look at this candidate.

As I have indicated, I think it is necessary to go back into history. There is no doubt that—the fact of the matter is I am hearing muttering over there—the Government has the majority. They can pass this Motion with or without our support. If they wish to approve the nomination of Mr. Gibbs, they can do so, they do not need the Opposition's involvement. The Opposition is not going to get involved in this matter; that is we shall not oppose you, but we shall not support you either. If you wish to support Mr. Gibbs, if you wish to nominate Mr. Gibbs, go ahead you have the votes. Go right ahead.

Mr. Speaker, the process that we are about today started way back in 1999. I know that many people on that side are new and, therefore, they do not really have institutional memory, but in June 2001 a report was completed by a bipartisan team comprising Members of the Opposition and Members of the then UNC government and arising from that report came legislative proposals which were laid and debated in this House on Friday, July 13, 2001.

3.00 p.m.

The then Prime Minister, the hon. Basdeo Panday, in laying this report, gave some history as to the process that resulted in these legislative proposals. The proposals that were laid then included the Constitution (Amdt.) Bill, 2001, the Police Service Bill, 2001 and the Police Service Regulations, 2001. The then Prime Minister, Mr. Panday, had indicated that over the years there had been a growing perception that all was not well within the police service.

He spoke about a report called the Ramdhanie Report where a retired judge, Judge Zainool Hosein, was appointed by the then government to head a commission of enquiry into the escape from custody of a convicted prisoner called Deochan Ramdhanie, who was in custody and was taken to the Princes Town Magistrates' Court as a witness and escaped. At the time, Ramdhanie was serving a life sentence for drug trafficking. So, arising from that escape, the then Government appointed retired judge Zainool Hosein to head a commission of enquiry to investigate this matter.

Arising from that matter, came a desire on the part of the then UNC government to change the way in which the Police Service Commission was appointed; the way in which a police commissioner would be appointed; and also the way in which promotions, appointments and discipline would be conducted within the police service.

The then leader of the Opposition, the hon. Patrick Manning and the then Prime Minister—this is back in 2001—had formed part of a bipartisan team and members of the team were the hon. Ramesh Lawrence Maharaj, the then Attorney General; the hon. Brig. Joseph Theodore, the then Minister of National Security and Mrs. Camille Robinson-Regis, the then Member of Parliament for Arouca South. So, it was a five-member team.

The bipartisan team then appointed a technical team under the chairmanship of Sir Ellis Clarke, and other members of the technical team included Justice Guaya Persaud, Eustace Bernard, a former Commissioner of Police, Colonel Trevor Mc Millan, Sir David O'Dowd and so on.

They met between 2000/2001. Their first meeting was in early 2000, and according to the then Prime Minister, the team held numerous consultations with the principal stakeholders in the matter, including the Commissioner of Police, the Presidents of the First and Second Division Associations, the chairman of the Police Service Commission and the chairman of the Police Complaints Authority and so on.

Arising from all of these deliberations—including the deliberations of the bipartisan team and the technical team—came these legislative proposals. At the time, the proposal was that the Police Service Commission be replaced with a police management authority, which would be appointed by the President on the advice—instead of consultation with—of the Prime Minister and the Leader of the Opposition, and that management authority would appoint persons to hold or act in the office of the Commissioner of Police, Deputy Commissioner of Police and so on.

Commissioner of Police
[MR. IMBERT]

Friday, July 02, 2010

The proposal of the then UNC was that before the authority made an appointment to the office of Commissioner of Police it would consult the Prime Minister, and the person would not be appointed if the Prime Minister signified his objection to the appointment. So, there was a veto power in this Bill that was laid by the then UNC Government in 2001.

In the Police Service Regulations legislation, regulation 8(1) spoke about appointments to the first division, and it indicated that a candidate for appointment to the first division of the police service may be selected from among officers in the second division and persons outside of the police service possessing specialist qualifications.

So, the first idea of a foreigner was contained in regulations, which spoke to persons from outside of the police service. There was no prohibition in this legislation on the appointment of a foreign police commissioner. However, that government collapsed. Three Members of that government walked—

Mr. Sharma: How did you all collapse? [*Laughter*]

Mr. C. Imbert: The then government found itself at that point in time—three Members of the UNC walked out: Mr. Ramesh Maharaj SC, Mr. Ralph Maraj and Mr. Trevor Sudama. They walked out of the 2001 Government because, at that time, they said they were unable to take anymore corruption within the UNC government, and the then Prime Minister found himself in a situation where he was unable to pass the legislation.

In fact, I remember being in this Parliament when the Member for Siparia brought some very innocuous legislation, and the then government was unable to get the necessary majority and the three Bills failed.

So, the then Prime Minister was unable to proceed with this legislative reform package, because his government had collapsed and he called an election and that was the 18/18 scenario when the then President appointed the hon. Member for San Fernando East to be the Prime Minister.

Mr. Sharma: You are talking too long.

Mr. C. Imbert: As I said, I have at least 45 minutes.

Now, after that fiasco in 2001, when the then UNC government was unable to pass these Bills, two years later, in 2003, the then Attorney General, Glenda Morean, re-laid the Bills and the then Sen. Wade Mark had much to say. In fact, if I quote from the then Sen. Wade Mark, he said that— [*Interruption*] He indicated

Commissioner of Police

Friday, July 02, 2010

that these Bills, the same Bills that had been laid by the UNC in 2001, would lead to guerilla warfare and bloodshed among the national community. That was his statement. In fact, he said:

We are not prepared to provide any political party with a huge amount of power that can lead to manipulation of the police service and its ultimate translation into a private army. Should a private army be unleashed on all opponents of the PNM that would be the beginning of the end of democracy and the rule of law. It would usher in guerilla warfare and social revolution. Those Bills will bring violence and social revolution.

So, the Bills were reintroduced by the then Attorney General, Glenda Morean—the Constitution (Amdt.) Bill, 2003 and so on.

The then Opposition, eventually, after some time, agreed to participate in another bipartisan process with the PNM government of the day. Again, Sir Ellis Clarke headed a technical team and, again, there were Members of the government and Members of the Opposition who were part of the bipartisan process.

After several years involving considerable consultation, the Police Service Commission Bill, the Constitution (Amdt.) Bill and the regulations, et cetera, were brought to the Parliament in 2006 and received unanimous support from Members on both sides of the House. Mr. Speaker, because the then PNM government did not have a majority, the government was forced to agree to changes to the legislation. The legislation that was finally approved in 2006, differed in some considerable manner to the legislation brought by the hon. Basdeo Panday, the UNC government in 2001. The prime ministerial veto that was proposed then that had been a feature of the government for 40 years was taken out, and on the insistence of the then UNC Opposition, the name of the person identified by the Police Service Commission would have had to come to Parliament—the name of the person identified as the best candidate for the appointment of Commissioner of Police.

In fact, Mr. Speaker, all of the things that you see in the order that I read out in the 2006 Order, were all insisted upon by the then UNC Opposition. The whole question of a merit list and bringing the names one by one to the Parliament for the Parliament to debate it—not only the nominee for the Commissioner of Police, but also the nominees for the Police Service Commission—all of these things were demands of the then UNC, because the legislation required a special majority. The PNM did not have a special majority during the 2001—2007 period. We had only 20 seats in the 2001—2007 period.

Commissioner of Police
[MR. IMBERT]

Friday, July 02, 2010

Mr. Speaker, in order to pass the legislation, the then PNM government had to concede and agree to the demands of the Opposition. So, previously, the process that we are about would not have been in the public domain; the process of bringing the names of the persons and debating whether these persons are suitable to be Commissioner of Police or not, as we would also have to do with the Police Service Commission.

My understanding is that the appointments of the Police Service Commission have expired or are about to expire and, therefore, we will have to go through this process again. The names of the nominees for the Police Service Commission will have to come before this House. We will have to debate them and we will have to decide whether we go along with the names that have been proposed or not, and we will have a repeat of exactly what we are doing today.

The idea that a person's qualifications would be brought up in the Parliament, such as I have brought up today—I have brought up the fact that a very quick Internet search has shown California Coast University is accused of being a diploma mill. The idea that those sorts of things would be debated in the Parliament where the person would not have a right of reply, that was something that the previous government was not keen on.

When the then Prime Minister, Mr. Patrick Manning, moved the Constitution (Amdt.) Bill, on March 15, 2006, he made it very clear that the government was not in agreement with the proposals of the Opposition. In fact, I quote now from the *Hansard*, March 15, 2006. This is the Member for San Fernando East speaking and he said:

“Mr. Speaker, I would be less than honest if I did not draw to the attention of hon. Members the fact that this is a process with which Members on this side do not agree. We do not agree with the process, however, in the spirit of compromise and discussion that took place between the Government and Opposition, we thought it prudent to agree to that formula that now forms part of legislation before this House...”

3.15 p.m.

“One of the disadvantages of that approach is that we could never guarantee the level of responsibility to which any Member of this House would subscribe, and to the extent that the Parliament would be deliberating on individuals who will be the subject of consideration for appointment...”

The persons would not be here in the Parliament to respond and defend themselves, so that was one of the disadvantages that found its way into the 2006 legislation, but, the then Opposition insisted that it be so and this is why we are here today.

Commissioner of Police

Friday, July 02, 2010

It is also necessary to point out that this entire process: the appointment of a foreign commissioner of police; the advertisement in foreign journals, in foreign newspaper and so on, all a product of this bipartisan approach and with the complete agreement of Members on the other side—in fact, many of the features of legislation were put there by Members on the other side, because we required their votes in order to pass the Bill with a special majority.

I want to read from the *Hansard* of March 15, 2006 a contribution of the hon. Kamla Persad-Bissessar, and I quote:

“Mr. Speaker, I want to go back to when we first started these talks. We have come so far and there is no going back on this agreement today. We are going forward with it...On the policy issues”—in this legislation—“on both sides of the House, we have firmly agreed.”

I do not think I need to read anything more from the contribution of the then Member for Siparia who is now also the Member for Siparia, that the UNC was in complete agreement with this process, which in fact, started with them. So it was necessary to go back in time, to go back to June 2001 to demonstrate where the idea came from for the advertisement and appointment of a foreign commissioner of police. It came from the UNC!

Now, I have heard the Member for Oropouche East say that the Government has met with the new executive of the Police Service Commission—and I am again using my Blackberry.

Hon. Member: bMobile?

Mr. C. Imbert: Yes, it is bMobile—and that Sergeant Ramessar was elected to head the Police Service Second Division, a week or so ago, winning by 615 votes to 484.

Mr. Sharma: What is the point?

Mr. C. Imbert: No, I am saying that. I am saying that Sergeant Anand Ramessar was appointed to be the new president of the Police Second Division, he won by 615 votes to 484. [*Interruption*]

If you add the total votes, that gives you just over 1,000 and if you consider the fact that we have over 5,000 police officers. I am drawing the attention of the House to the fact that the total number of police officers who voted in that election was just about 20 per cent to 25 per cent of the police service. [*Interruption*] This Opposition met with the old executive of the police service,

Commissioner of Police
[MR. IMBERT]

Friday, July 02, 2010

we met with representatives of the First Division Association and the Second Division Association, and in those discussions they made it very clear to us that the general sentiment within the Trinidad and Tobago Police Service was not in favour of a foreign commissioner of police.

The new president may say that there is no problem with a foreign commissioner of police, but we met with the previous executive of the Police Second Division and of the Police First Division and they were very opposed to the idea of a foreign commissioner of police. So it is necessary to put that on the record.

We asked them why they were opposed to a foreign commissioner of police, and they essentially had three reasons.

The first reason is that it would affect morale. They told us, and the Leader of the Opposition made the point last week and it is worth repeating, that they were asked on a scale of one to 10, what is the level of morale within the police service at this point in time? They said somewhere just below five. They were asked if a foreign commissioner of police is appointed, where would morale go and they said somewhere down to one or two.

Hon. Member: Two point five.

Mr. C. Imbert: Two point five. That is what they said! We have no reason to doubt them. When you really drill into this thing as to why they are opposed to a foreign commissioner of police, they said that a foreigner would take some time to get acclimatized to our police service, would take some time to understand our situation, would take some time to understand criminals in Trinidad and Tobago. Those are facts!

The second reason which seemed to bother local police officers the most was that by appointing a foreigner to the post of commissioner of police and also a foreigner to the post of deputy commissioner of police, you reflectively freeze advancement of local police officers up to those positions for the period of the contract of these foreigners. Those were their problems. They said morale will deteriorate, they said a foreigner will take a considerable amount of time to understand our local conditions, and also their promotional opportunities are going to be adversely affected.

I note that a new president has been elected, but I doubt that those problems that I have just outlined will go away just because there is a new person heading the Police Second Division of the Police Service Association. I doubt morale issues would disappear. I doubt that problems and disappointment about

promotional opportunities would disappear. I doubt it! So it is all very well for a police officer to say that, because one has to understand that the members of the police service really have no choice to say that. That is their job! Their job is to protect and serve.

So if they are asked by the Government if they are "gonna" support a commissioner of police, they cannot very well say no. [*Interruption*] They said they are professional officers and they will do their jobs to their highest, but they indicated that they cannot speak for the rest of the police service and there would be a significant effect on morale.

We have listened to what the Member for Oropouche East had to say. He is of the view that the Government needs to get on with this matter and to appoint a commissioner of police.

Mr. Sharma: What is your view?

Mr. C. Imbert: We are of the view that the matter of the appointment of a commissioner of police is a matter for the Government.

As I said, Mr. Speaker, the Opposition is not going to oppose the Government on this matter, but we are not going to support you on it either.

Mr. Roberts: We do not need your support.

Mr. C. Imbert: You are sure right! Therefore, we are leaving the appointment of a commissioner of police up to you. We are leaving it up to you! [*Interruption*] We shall see whether it works. [*Interruption*] Because the Government had a choice you know. The Government could have scheduled five sittings of the House of Representatives one after the other, five days, take about five minutes to reject all five and then what would have happened, the Police Service Commission would have appointed the most senior local police officer to act as commissioner of police. [*Interruption*] That is what would have happened.

It is obvious to us on this side that the Government was not prepared to allow that to happen. The Government has a preference for going ahead with the appointment of Mr. Gibbs rather than allowing the merit list to be exhausted and for the Police Service Commission to appoint the most senior local police officer on the ranks.

Hon. Member: Why you did not do it

Mr. C. Imbert: I think the Government will have to tell us why they are not in agreement with the most senior local officer being appointed to act as commissioner of police—

Hon. Member: Why?

Mr. C. Imbert:—while the Government and the Opposition sit and review and reform this legislation. It is obvious to us that the Government had some difficulty with the person who is the next most senior in the local police service.

Mr. Peters: Who is that?

Mr. C. Imbert: Whoever it is!

Hon. Member: "Ooh".

Mr. C. Imbert: I believe it is Mr. Piggott, I am not sure. I believe it is Mr. Piggott, that is my understanding that the next most senior local police officer is Mr. Piggott, and it is obvious to us on this side that by not exhausting the merit list. I said you could have had five days of debate, finish this thing in one week and then Mr. Piggott—I believe—would have been appointed by the Police Service Commission to act as Commissioner of Police.

It is obvious you did not want that and perhaps when the Leader of Government Business is winding up on his Motion the Leader of Government Business can explain why they did not allow that process to occur.

I thank you, Mr. Speaker.

The Minister of Works and Transport (Hon. Jack Warner): Thank you, Mr. Speaker.

Dr. Moonilal: Let him have it, "eh".

Hon. J. Warner: I could not believe that so early in the life of this Parliament we would have heard so much nonsense—

Hon. Member: Arrant nonsense. [*Desk thumping and laughter*]

Hon. J. Warner: Arrant nonsense—as we have just heard from a Member of this House—

Dr. Moonilal: Since 1991.

Hon. J. Warner: Who has been here for the last 19 years—

Mr. Sharma: He has not improved at all.

Hon. J. Warner: After 19 years I would have thought that the neophytes on that side of the House would have been able to benefit from the experience of the last speaker, the Member for Diego Martin North/East.

Hon. Member: No, no.

Hon. J. Warner: Mr. Speaker, he began by saying that the hon. Prime Minister, the Member for Siparia did not bring this House up-to-date by telling us why we are here today. All he had to do, if he did not remember, was to go to the *Hansard*.

The hon. Prime Minister, the Member for Siparia, spoke for over an hour, not arrant nonsense as you have just heard, but she spoke and brought the House up-to-date on why we are here, unfortunately, and she laid the blame squarely where the blame belonged, on that side of the House, apart from the Back Bench of course. [*Interruption*]

I want to even go further and to make the point that we heard the speaker rustled through his Blackberry and looked for California Coast and he saw that California Coast [*Interruption*] is an institution that sells degrees for a flat fee. What he has just done therefore, if he is correct, is to indict all of us who appointed the Police Service Commission, and which commission appointed Penn State to interview 74 candidates, four of whom were local and Penn State and our Police Service Commission came up with these recommendations. Who is to blame? All of us; you, your Blackberry and all of us. [*Laughter and desk thumping*]

So do not come here today and play as you are whiter than Caesar's angel. Do not do that at all! If by chance—and I do not agree with you—California State sells degrees and the Police Service Commission did not pick it up nor Penn State, then we are all guilty or your Blackberry needs fixing. [*Interruption*] Seventy-four persons were interviewed, and you come today to tell this House your Blackberry tells you they sell university degrees.

The last speaker made the point that the then UNC really collapsed due to corruption and that is why X, Y and Z.

I would expect you to tell this House about a government that has collapsed due to corruption. You are the expert on that. You know how a government falls on corruption. That is why we are here and you are there. [*Laughter and Desk thumping*]

3.30 p.m.

Earlier, I said do not start me too early because it is going to be a long hot summer. He made the point and mentioned what the then Sen. Wade Mark said about PNM manipulation and quoted from the *Hansard*, that in 2003—2006, the then Sen. Wade Mark had said that the PNM government might manipulate everything. Therefore, if the Government had a chance to pick the commissioner of police as in the past, then you would have X, Y, Z and so on. But the point I am making to you is

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

that the PNM government has a history of manipulation. If Sen. Mark said so, it is based on the history he knows of the PNM government. Every single thing in this country the PNM government had manipulated, and in many cases failed. Therefore, I am making the point that whatever happened and was said then, we are quite in our right to change our view today based on the existing conditions. We are quite right.

More importantly, the last speaker, the Member for Diego Martin North/East, gave the impression that the process that exists today is based on the demands of the UNC, but the fact is the vote was unanimous. All of us voted yes, and therefore, all of us are guilty as you say if it was flawed. To come here and say, based on the UNC demands that is why we are here, again, it is typical PNM fallacious thinking because all of us voted yes. We came here and voted yes, and to come here again and say, not me, but they—[*Interruption*]

Mrs. Persad-Bissessar: Like Shaggy.

Hon. J. Warner: Like Shaggy: "It wasn't me." You could come here and shed crocodile tears on this Police Motion. You could do that. But the time will come very soon when you will have to shed tears for much more than that. [*Desk thumping*] Worse yet, for the Member of this Parliament, who is here today by a mere 461 votes—[*Interruption*]

Dr. Moonilal: What! Only?

Mr. Imbert: Four hundred and sixty three.

Hon. J. Warner: A man who is here by a mere 463 votes, five maxi-taxis and you would have never been here. [*Laughter and desk thumping*] If Mr. Nicolas had five more maxis, you would have been history. You are coming here and saying that the police got X number of votes, and telling us how many votes the police got and that is why the police are not creditable. You are telling us today that the Police Second Division, properly elected, is not creditable because they got 613 votes against—[*Interruption*] They got more votes than you.

Mr. Imbert: What is the relevance of that?

Hon. J. Warner: The relevance is based on the fact that you come here to impugn the integrity of the Police Second Division based on the votes they got, and I am saying you are wrong. [*Desk thumping*]

Mr. Imbert: I read it from the newspapers.

Hon. J. Warner: Additionally, the last speaker comes here and says that the police morale will be reduced. [*Interruption*]

Mr. Imbert: They said that. I did not say that.

Hon. J. Warner: Okay. He said that the police said—he say, they say. He say, they say. Mr. Speaker, the Member for Diego Martin North/East says that the police said—that is all right—that their morale will be reduced. But the police also said that their morale now is at all time low.

Mr. Imbert: That is what they told us.

Hon. J. Warner: The police have said so. How much lower can the police morale go? I want to tell the last speaker, the Member for Diego Martin North/East, that a government must always do what is right not when it is popular, and if one is right, so be it. But if you believe by coming here and abstaining, that is the right thing to do, time will tell. This nation will not forgive you for taking six years, \$8 million, to solve the problem of a police commissioner, [*Desk thumping*] and when the time came to make a difference, you abstained. More about that later.

Mr. Speaker, the Motion before us today is:

Be it resolved that Notification of the President in respect of the nomination by the Police Service Commission of Mr. Dwayne D. Gibbs to the office of Commissioner of Police be approved.

I want to spend some time in trying to educate our friends on the other side about the importance of this debate.

In the last eight years over 3,000 persons have been murdered in this country. Almost all of them murdered during the reign of the PNM.

In 2007, there were 395 murders; in 2008, 550 murders; in 2009, 509 murders, and so far this year, 269 murders. These murders do not include those inconclusive autopsies. Gang warfare is on the rise in this country as never before. Gangs continue to fight each other for control of drugs and guns; their turf as they call it.

In 2008, the Minister of National Security reported that there were 86 gangs in this country, and he said that these gangs amounted to 1,720 members. He came here and gave us maps and diagrams and so on, to show us where the gangs are. He knew everything about the gangs, except where to find them. He came here, regaled and gattered upon us and told us about these gangs.

Mr. Speaker, nothing has happened to date. The country is terrified. You heard the Member for Oropouche East, the hon. Dr. Roodal Moonilal, we are held as victims in our homes. Walking the streets at nights or in the afternoons, even in the day, is a risk. The country is terrified, and therefore, I am making the point

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

that in this kind of hostile environment, our people are living in real fear, and the people whom they have elected to come and take care of their needs are coming here to abstain. Shame on you! Shame! [*Desk thumping*]

The appointment of a commissioner of police therefore, in these circumstances, is more relevant to this country today than ever before. It is this injection of fear in the lives of our people which makes the appointment of a full-time police commissioner imperative. This country does not want an actor anymore. This country has an acting commissioner of police. If we wanted actors, we should have an actor for Diego Martin North/East. That I would approve. You cannot have a commissioner of police acting every three months, every six months. This country has had enough of that and they are asking you and all of us, to take a bipartisan approach in appointing a commissioner of police. Yes, we know. The fact is all they are asking us is to follow the law that we passed. [*Desk thumping*]

We passed the law, and when the law was passed you were here and we were there and you did your best to subvert the law. I was sitting across there, you were here and you did everything to subvert the law. You were sitting here and giving us facts and figures, and you came here against the very same thing and voted against it. Today, the very same law that we have now, you are asking us to follow the law. Follow the law, and you are coming here to abstain.

Let me make the point quite clear that our people—I am totally dismissive of your arrant nonsense—in this country do not care where the commissioner of police comes from. They do not care anything about his geographic origin. Our people do not care whether the commissioner of police is an Indian, African, or even a Chinese.

Mr. Imbert: You are sure?

Hon. J. Warner: Our people do not care if the commissioner of police is a man or woman. They do not care whether the person is born in Trinidad and Tobago, Jamaica, USA, or even Russia. What they are concerned about, they want competence, they want value for money, they want results, they want to live in peace once again. That is what they are asking us for and if you do not give them, we on this side will. [*Desk thumping*]

Mr. Imbert: You have votes.

Hon. J. Warner: We have the votes. Yes, we have the votes. We earned the votes. We did not come here by chance. [*Interruption*]

Mr. Imbert: Are you sure?

Hon. J. Warner: The votes we have here are the votes given to us by the people—[*Interruption*]

Mr. Imbert: Who we?

Hon. J. Warner: The most frightening thing today about crime is that crime has now permeated into the corridors of the schools.

Mr. Speaker, at our schools we have stabbing incidents in the classrooms. Teachers are being assaulted in our communities. Every day you see incidents in our schools which terrify us as a people, and as such, we need to ensure that a full-time commissioner of police is in place to nip this growing phenomenon of school violence. To think that you are sitting next to a former principal and you do not know that. You are between two school teachers and you do not know that. You need a commissioner of police who will nip the violence in our schools. Turn to the left of you, turn to the right of you and ask them, they will tell you that.

The right to security of a person is a constitutional right enshrined in the nation's Constitution. The right to security of person and property is a right enshrined in our Constitution. Section 4 of our Constitution states and I quote:

“It is hereby recognized and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms, namely—

- (a) the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law;
- (b) the right of the individual to equality before the law and the protection of the law;”

Therefore, the state is under an obligation to secure its people. We are under an obligation to secure the people of this country. Far too long we have reneged on our constitutional responsibility to protect our citizens, especially our children.

Mr. Speaker, may I have the authority to praise our hon. Prime Minister for recognizing the value of our children and appointing an ambassador in that way for our children. [*Desk thumping*] Far too often we have failed to protect our citizens and our children, and what we are doing today is fulfilling that obligation to protect our people. More importantly, the importance of appointing a full-time head of the police service who can effectively fight crime, would redound to our benefit in international affairs, trade and tourism. I will tell you why.

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

3.45 p.m.

Mr. Speaker, almost every major country today has issued travel advisories against our citizens, warning them about coming to this country. The USA, Australia, the UK and a few nations warn their people not to come to our shores and if they come to watch for their backs at our airports, at our hotels, - at our malls and our beaches. Is that what you want? Is that what you want? When will you say, "Enough is enough"? These advisories have impacted negatively on our quest to become a top rated Caribbean tourist destination; even Tobago is not spared anymore, and people are being told not to come to Tobago. Is that what you want?

Today it is not only about fixing crime, but about fixing and correcting our hemispheric obligations. Therefore, the confirmation today of a police commissioner is an extremely significant one. Those who seek to frustrate it by abstaining or delay it in whatever way they can, do not have the interest of the people of this country. You could do what you want, once you abstain, you do not have the interest of the people in this country. [*Desk thumping*] You do not have our international image at heart; shame on you.

In fact, if you allow me, Mr. Speaker, just to spend a few minutes to show this House the trail of PNM inconsistencies and contradictions, as far as this issue is concerned; hypocritical of them. Let me look at the Motion and show this House the inconsistency of those on the Front Bench, not the Back Bench. I want to show this House how those on the Front Bench have mastered the art of contradiction, when it comes to appointing a police commissioner.

I have to show this, because it is because of those on the Front Bench on that side, why we are where we are today. I must show the House the string of contradictions which exist at present. It is because of their perpetual inconsistency, it is because of their perpetual contradictions, so to speak, they sit on the left side of the Speaker and we are on the right side of the Speaker. Because of your inconsistency, your contradictions, I repeat, that is why you are there and we are here. What can I say? [*Laughter*]

Before I show this, let me go publicly and thank the Police Service Commission for doing its job, for fulfilling its constitutional mandate. They made a selection in accordance with the procedure which has been laid out for them by this Parliament. It is this Parliament which gave them the procedure; they followed the procedure. Therefore, I go on record for telling them thanks, for following the law and the procedure, a law that was brought here by a PNM government. Whether the procedure is flawed or whether, of course, it does not give a satisfactory pool

of candidates, is not the fault of the PSC. Whether the law is flawed or the pool of candidates is faulty in your eyes, is not the fault of the PSC.

Mr. Imbert: Nobody said it was.

Hon. J. Warner: The PSC members have answered the call to serve and serve they did. What, therefore, is the law with respect to appointing a commissioner of police and how was it developed?

If you followed the last speaker, you would be lost somewhere in the myriad pages he read from and misquoted. Let me try to make it as simple as possible, to tell you why we are where we are today.

The process of police service reform, which impacted on the selection of the Commissioner of Police, began about 11 years ago. In 1999, following the escape of one Deochan Ramdhanie from the Princes Town Magistrates' Court and also following his recapture in Tucupita, Venezuela, you would recall that it was said he escaped because he had help from some corrupt police officers. That was said. It was then that we as a nation decided to fix our police service.

A bipartisan committee comprising members of the then UNC government and Members of the then PNM Opposition was set up to look at reform and to come up with a legislative framework to fix and govern the police service. The government changed hands in 2001 and the process continued. In fact, change might not be the correct word to use about 2001, but I will be kind to you and say that it changed hands. It was 18/18 and the government that was in power was not, of course, appointed.

Mr. Speaker, in 2006, the PNM brought a package of legislation to reform the police service; they called it the Police Service Act and they brought also the Police Service Commission, which was the Constitution (Amdt.) Act. They also established a Police Complaints Authority designed:

“...to improve the performance of the police service and to ensure higher levels of security for the citizens of Trinidad and Tobago.”

Those are your words; "your memory short".

Mr. Roberts: No pun intended; "your memory short".

Hon. J. Warner: The Police Complaints Authority was designed for the citizens of Trinidad and Tobago:

...to improve the performance of the police service and to ensure higher levels of security for the citizens of Trinidad and Tobago.”

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

Collectively these three Acts, inter alia, changed the method of appointment of the police commissioner. These three Acts overnight changed the way the police commissioner was to be appointed. Before these amendments, the Police Service Commission would make its selection of the Commissioner of Police. The Prime Minister would have a veto, and most time the hon. Member for San Fernando East would exercise his veto, from time to time on all kinds of things and persons and so on. If his nomination was not vetoed, then the President of the country would appoint the nominee. Sometimes the Prime Minister also would call the Commissioner of Police to his office and give his letter of appointment. "Ent?"

The law today is different. Today, by virtue of the Constitutional (Amdt.) Act, 2006, the President issues a notification in respect of each person nominated to the offices of Commissioner of Police or Deputy Commissioner of Police, and then that comes to this House for affirmation. In a nutshell, that is the law, and I repeat, a law that the PNM brought to this House. I would expect that all laws must be adhered to, until such time as the law is changed, but once it is the law, it has to be followed.

Let me give you a chronology of the PNM's failure to appoint a commissioner of police for the last three years.

In 2008, after a 10-month process, which cost \$2.3 million, a short list was produced by the consultants, Penn State University, who were retained by the PSC to assist in the recruitment process. When the position was first advertised in 2007, 41 persons applied for the job, only four were locals. So then, even as far as 2007, many locals failed to apply for the job. At that time in 2007, the number one candidate on the short list was an American called Louis Vega. He withdrew his interest before his name could be proposed to Parliament.

Following Louis Vega's withdrawal, the next candidate was Stephen Williams. The then government came to this House and did two things: First of all, they said the process was flawed and they faulted it. Very interestingly, it was the PNM government that rejected Stephen Williams, while we on that side supported him. "Your memory short." The fact is that Stephen Williams, who the PNM government opposed, is not Canadian, is not Russian. Stephen Williams is Trinbagonian; he is "Trini to de bone" and they opposed him. In fact, they opposed the man who was second on the list. When his name came forward, I repeat, we who were on that side then supported the local Stephen Williams. I say to you, we supported the PSC's choice and their choice was Stephen Williams. We on this side supported the PSC and the PSC's choice was Stephen Williams.

Today, we again support the PSC's choice, because we will follow the law of the land. Then PNM government said that the two legal notices, 165 and 166,

which they had drafted, were flawed and that the process had certain weaknesses. We sat on that side and were lectured to by the Member for Diego Martin North/East. He said that the process was faulty and flawed and a host of things. I sat in my seat and wondered, "How could you make a law, draft a law, come here and then say it is flawed?"

It was the Member for Diego Martin North/East, sitting on this side then, who admitted to bungling the advertisement; he said it was a bad ad because it had proposed the salary and the salary should not have been put in. He said so. At that time, there were 41 applicants, including four locals. He said that the pool was not satisfactory. In fact, Stephen Williams again came second on the merit list, but was rejected by the PNM government and they gave no valid reason why they were against him.

It was then that the Leader of Government Business, who has now been sidelined for the post of Chief Whip, and who has moved down from one to six or seven; sidelined, marginalized. Over here at the time he was a king, now on that side, speaking not literally, he is a vagrant; not literally. The then Leader of Government Business, who has been sidelined and who also has backed out for the post of PNM political leader, came here and spoke about flaws in the very legislation which they had passed.

He talked about flaws in Legal Notices 165 and 166. The Member for Diego Martin North/East came here and went into technicalities and never once promoted adherence to the existing law.

4.00 p.m.

Mr. Speaker, he admitted that they were not opposed to a foreigner holding the post. I ask this House to check the *Hansard* of July 04, 2008. This is what was said by the Member for Diego Martin North/East as Leader of Government Business. He said:

“When you look at the two legal notices very carefully, as I indicated with the first one, if the person does not have a university degree, we are limited to local candidates and not overseas candidates...”

He was therefore saying that the process had a leaning toward local candidates. He was saying that the process frustrated foreign candidates. What contradiction! Not only did he then indirectly support the need for more foreign candidates, but he tore into shreds Stephen Williams. He was then supporting the need for foreign candidates and he destroyed, in this House, Stephen Williams. If Stephen

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

Williams was not a strong individual, today he may have left the service already. His morale, thank God, is strong.

After reading Stephen Williams' resume, listen to what the then Leader of Government Business said. I quote:

“So that is Mr. Stephen Williams. He has been in the police service for 29 years. He has reached the rank of Senior Superintendent. He has a law degree and some other qualifications, and he has been associated with the Court and Process Branch.... From all the information I have, I do not think he ever managed an operational division. The Minister could clarify that.”

And then he turns to the Minister of National Security and he said with a smirk on his face:

“Has Mr. Williams managed a division such as the Homicide Division?”

Then, Minister Joseph responded and said no.

“From all information I have, he has not managed a major field division of the police service...Within that rank, Mr. Stephen Williams, based on the information given to me, is number 11 on the seniority list.”

He continues:

“...if you go on strict seniority, take the top 15 officers in the police service...and 11 on the seniority list from superintendent rank and do a simple mathematical calculation, you will discover that based on strict seniority”—I continue quoting the hon. Member for Diego Martin North/East—“Mr. Stephen Williams is number 26 in terms of the police service.”

You said that.

Mr. Imbert: That is true.

Hon. J. Warner: That is the Member for Diego Martin North/East. Whom does he support now? If he is so low, why are you against the foreigner? They tag-teamed on the choice of the Police Service Commission in 2008, but they are coming today to say something new. He was bad then and today they are saying he is good. They want a local policeman. [*Interruption*]

I understand if my point is above your head. My point is a high point. If it goes over your head; it is not my fault. [*Laughter*] [*Desk thumping*] It will be a long hot summer; five years and more. If you believe that in two and a half years we will call election, I have news for you.

From the *Hansard*, it appears that the Leader of the Opposition today, who was then sitting close to where their leader is sitting now, was absent. When I checked the *Hansard*, I saw nothing from the Leader of the Opposition. At the time he was sitting close to where the former Prime Minister is sitting. I assume that he too believes that it should be local.

These were all political semantics by that government to reject the top local cop at the time. It suited them to reject Stephen Williams and they engaged in political semantics for all kinds of frivolous reasons. They used all kinds of technicalities to reject him and today they are coming to pretend that they are angels. They want to go local, buy local, police local, but build foreign. That is for another time.

This Government supports law and order. This Government supports what the law prescribes. We have laws. We campaigned on laws and we will not depart from those laws unless we as a Parliament change them.

The amendment which I spoke about earlier is one such law. It prescribes a procedure that we as a Parliament must adopt and at all times adhere to. I go further than Acts of Parliament. I refer to the case of *Endell Thomas v the Attorney General*. The Judicial Committee of the Privy Council, in that case, said that the safeguards of the Police Service Commission were to insulate the commission from the process and the appointment of police officers, including the Commissioner of Police and to make sure that the police service does not become a political arm of the government.

We must have faith and trust in the Police Service Commission as constituted by law. The highest court in the land, which of course is also foreign, the Privy Council, asked whether there were prospects of a police service being converted into the party group of the government of the day. They said that will happen if there are no safeguards.

Mr. Speaker, today a service commission for which we all voted is here. The question is therefore whether you want to subvert the Constitution because we are dealing here with the constitutional provision. If we subvert this law, from where I stand it means that we are subverting our very Constitution. As such, it is our duty as a government to take action and to ensure that our Constitution is respected. That is what we are doing today.

We are in support of the law as written. Our Parliament must respect the law in spirit and in essence. The law presupposes the possibility of a foreign appointment by catering for foreign ads. You cannot put foreign ads for local

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

appointments. Once the law says you have to have foreign ads, foreign people will apply. Therefore, at Legal Notice No. 166, you will see in clause 3:

- "(a) the Commission shall advertise each vacancy twice each—
- (i) on the Internet;
 - (ii) in at least two daily newspapers in circulation—
 - (A) locally;
 - (B) regionally; and
 - (C) internationally; and
 - (iii) in at least two professional journals...
 - (A) locally;
 - (B) regionally; and
 - (C) internationally..."

By advertising internationally on the World Wide Web, we invite the possibility of foreign applicants. Once you go on the World Wide Web, there is the possibility of foreign applicants. And what do we do when we get one? You run from it and when you ask who is in charge, there is nobody? As in Guanapo.

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. [*Hon. Dr. R. Moonilal*]

Question put and agreed to.

Hon. J. Warner: Mr. Speaker, I thank my colleagues on this side who have given me an extension. In 2008, the Member for Diego Martin North/East, the hon. Colm Imbert, said:

“If you are using the normal phrase, ‘a suitable combination of qualifications and experience’, you will be allowed to do that whether you are picking a local or foreigner.”

He was saying that a foreigner is okay. A foreigner was okay in 2008, but is bad in 2010. In 2008, the Police Service Commission made certain recommendations and we went with them. We supported then the written law and we on this side support the written law now. In 2008, we went with the top legitimate choice of the PSC and today we do so again. Therefore, we are consistent as far as adhering to the law is concerned.

I now turn to something called xenophobia. In case my friend has any difficulty with the word, I will tell him that I have to deal with this matter because of the appointment of Mr. Dwayne Gibbs. Xenophobia is an excessive and irrational fear of anything foreign. [*Interruption*] I did not tell Jennings that, but I told Calder Hart.

Xenophobia is an excessive and irrational fear of anything foreign. This fear is most often of foreign people, places or objects. People who are xenophobic may display fear or anger to others who are foreign. Why did this Government and some others fear a foreign person to hold the office of Commissioner of Police when the very law prescribes a solution to relieve him or her for non-performance? Why are you against a foreign commissioner of police when the law gives you the means to relieve him or her for non-performance? What is your fear? Everything around the People's National Movement has been foreign. I was lucky to have had dinner as a guest at the Diplomatic Centre last night. I saw some foreigners and I do not know where they came from.

4.15 p.m.

What is the fear? You were not afraid to have foreigners build a palace. You were not afraid to have foreigners build all over Port of Spain. You were not afraid to have foreigners do everything in this country. Everything here that was local, you were against. Today, you are against a foreign commissioner of police. Why are you so inconsistent?

Mr. Speaker, the epitome of their foreign taste is Calder Hart. More importantly, it is the PNM that has a love for using things foreign. In fact, I ask the question today: Where did the former UDeCott, NIS and several other boards chairman, Calder Hart, come from, Penal or Chaguanas? Calder Hart is a Canadian. He is foreign. Where did the current CEO of TSTT, Roberto Peon, come from, Laventille? He is a Mexican. Where did Rao of EMBD come from, Chaguanas? Where did Mastrofski come from? [*Interruption*]

Dr. Moonilal: Barrackpore.

Hon. J. Warner: Scarborough? Where did you get the Chief Executive Officer of TSTT, Carlos Espinal, from Cedros? He came from Honduras. Your choice of CEO of WASA, Andrew Smith, with his fancy house, big chain and dog, where did he come from? He came from England. You are so inconsistent. All around you are foreigners. Everything you do is foreign, but for the police, you do not want that to be foreign.

Even the CEO of Caribbean Airlines—I want you to listen to me, because I would be coming in this House with Caribbean Airlines. Every week I come here,

Commissioner of Police
[HON. J. WARNER]

Friday, July 02, 2010

I would disclose what is happening at the Ministry of Works and Transport; every week. The Chief Executive Officer of Caribbean Airlines, who is he, local? He is from Antigua. Brian Challenger, who is he? The guy whom they have asked to do a study after Mastrofski, a "fella" called Cameron Ross, he is a Major General. He came to help them fight the war against crime. Why did you not go local? When you look at the poll of the last election, you went to Jamaica. They gave you the wrong poll. *[Interruption]* He came in at the right time. The poll that gave you the wrong reading is a poll which told you that you would win the election, is a foreign poll. You went foreign. What is the big thing about that today? It is xenophobia. In fact, the use of foreign persons hired by the PNM is longer than from here to Canada, trust me. We see nothing wrong in hiring a foreigner if that is to obey the law.

If I were to just crave your indulgence for two, three or 10 minutes more, I would say that there are two reasons why we should support the present nominee. First of all, public confidence in the competence and commitment of the commissioner is vital and the public is committed to having a commissioner whom they can respect and who knows about criminal elements and the fight against drugs and crime. At this point in time, public confidence in the protective services is very low indeed; in fact lower than it should be. People must feel confident that the Commissioner of Police instills in them a level of public trust and confidence. For me and my colleagues who are here, that appointment will do just that. In fact, if you heard the collective "steups" this nation roared when they saw another extension of a commissioner. There was a collective "steups". They said that they are tired of that. The country's morale even dropped.

The second point why this is a good choice is that it is the best fit for implementing the policies and programmes of the Government. This Government and our national security agencies have a plan for the short, medium and—*[Interruption]* that is why you cannot learn, "you must have come last in class boy and you cannot build a wall or a stadium"—long term. The Commissioner of Police is a key figure to implement this plan. This plan will determine the qualities and competencies required of the Commissioner of Police. We support this plan, based on meritocracy for advancement. As such, for us, it is a question of the commissioner of police getting the job done.

In fact, before I close let me say to you today that there are several advantages for having a foreign commissioner of police. First of all, a different culture may bring new perspectives to old problems. Some may argue that the old perspectives have failed, as you have. Therefore, what we need are fresh ideas and, therefore, a foreign commissioner of police can bring that on board.

Secondly, a foreign commissioner of police can bring on board different ways of doing things, different administration and, therefore, this may help to re-energize and revitalize the police service in ways, unimaginable.

The third advantage is that there is a broader range of skills and experience. Therefore, a foreign commissioner of police can now sit and compare both the local and the foreign and come up with what he thinks is best to apply to our society. He is not localized.

The fourth point is that international experience and training add to the competencies of the police service as a whole, and, therefore a foreign commissioner of police will bring just that. More importantly, international resources can be drawn from a wider field. For example, a foreign commissioner of police can relate with his peers overseas, compare notes, incidents and activities. He has a wider range. Therefore, based on his resources, he can draw from a wider field overseas. A commissioner of police with an illustrious and proven track record may also inspire public confidence, will give law enforcement officials and the general public a sense of hope. More importantly, it will send a strong message to the criminal element.

We all know that there is a question of rogue elements in the police service and that is in the minority. I cast no aspersions on the local candidates, but it must be noted that public confidence in a person who has limited connections with persons in Trinidad and Tobago may be better suited at this point in time, to help the police service. I cast no aspersions. All I am saying is if you bring a foreigner and he has little or no contact with local persons, it may help us better in the long run. I repeat for a third time, I cast no aspersions on local persons.

Between 1999 and 2001, Dwayne Gibbs was a director in charge of the Criminal Intelligence Service of Alberta. Go on your Blackberry, find Alberta and check it and see. Check white collar crime in Canada and see if those things he did were bought. Check and see. The Blackberry you have is very selective and could check California Coast University and nothing else. Check Alberta! *[Interruption]* Give way? Reluctantly yes.

Mr. Imbert: I thank the Member for giving way. In the document given to us by the Parliament, there is quite a lengthy description of Mr. Gibbs' experience and qualifications. The fact that he was head of that division in Alberta is in the document. We are well aware of that. I merely brought up the fact that California Coast has been accused of being a diploma mill, which is a fact. Just check it out. The man has 28 years' service in the police service, I said so.

Hon. J. Warner: If I were you and I was trying to be fair and honest with the public, I would have said the good, the bad and the ugly. You said the bad and the ugly. You never said that the man was in charge of the Criminal Intelligence Service of Alberta in Canada and that is an agency responsible for arranging joint force operations to deal with crime, including gang violence. Check it and see. Do not talk only about the bad. That is selective. That agency of which he was in charge, its objective was to collect, analyze and disseminate criminal intelligence. Gibbs was in charge of an agency to analyze, disseminate and collect criminal intelligence. Tell us that.

More importantly, Gibbs is also a recipient of the Alberta Centennial Medal. Tell us that. Go to your Blackberry and tell us that. Tell us that Gibbs received the Alberta Centennial Medal, the highest medal in Alberta. Tell us that, but your Blackberry battery is dead. You cannot find that. In Alberta, the medals that Gibbs received are medals given to persons who are selected by all Members of the Parliament of Alberta. All Members select the person for the highest award and they gave it to him. More importantly, he functioned as well in the Royal Canadian Mounted Police and the list goes on and on.

I want to end by making one reference to a speech by William Lucie Smith of the *Express* on December 30 2009:

“If ever there was an example of the total incompetence and ineptness in governance in Trinidad and Tobago, it is the extraordinary failure to appoint a Police Commissioner that has stretched over three years.”

This is a government that years and money mean nothing. For four years, they paid rent for a courthouse in Chaguanas at \$120,000 a month and the building does not have a pencil. More about that next week.

“it is the extraordinary failure to appoint a Police Commissioner that has stretched over three years.

Only when the Police Service becomes a respected and desirable profession will we be on the road to transformation. Blimps and more foreign consultants are not the road to a transformed service.”

Mr. Speaker, if we need to begin with change—we on this side came into government for change. We came here because of change. The country wanted change and that is why I do not understand when a police commissioner tells me he cannot arrest anybody at the Guanapo church or he cannot—[*Interruption*]

Mr. Speaker: You would probably take about another minute to—

Hon. J. Warner:—do anything and he allows the church to be vandalized. This is the same old same old. It is passing the buck, not me, you. We came here for change and whether you want it up or down, it is change you would get.

I thank you.

Mr. Speaker: Hon. Members, the sitting of the House is suspended until 5.00 p.m.

4.31 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, thank you. I rise to make a few observations and comments on this process that we are about to bring an end to, and it is just to reinforce and clarify.

Mr. Speaker, when I spoke here the last time—one thing that I tried to make abundantly clear, was that we on this side took steps to try to cooperate as fully as possible to ensure that we did not, as a country, get the worst of this process and, hopefully, get the best of what we here called a clumsy process.

I am not going to join in the debate as to where it started, who started it and who did what when. I think speakers on both sides gave their impression of what it was, except to say, that if I am to join that discourse, I will have to say what I understand it to be.

I was in the Cabinet when this matter came there in its developmental stage, and I remember being outside the process and not liking this aspect about the Commissioner of Police. As the government then, we were told, in dealing with our colleagues on the other side of the House—at that time, the Opposition—that the Opposition had conditions for supporting the package of legislation, and if we did not cooperate with those conditions, the special majority that was required would not have been had. So, we reluctantly agreed to something that we thought better of, but to get the process through, it was not fatal, but it was not our first choice. That was my understanding. I am not going to go on anymore, because I think we have dealt with it. My colleagues on the other side took their political kudos and they threw their political barbs on that, to which we responded, but the record must be that way; it was an accommodation of a thought.

Secondly, much was said by the Member for Chaguanas West that I would like to associate with, when he spoke about the need for appointing a commissioner of police and the circumstances prevailing in the country which requires that a commissioner of police be appointed and that the police service be

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

dealt with in a certain way. He dealt quite properly with the deleterious effects and disadvantages of the crime situation in the country, and how it affects us both locally and internationally. I cannot take any issue with that.

I want to join the debate at the point of what this Parliament is being asked to do. If we lose sight of that, the intellectual content of this debate would be lost, and we could end up as a Parliament looking like fools in the eyes of people who have no axe to grind politically, but who are prepared to think for themselves. It is not proper to say that the problem does not exist or it is my fault or your fault. This Parliament needs to look at the actual situation; the actual events and the facts that are before the Parliament and make a decision based on these things, and that is what we are doing on this side.

In fact, if you may recall, even before the Government indicated its position on this matter, the Government being the Executive, and having the responsibility to finish this process, because it is a finishing—the Government came into office on May 24, 2010 and the process was well under way, and it fell to the Government to finish it even before the Government made any position known, either privately or publicly—I should say, privately to us or publicly to the nation—we in the Opposition took a position that we wanted the legislation reviewed, because we had seen the workings of it; we saw the difficulty it had and we saw the out-turn. Any position we take today is not as a result of what happened in the beginning, but what is before us now. I do not know if any reasonable person could argue that there is an out-turn and the out-turn is troublesome.

When I spoke last Friday, it was the Prime Minister who indicated that in discussions with the Opposition, there was a lot of common ground between us. We on this side said that the last thing we want to see is a commissioner of Police being appointed out of a process which is so bipartisan that it appears as though the Commissioner of Police had the support of one side of the House and not the other.

The root of this problem is that this matter being before the House in this way—I want to emphasize "in this way", because it was said by the Prime Minister—I saw it reported publicly—that I had said that the Parliament should have no role. I said no such thing. That was the Prime Minister interpreting my position. I asked the question in this House—and you may recall, because your memory is very good—by interruption of the Prime Minister, what is it that this Parliament is being asked to do? Is it to approve what was put before us or to provide some element of oversight of what the commission was doing with respect to the police service? Today, I am asking that same question, because it has not been answered.

What has developed here this afternoon is that we are heading down the very road that I was hoping that we do not go, because it has become now a political debate to the point where this side and that side—it is now politics, because it has been argued who was supporting which officer and who did not support that officer came up in the debate. That is the outcome of this process. I was hoping that it was not going to be like that.

We are being ridiculed for abstaining. The last time the matter came before the House, in the Eighth or Ninth Parliament, this afternoon we are hearing that whatever the government did then—approving or not approving the Motion that was before the House—that it was the government voting against Mr. Williams. That was the danger of this legislation, bringing this matter before the House in this way.

What is a side required to do? By a side here I mean the Government side or the Opposition side. Is it that when something comes before the House it is the intention of this legislation that the Government just acquiesce or is it that the Opposition is required to take a position on the matter? If taking a position on the matter is to be accused of being against Mr. this or Mr. that, then this process is damaging.

You see, Mr. Speaker, I want to emphasize this process, because parliamentarians having a role to play in determining an appointment of this nature is not unknown in the world. In the United States of America, numerous appointments are made by politicians of even more senior positions than this, but do you know the difference between us and that system? In that system, the individuals come before the politicians and they are assessed by the politicians themselves. Do you remember the famous Anita Hill story; the appointment of a supreme court judge, Clarence Thomas?

Clarence Thomas was sitting across the table being examined by politicians of the US Senate, who had all his records and who were able to put to him and see his reaction and get his answers and, at the end of that, they were going to take a vote. The vote came down straight political, but he was totally transparent in front the people, live on television. I followed every minute of it. The difference with this system is that even the parliamentarians here do not understand or know the system.

That is why when I started to associate myself with much of what my colleague, the Member for Chaguanas West had said, and I do not associate with the rest because I thought he misunderstood the process—the part that I do not associate with over and above his bantering with my colleague, the Member for Diego Martin North/East. Two short men having a short man walk. [*Laughter*] I am not getting in that.

If you listened carefully to what my colleague, the Member for Chaguanas West, said this afternoon, he placed much of his understanding that what is in front

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

of us is the choice of the Police Service Commission. It is not so at all, you are very wrong! You see, where we are misunderstanding the process as to what actually happened, and where the Parliament is not even understanding or defining its role, because it has not been determined what the Parliament's role is.

The system called for some evaluators to get from the world interested parties—get an evaluating team to deal with them and rank them. Who did the ranking? I am sure if I ask my friend the Member for Chaguanas West now, who did the ranking to rank those five persons from No. 1 to No. 5 or rank them all and rank our best policeman at No. 8, who did that? Because if I was in the public gallery, and I heard the Member's contribution this afternoon, I would have gone away this afternoon confident that my Member of Parliament said and I verily believe that ranking was done by the Police Service Commission. Is that a correct statement? Is that the position? The answer is no.

What happened there is, the whole intention of this legislation when it was created, was to remove the Prime Minister and the Police Service Commission from the process, and put it into the hands of others so it can be seen to be at arm's length; an arm as long as the ocean. So, now, it comes to the Parliament and even Members of Parliament do not understand that. So these people who we paid \$4 million this time around and \$3 million before, that money that we paid was for them to do that and give us that ranking, and they passed it to the Police Service Commission, which acted—

Mr. Warner: I want to thank the hon. Member for Diego Martin West for giving way. If the Police Service Commission accepts the ranking given to them are they not indirectly part of the process?

Dr. K. Rowley: And that is the point. Is it that we understand that when the rankings are done the Police Service Commission could shuffle them? I do not think so. We do not understand that. Having been put in the way it has been put that this process is meant to keep the Police Service Commission out, suppose we were told that Penn State had ranked them one to five, but the Police Service Commission moved Mr. Piggott up to No. 2, what would this Parliament have said? Mr. Speaker, a lot.

It cannot be that it was expected that the Police Service Commission would have made a ranking on its own if you paid \$4 million to others to do a ranking for you. The money you paid was to relieve the police service of that responsibility, and it was put in the hands of so-called do it right people. That is why the system is so requiring of review, because the Police Service Commission

would accept what these experts have done—these experts who have no interest in Trinidad and Tobago and who could dispassionately rank people. They rank them No. 1 to No. 5, pass it to the police service, it gets to the President, and he is saying to us that the only persons in the entire system—the Parliament, the Police Service Commission and the President—who determined that ranking were the foreigners who ranked those persons and who saw and evaluated them.

5.15 p.m.

It ended up in the Parliament by way of a motion, asking the Parliament to take a decision. That is why I asked the Parliament last week, what are we being called upon to do? And unless we answer that, we could be doing something that we do not really want to do, and that question has not been answered. Because as we try to approve it, it brings into question, on what basis are we approving? Is it because it was sent to us in that way, and that Penn State has said this is numbers one to five?

I asked last week, are we then to rubber-stamp it, because if we approve, without query, then that is called rubber-stamping. And if like the last time, for whatever reason, whether you like the reason or not, the Government saw it fit not to approve what came to the House, what was the outturn of that? Today, the PNM Government, who the last time did not vote in support of the motion then was accused of xenophobia. Not to mention the fact that my friend from Chaguanas West was contradictory, because in one breath he said that we were guilty of xenophobia—meaning an irrational fear of foreigners—and then he read out a whole list of foreigners whom we had hired. Cannot be both! If we are guilty of xenophobia, and that was the basis of our reaction to the present things, then it cannot be that we hired all of these people while being guilty of xenophobia.

There must be some other reason, and the reason is this: The hiring of an individual from New Zealand to help the postal service so as to bring to us a model—we were hoping to pattern our TTPost on New Zealand's post system and we hired a New Zealander to do that here. There was no issue over that—hiring a person to help us try to recreate something from their country. We knew what we were doing. We wanted our system to become as good as—based on the New Zealand model, that is what we did.

He mentioned Caribbean Airlines. We even had BWIA for years and we had foreigners providing—because the airline industry is an international industry, leave one port to another. You are dealing with different countries automatically, and therefore, personnel, especially expert personnel in the airline industry, no problem. We on this side see a difference in the hiring of the Commissioner of

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

Police to man a body of 5,000 men under arms called the police service. We could make a distinction. If you cannot, well we would not argue with that. If you said there is no distinction, foreigner is foreigner, that is your position. Our position is we see a distinction between a TTPost manager, a car manager and so on, but it brings us to the point—we get a motion before the Parliament and a debate starts in the Parliament about, national, not even national, local versus foreign. The two speakers from the Government side who spoke this afternoon, spoke in the context that local versus overseas—my colleague used the word "overseas". You advertise overseas so therefore you automatically have to have foreigners.

There are nationals of Trinidad and Tobago all over the world holding positions, some of them in the police service. In fact, the law says it is possible to hire somebody who is not even a policeman, might be a security expert of some kind. You could do that if such a person is seen to have the kinds of skills that you want. What we differ in is that you are saying "local" meaning only those who are within our borders. We are using the word "national" meaning those who are within our borders and those who are outside of our borders but who belong to Trinidad and Tobago by way of citizenry. Big difference!

So we are saying that we would like to see the police service headed by a national. So when you advertise internationally it is quite possible you could pick up a national in America, one of our citizens. In America we accept, nowadays, dual citizenry so you have to advertise overseas to reach that person; he might be in Cyprus, in the UK or in New Zealand, we do not know; so when you advertise internationally it does not necessarily mean that we are saying that is to bring a foreigner into the police service. [*Desk thumping*] It does not mean that at all. It means that what we want to see—and if the current law does not do that—

When we met with the Government we said what we would like to do as a matter of urgency, even if the current law permits us to harvest people all over the world, to put in the police service any foreigner—we heard this morning from Russia or whatever—we are saying "no". That is not the spirit of the law. It might be the letter, it is not the spirit. Because we would like to see the police service headed by a national, one of whom I find within the border today or one who is outside of Trinidad and Tobago, overseas but a national of Trinidad and Tobago. When we do that we make that distinction between local and foreigner. The Government spokesperson spoke earlier about local and foreigner; not the national abroad. That is why the advertisements abroad are assumed by Government to mean that it must be a foreigner, and therefore there is some contradiction, but there is no contradiction there at all.

Mr. Speaker, when we come out of here today, one of the first things that this Parliament would have to do—not the Government, the Parliament; the Government would take the lead of course—is to answer that question, in seeking to review the legislation which the Government at our request has agreed to do, is to determine what role the Parliament would play. Because if the Parliament is left in a position to treat with fait accompli positions, hamstrung by the correct legislation that we would rank file for you and you can only deal with the first five, after that you must do it over, and the Parliament has no access to the person against whom statements could be made; the person is not here or you do not have the information—the information which they use to evaluate.

If you do not have that information then you might simply be carrying on whatever shortcomings the system had at the evaluation stage, the Parliament could simply be giving credence to that and legitimacy.

Look at it, Mr. Speaker, in the rankings that we have in front of us, our most senior police officer, who is the only local in the rank for commissioner, because I heard a lot about Mr. Williams raised here this afternoon, and you are quite correct, Member for Chaguanas West, you looked for my contribution in the *Hansard* from the last debate, there was none, that is because I was not here, contrary to what one of your friends said in the newspaper, that I voted against Mr. Williams. I did no such thing! I was not even in the country. Right! But the bottom line is this, the process calls for appointment of commissioner and deputy commissioner, as separate posts; applications are put in for separate posts. My understanding is—and I am going on what I was told, I have not seen the package of all the information, I asked questions and these are the answers that I got at the Prime Minister's office—I presume you all have the same information at that level. People applied for deputy commissioner and for commissioner. If you apply in that system for deputy commissioner and commissioner—that Officer Williams applied and was evaluated, I think he applied for both, is that correct?

Hon. Member: Yes.

Dr. K. Rowley: Officer Williams applied for both—I am taking you through this, Mr. Speaker, so you would understand the dilemma—commissioner and deputy commissioner. The evaluators, whoever they are, determined that he was not suitable for commissioner. That is what your evaluator determined this time, but he was suitable for deputy commissioner. Do you know that?

Dr. Moonilal: Yes.

Dr. K. Rowley: Not you, I know you know that. You read it. You were at the meeting. Do you know that, Member for Couva South? Member for Caroni East

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

and Member for Mayaro, do you know that? That the evaluators, evaluating the package of applicants before them in this process that we are debating now, they determined that the individual who had applied for commissioner was not suitable for commissioner, but they judged him on his application for deputy commissioner, they accepted him as deputy commissioner. That is a finding and a position done by the arrangement we have in place.

On the other hand, the other officer, Officer Piggott, applied for commissioner, was evaluated for the post of commissioner, was ranked number eight—I am now being called upon to take a decision, I do not know how Officer Piggott got to number eight, but this afternoon when I heard my friend from Oropouche mention California State University, you would have seen my reaction.

Hon. Member: California Coast University.

Dr. K. Rowley: California Coast University. The minute I heard that it triggered something, and I asked him which university, because California Coast University and Pacific Coast University are two of the most notorious "degreeing" mills in America which attract the attention of the American government to the extent that persons—

The American system has an accreditation that is made known to everyone and they publish people who are not accredited so that the world will know that if you expose yourself to them you can be harmed. The reason why I know this and why the name triggered something to me when it was mentioned is because I had to deal with a similar situation in this Parliament before and I want to remind them. There was a case in this country where Justice Volney, now the Member of Parliament for St. Joseph, made a ruling, accepted a no-case submission, allowed Brad Boyce to walk on a manslaughter charge on the basis that a national scholar, Dr. Hughvon des Vignes, was not qualified as a forensic pathologist and therefore his testimony was deemed to be inadmissible. More than that, Dr. des Vignes, a scholar who was paid for by the people of Trinidad and Tobago was deemed from the bench to be guilty of infamous conduct.

My friend from Caroni East could tell you what that means, being deemed to be guilty of infamous conduct, and the judge came to that conclusion because he questioned the testimony, and to prove it in the discussion, he called a well-known pathologist who was operating in Trinidad and Tobago—a certain Prof. Chandullal—to the court, to take his testimony of his opinion on Dr. des Vignes. Prof. Chandullal agreed with the judge, made disparaging statements about Dr. des Vignes. His testimony was accepted in the capacity of his professorship, because standing in the dock as Prof. Chandullal, he pontificated to

the judge, and to everyone's delight, his testimony was accepted, Brad Boyce walked free and up to this date, and it even came up in the last election—turns out—in my attempt to defend Dr. des Vignes, I had to research this matter—Prof. Chandullal bought his professorship for \$2,000, and the offering of those who offered that—he had a Bachelor's degree, after signing up for a few weeks, and they boldly say to you, if you want a Masters you pay "x" dollars more, and if you want a PhD you pay "x" dollars more. These things exist.

I happen to know about Pacific Coast and my colleague with his Blackberry googled the department university, because I was driving down the road in California one day and I saw this sign and I asked my cousin, what university is that there? He said Pacific Coast is where they sell degrees; Pacific Coast and the sister university California Coast. So now it brings me to the point of the evaluation.

I do not at the moment know the qualification of Officer Piggott—but I have every reason to believe that the Government of Trinidad and Tobago over the years had invested in his training with some view that some day he would be qualified to hold high office in the police service, so I do not know exactly what his qualification is—but I am sure on examination you will see that he is a highly trained and highly qualified officer.

5.30 p.m.

I am simply asking, since we do not have the evaluation data and he ended up at number eight outside of the five—because you must recall, that this Government cannot choose anybody out of that five without shutting down the process. The Government by law must pick only from that five. Officer Piggott is not part of that five, and until I see the evaluation reports, I will not know what ranking was given to Officer Piggott's real qualification that he has—substantial qualification—paid for by the people of Trinidad and Tobago over the years in the service, and the qualification that this Officer Gibbs put before the commission. What weight was given to those degrees from California Coast?

Hon. Member: Ask Penn State.

Dr. K. Rowley: I am coming to that. What weight was given to those two degrees that he advanced to the evaluation committee as qualification which might have been the difference between him and Piggott?

As a matter of fact, any evaluator worth his or her salt, a man putting to you an MBA and a PhD in the same year, you should have known that something is wrong with that. Which real university in this world gives a man an MBA—*[Interruption]*

Commissioner of Police

Friday, July 02, 2010

Dr. Moonilal: Thank you very much for giving way. Are you suggesting as well that Penn State University may not have had knowledge of "the character of these universities in undertaking their own assessments"?

Dr. K. Rowley: I have no idea what Penn State knew or did not know. What I do know is that we paid them a lot of money, maybe twice, to do an evaluation for us, an evaluation which becomes the pathway, a railroad track right into the Parliament. We do not have the benefit of the actual evaluation to see on what basis the ranking was done. Have you seen that?

Dr. Moonilal: No.

Dr. K. Rowley: Okay! So we do not know. All I am saying, if it is that Officer Gibbs got kudos and points for his MBA and his PhD from California Coast which put him ahead of Officer Piggott, then we are not going to abstain this afternoon. We are voting against it. Understand that! The last time we took a position and we did not vote against Mr. Jack Ewatski. We said if the Government wants to hire we will not oppose it, but we would not endorse it. If you could tell me that you could put your hand in your pocket and buy one of those degrees, come down to the colonies and wave it here and have our most senior highly trained officer rank number eight, until I see the evaluation that shows me that that Masters degree and that PhD degree had no part in the evaluation, I cannot vote for that.

Suppose while he is commissioner of police, one day somebody calls the police service and says, "Listen, I just hired somebody with a fishy degree", what does he do? Suppose one day they arrest somebody who tendered some false degree in Trinidad and Tobago, what does he do? The criminal will say: "You buy yours too." Understand! That is our problem now. Until you got to that point, it was our intention to abstain. I cannot see evaluations advancing to the condition of these degrees and not take them into account, because that will further confirm my argument that if they did not take them into account, they knew that they were worthless and that they came from unaccredited institutions. If they took them into account, I am saying I have good reason now to believe that Officer Piggott, who ranked number eight in a system where five people were ranked above him to be dealt with, he may not have been given a fair shake.

Mr. Roberts: Thank you. Are you taking it then as fact that the gentleman purchased his degree?

Dr. K. Rowley: I never said that. I am saying to you that the last time I checked that place and its sister, Pacific Coast, they were not accredited American universities. There are universities where it is possible to purchase your degree. I

have no idea what he did. I do not have the information. The only information I have is that the degrees that he has advanced to the commission are degrees from that questionable agency. If you are confident that I am wrong, go ahead. I am also saying we are being asked to make a decision without the relevant information. I am also making an argument that since those degrees came from that university, and I am assuming again—or could only assume—that he was taken into account in the evaluation, that he may have been given a kind of credit that he should not get, and by giving that credit, he would have been promoted in the ranking above Officer Piggott. That is all I am saying.

Mr. Warner: Who you do not know.

Dr. K. Rowley: I know Officer Piggott because he is an officer of long-standing in this country, and I also happened to know that you, the man in the street in this country, paid over the years to allow Officer Piggott and others to go through a series of training pertinent to the police service. I did say that I could not tell you at this minute exactly what Officer Piggott's qualification is because his name will never come to us.

Mr. Hypolite: From Cambridge University.

Dr. K. Rowley: Is that so? I am hearing from my colleague, the Member for Laventille West, that he has a Masters from Cambridge University. [*Interruption*] If a man has a Masters from Cambridge University and one tells me that he got a PhD and an MBA the same year from California Coast, I have spent a lot of time in academia and I know what that means. If you come to me with a degree from an institution like Cambridge, the name plate means something. If you come to me with a diploma in criminology from Cambridge University, I will pay attention to that. This man with a diploma in Criminology from Cambridge University—[*Interruption*]

Hon. Members: Master of Studies.

Dr. K. Rowley: Okay! Listen! Master of Studies, Applied Criminology, and Police Management, which is a specialized police management course offered by one of the best universities in the world. That is Officer Piggott's academic qualification, not to mention his equivalent number of years as a policeman coming up through the ranks. Then before that, he had a Diploma in Criminology from Cambridge University. He was on an assignment at the expense of the people of Trinidad and Tobago, attached to the Manchester Police Force in the United Kingdom to get first-hand information about their systems.

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

My colleague, the Member for Chaguanas West, did make the point that a foreign commissioner could bring that to us and there is some benefit in that. I would not argue with that at all. But Officer Piggott had that same exposure paid for by us, and all I am saying after all of this, he is ranked number eight and the man that we are about to put in the position who was ranked number two, advances to me a degree from California Coast University.

Mr. Roberts: Thank you, Sir. The good fellows who are on this side as the Government, went through a process, selected a credited institution, Penn State, that went through we would hope a diligent process of scrutiny of investigating, and not only credentials and so on. It then came to the Public Service Commission, who I must let you know and correct you, did change the ranking of the Penn State as admitted by the Ambassador on June 25 in the *Stabroek News*. That ranking that came to them, they readjusted. So the Public Service Commission then also looked at those résumés, went through all of that, agreed and ranked, and now are you telling us on this side that because of a Blackberry thing without any specific information—now if you give us specifics, that you know for a fact that this man— I do not know this man. If you give me facts just how you gave me on Piggott—you are telling me Piggott was this, that, that, are you basing your whole vote on—[*Interruption*]

Dr. K. Rowley: Mr. Speaker, I am not going to give way again to my colleague, the Member for D'Abadie/O'Meara. He is getting cantankerous and I am not going to encourage him. I can only go on what was put to me here today, and that is what I am saying. Is there any question—you were here, Mr. Speaker. You were awake. I know you were awake. We were told in advancing the qualification of the gentleman, that his degrees—and I suspect that we were told about those degrees because they were meant to be positive attributes. He has a Masters degree and a PhD from California Coast University, and the first thing that struck me is that he got both degrees in one year, and secondly—[*Interruption*]

Dr. Moonilal: I also indicated that he has a Bachelor of Education from the University of Alberta, and an MA in Sociology from the University of Alberta as well.

Dr. K. Rowley: Well, let us put it this way. I am not here to examine his qualification of origin. I am taking issue with a Masters and a PhD which may have contributed significantly to giving him an edge over Piggott. [*Desk thumping*] That is all I am saying. I am saying that if I had seen the evaluation report, I may have observed that somebody would have said notwithstanding these bogus degrees, if they are bogus, and I suspect that they are, he is still a good policeman because many good policemen do not have a degree. But if you

Commissioner of Police

Friday, July 02, 2010

are competing against others and your degree is giving you an advantage, and it comes from a university which is an unaccredited university, then I am saying I have to take a different position. The Blackberry only comes in because in the communication age it is possible to check these things instantaneously.

When I checked on Pacific Coast in an earlier debate a few years ago, I did not use a blackberry. I went to the Internet on my desktop computer and it was right there. I could not imagine how boldfaced these people were. They were telling you that if you want a Masters degree you sign up, and in six weeks you pay \$2,000 and you get it. It was offered there. In America, every so often, the American government cracks down on them, but they flourish again because it is big money.

The thing about it, Mr. Speaker, we are dealing with serious business here, and it brings me back to the point: What is the role that the Parliament is supposed to play in this matter? Really, as a Member of Parliament, I have spent 20-odd years in academia. I am really expected to vote for and in support of, the presentation of two degrees by a person who will head my police service, be one of the leading exemplars in this country, and I have some question marks over the ethics—my friend, the Member for D'Abadie/O'Meara, I am making an assumption here and I have to make the assumption. I have no basis to do otherwise. If you can come back after and tell me I was wrong, I will immediately withdraw what I am saying. I am putting it to you now to demonstrate to this House and the country, that those degrees are proper and accredited. [*Desk thumping*] Until you do that—in fact, let me tell you what we will do on this side. You are going to pass this today; you have the majority; we will abstain and leave it to you to tell the country that you have checked it and you found them to be acceptable, and then you go ahead.

On the other hand, if you agree with what I am saying, that they are from unaccredited established institutions, you will have to take a decision based on ethics, and that is a word that you have a difficulty with. I do not know what the Government is going to do. My colleague, the Member for Oropouche West as the Government Leader, if you pass this here today in light of what I am saying to you, you will be doing a serious disservice to the people of Trinidad and Tobago. Last week, we had Officer Parker—

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. [*Miss M. Mc Donald*]

Question put and agreed to.

5.45 p.m.

Dr. K. Rowley: Mr. Speaker, I thank my colleagues for the extension.

We ruled out the number one ranked officer last week on the grounds that he participated in the process at its formulation stage and then became a candidate in the process in which he had a hand. It was the Prime Minister who said that while it may not have been illegal, it must not only be legal, but be seen to be legal. With our support we removed Mr. Parker from the list; now we come to Mr. Gibbs.

We heard a lot this afternoon about consistency. If it turns out that you cannot demonstrate that those degrees which were evaluated are from accredited institutions, then we have no choice but to pass him by. Also we have to ask a question of the people we paid a lot of money to, to do for us what we thought we could not do for ourselves, because I am sure that there are a lot of people in this country who could have formed an evaluation panel and who would have picked "early o'clock" that there might have been a problem here, for free. They could have done that for this country for free. That is why in working with the Government to solve this problem, once and for all, one of the things that we would want in the new legislation is that there would be no option for the evaluators to be foreign. It brings nothing to the table but a bill, because I do not know that we cannot evaluate applications for commissioner of police in this country. Maybe I cannot do it and maybe you cannot do it, Mr. Speaker, but there are persons in the country with the skills that can do it. That is one of the changes we would want, to cut off this use of foreign evaluators.

Secondly, we would want to limit the field of search to nationals who are either at home, local or abroad, overseas nationals. We expect that the Government very quickly would move to address that issue, so we could have it clear what we are looking for and why. The purpose of the Parliament's involvement is that we would also want to see, when the selection is done—the Parliament has a role, we will not argue with that, but that role should be subject to negative resolution. When the choice is made, it comes to the House, if there is somebody in this House that has reason—

Dr. Moonilal: File a motion.

Dr. K. Rowley:—to take issue with the choice, let him be man or woman enough to get up, file a motion, support his or her motion and see what the House does. In which case, if a motion like that is carried, then that is a proper role for the Parliament, and if no such motion is put on the floor of the Parliament then the choice of the commission should stand. [*Interruption*]

Dr. Moonilal: While I am hearing that quickly, that has an implication because the procedure of a negative resolution means that could become law before someone files a motion.

Dr. K. Rowley: No, the legislation could take that into account, that when it comes into force, you have to give time for the resolution, but these are the things we will discuss when we come to put it in place. We expect that the Government will discuss it with us on these matters that we have raised, but the question is: What is the objective? What is the remedy? What are you trying to cure? If this Parliament pretends to be in control and every time there is a commissioner of police to be appointed, you end up with what we saw this afternoon, we could end up with any commissioner of police starting with a disadvantage. *[Interruption]* "You giving trouble."

Mr. Roberts: If it is found to be true what you are saying, that these "Blackberry purchased diplomas" or degrees, is it your position also—because it would show that the entire process done by Penn State was flawed for that person to come through. Do you mean that the whole process—

Dr. K. Rowley: It does not. I do not think that the fact they missed one individual's not too good degree, kills the entire process. You keep saying that the degree was bought; I do not know that the degree was bought. If it comes from an institution where it was not bought and he did a period of study, but it was an institution that was not accredited, it is the same problem or almost the same kind of problem. You would want to know that the degree which was advanced comes from an accredited institution. So he may not have bought it, but it does not come from anywhere good; that is the point I am making. He may have paid for his studies and so on and so on.

The whole process would not be flawed because of an oversight on that, but it brings into question what is this score we are placing on the fact that foreigners would do it and do it well. If what I am saying here is correct, then clearly this is a case of not going along that route, because it simply proves that foreigners are not infallible or they may have turned a blind eye to something which should have disqualified him from updating eight. It might very well be that he might have been placed eighth and Mr. Piggott placed fifth or second or third; we do not know. That is why I said let us take the Parliament out of the innards of the evaluation process.

Let us not pretend that we are in it and dealing with the officers who want this one or who does not want that one; we are not in a position to make that decision, because we do not have the relevant information. That would answer the question as to what is the role of the Parliament. While we want parliamentary oversight, we do not want the Parliament sufficiently involved to generate a partisan outcome.

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

I am sure my colleagues with a bit of balance would understand what I am saying. I am not trying to be difficult; I am trying to fix something which is fundamentally flawed the more you talk about it, the more you see the outcome, the more it becomes glaring that this thing is not how it is supposed to be.

We on this side reject the notion that if something comes to this House for our attention, whatever the attention is, whether approval or noting, if we take a position, that position is somehow going to be rooted in some kind of malice, so we could be accused of xenophobia. We reject that out of hand. We have a job to do, without fear or favour and we have nobody's axe to grind, except that we have the interest of the people of Trinidad and Tobago.

I think it would be most unfortunate if our best officer, our most senior officer, finds himself ranked number eight against two degrees, both earned in 2006, which are questionable. The ball is in your court now, as a Government, to check this, investigate it, come back and put your reputation at stake and say, "We are satisfied on examination that the degrees come from accredited institutions," in which case, we cannot pass it this afternoon, it requires being checked.

It brings us to another point made by my colleague from Chaguanas West. We questioned the police service in a very forthright manner; we did not go pandering to them, asking them what they thought, so we could support what they thought; we put it to them squarely. What you read about my position on management in the police service and that the police service had serious deficiencies, was put to them, but we also put to them the question of: Where is your morale? In light of all of that, where is your morale now? They reflected and gave us their view of what the morale was like; it did not meet passing grade. This afternoon we were told that, "Well de morale down low already, so nothing else could affect it; it down low already."

I wonder if that was the reason the Attorney General took that position with the Commissioner of Police. Is it because the Attorney General believes that the morale in the police service is already rock bottom, so he who has no responsibility for the office of commissioner of police, could come out and wage open guerilla warfare against the Commissioner of Police, bringing into disrepute the office of the commissioner of police, threatening to fire him summarily, because he believes that the commissioner has not done something right or well.

I want to put it to the Prime Minister this afternoon that we are not prepared to tolerate anymore foolishness from the Attorney General. [*Desk thumping*] Last week, it was an attack on the Integrity Commission; this week is an attack on the Commissioner of Police. Next week, who will it be, the President or you the

Commissioner of Police

Friday, July 02, 2010

Prime Minister? I dare say. Clearly, this country has an Attorney General who is sadly in need of guidance, because my understanding is that there is a Minister of National Security and in his portfolio lies the Commissioner of Police. I have not heard him attack the Commissioner of Police, but the Attorney General who, if he is fit for that office, must know that there is a requirement for his office and law enforcement agencies to work together in some kind of harmony. What harmony can we get from an Attorney General coming out and attacking the Commissioner of Police publicly in that way, and wrong to boot. Giving the country a statement of fact that the Director of Public Prosecutions has ordered the Commissioner of Police to go and secure a facility, a property out in the east and the Commissioner of Police did not do it. *[Interruption]*

Mr. Roberts: He did not say that.

Dr. K. Rowley: He did not say that? You had better keep your seat.

Mr. Roberts: He did not say that.

Dr. K. Rowley: You cannot speak for the Attorney General.

Mr. Roberts: I was there.

Dr. K. Rowley: You were there? You were too busy making noise.

Mr. Speaker, it has been put to this country that the DPP advised the Commissioner of Police to secure the site, and the Commissioner of Police, for reasons best known to him, equals dereliction of duty, or the worse complexion that could be put on it, that the Commissioner is taking sides in this matter, and the side he is taking is to facilitate destruction of evidence, causing the AG to be distressed. This is his statement, his position. I am not making this up. I could show you. Resulting in this —*[Dr. Rowley displays newspaper]*

“AG vex vex vex”

This is dealing with the Commissioner of Police. Then in return:

“War of words”

And you want to tell me he did not say that? What did he say that resulted in this headline of war of words?

Then the Commissioner of Police was forced to respond:

“Philbert fires back”

That is not what we want in Trinidad and Tobago. *[Desk thumping]*

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

Here is the Parliament in a difficult situation. We are trying not to politicize this matter, to get a commissioner of police selected as quickly as possible, to get this matter behind us, and then we have an Attorney General in office generating these kinds of headlines, forcing the Commissioner of Police. I heard the commissioner on the radio this morning. [*Interruption*] You could say what you want, Member for D'Abadie/O'Meara, the commissioner was forced to go on the radio this morning to defend his stewardship, because it was being put out that he was taking sides and not doing his duty. I heard him say, in defence of himself, that he received no instruction from the DPP; in fact, that he worked closely with the DPP under his guidance to determine what to do.

In the face of that, you have an Attorney General who is giving the country the impression that the Commissioner of Police, to use his words, "has fallen down on the job" and is guilty of dereliction of duty and facilitating the destruction of evidence.

I would like to advise the Prime Minister to put a muzzle and a short leash on the Attorney General [*Desk thumping*] and put him in a box until the next election, because he seems not to know when he is out of government and when he is in government, when he is out of office and when he is in office. Since he is the country's Attorney General, his conduct might suit him. I am sure it does not suit you; I know you do not like that. I know that you do not accept it, but you cannot say what I am saying, but the country deserves better. He ought to provide an apology to the Commissioner of Police. [*Desk thumping*]

6.00 p.m.

This country knows that Officer Philbert was on his way out of office by virtue of retirement. He was extended so that this ridiculous process could be facilitated. On the last extension, we were informed by the Police Service Commission that they had asked him to hold on for another three months so that we could get this done, and then to be told by the hon. Attorney General that he could be summarily dismissed because he did not like something that did not happen.

It brings us right back to the origin of this process. The origin was that those in government today, led at the time by the hon. Basdeo Panday, made a strong case that the Commissioner of Police, by virtue of the appointment system, was under the control of the Executive. The result of trying to fix that was that it generated this law and this process. It is ironic that even as we are trying to get the outcome of the process, there is an Attorney General, who has no business taking public issue with the Commissioner of Police, demonstrating, quite wrongly, that

he has some role in determining the tenure of the Commissioner of Police. For a man to threaten your job and threaten to accelerate your retirement, he is saying he has some control of the process and a position on your tenure.

Madam Prime Minister, I know you are the first female Prime Minister of this country, but have you taken unto yourself additional powers you do not know anything about which you have passed on to the Attorney General so that he could determine how long the Commissioner of Police serves? By what process would the Attorney General terminate the appointment of the Commissioner of Police? Or is it just to give the impression that he is big, bad and ugly. [*Interruption*]

It is an ugly development and ugly is a parliamentary word. What do you call this? "AG Vex, Vex, Vex"; "War of words" "Philbert fires back". And then we were told today that we were supposed to be building trust and building institutions. Well, if that is the assignment, then this development is counterproductive colleagues. What trust can you build between the office of Attorney General and the Commissioner of Police if that is the conduct of the office holder and the other one is forced to respond? [*Interruption*]

I know you know better. When you were on the radio, if this had happened, I would have been tuning into you now and you would have had a lot to say. [*Desk thumping*] So do not come in this Chamber and pretend. Do not let your office make you say things you do not believe. Political office is temporary. Do not make it change you.

I want to make one more point. The Government will do well not to sell the appointment of a commissioner of police in the context of how many murders take place in this country. I do not know that any of those murderers would have called the police headquarters and enquired who the Commissioner of Police is before they killed someone. I do not know if many would think that because the UNC is in government now and that the PNM has gone, they would stop killing. They have their own agenda.

Appointing a foreigner to the office of commissioner, my colleague the Member for Chaguanas West said that there could be advantages, but the one thing we do not have is a guarantee. There is no guarantee that the appointment of a foreign commissioner would bring you success, so let us not pretend that it is so. Let us not attach the appointment of a commissioner of police, even a foreign commissioner of police, to any success with the murder rate. Do not link them! [*Interruption*] My colleague, the Member for Chaguanas West, linked them.

I am hoping that this process would get out of the Parliament as quickly as possible so that someone would be on the job and that this Parliament would rectify this existing situation.

Commissioner of Police
[DR. ROWLEY]

Friday, July 02, 2010

We were told that the Government met with the new Police Service Commission and my colleague was delighted to announce that they supported it. All I would say to you is: Take note of the timing when they made that statement. They made it after the election results were known. It would have been interesting to hear them say that before they went to the polls. This issue was before us before the election with the police service. I did not see any comments from any of the participants in that election on this matter.

As a matter of fact, that could have become, quite properly, a campaign issue in the police service. It did not. As soon as the elections were over, we had the head officer, now that he is speaking for himself, saying what he said. If I were you, I would take that for what it is, given from the safety of access to office. It formed no part of the election. He very carefully said so after the results were known. So do not pay too much attention to that!

Mr. Speaker, we do not want to prolong this because enough has been said to the Government. I am sorry the Prime Minister was not here, but I am sure she would be advised. I think we should adjourn this matter. If you have contrary information—

Mrs. Persad-Bissessar: We have.

Dr. K. Rowley: If the information you have is different to my assumptions, then we can proceed. If you have contrary information, I could only have gone with what you put here before. If you bring new information, it is a debate. We take a position, if you have improved information, you share it with us and we will proceed. We want the debate out of the Parliament as quickly as possible.

What we are looking forward to is that the next time a motion comes to this House on the matter for a commissioner of police, it will be under new law and for a resolution generated in this House. If no such resolution can be generated or is desired, then it passes without any debate or rancour.

Mr. Speaker, I thank you.

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker, I thank Members opposite for their contributions on this matter. Indeed, the issues have been aired in some detail. I thank also the Member for Chaguanas West for his contribution and for bringing to the fore some critical issues relating to the appointment of the Commissioner of Police and our governance in this area of national security.

I respond to a few issues raised by my friends opposite and to what was a central issue for the Member for Diego Martin West in his contribution on the bona fide of the qualifications of the nominee, Mr. Gibbs.

Before I get to that, I will respond to a few other matters. The issues raised today are few but very profound and our friend opposite again raised the issue of the process and the structure by which a nominee arrives at the Parliament and the role and responsibility of the Parliament. A related issue raised by the Opposition leader related to an interpretation on what is meant in the first case by the provisions for advertising overseas.

I want to put on record—it is important that we correct the record—the Member for Diego Martin North/East has been on the receiving end of a fair amount of comments from the Member for Chaguanas West and I do not want to add to that.

The Member began his contribution in this session and under this new Government by stating that the Member for Siparia, the Prime Minister, on the last occasion, did not indicate the nature and history of these issues. When you look at the record of last week, when this matter first came to the House, the hon. Prime Minister wasted very little time; in fact not even 100 words, less, and got to the issue of the history of this measure.

To quote the hon. Prime Minister, just last week after reading the Motion, the Prime Minister said:

“To better understand why we are here today at this juncture it may be useful to go back prior to 2006...”

and then began to explain in a chronological manner how we have arrived at this point. The Prime Minister went into detail relating the experiences of 2004, 2006, 2008 and quoted from the *Hansard* of 2006, Police Service Act.

The Member for Diego Martin North/East really began on the wrong foot by making this statement. I do not know what would have motivated that, but just for the record, the Prime Minister dealt with the history of these measures. I chose not to deal with it today only because the Prime Minister addressed the matter last week and I saw no need in one week to repeat this.

From the point of history, while there was agreement between the then Government and the then Opposition on the Police Bills, including the Police Service Complaints Authority Bill, unless I am mistaken, we have not reached very far by way of implementation of some of these measures.

There were other Bills included in that package, unless my memory does not serve me well, and we have not reached far at all in implementing the pieces of legislation, the change discussed and agreed upon. That is just a correction by way of the record.

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

The Member for Diego Martin North/East suggested that one option the Government had—there were five nominees—was that we get through the process; come to the Parliament every week, knock out one per week and in a month and one week, or five days in a row, we get all out and then we will get to the point of the most senior deputy commissioner to act as deputy. I really do not think that is the method by which to go.

I do not think we will instil confidence in the population if we come every Friday for five weeks, debate and roll out someone just to get to one person—and the person was named in this House today—and then invite him to act again in the position of Commissioner of Police to continue perpetually with this acting police commissioner, when nobody has certainty; when nobody can get down to a work programme without knowing at the end of month whether or not you are the Commissioner of Police. That has been the crisis. A commissioner of police must have a five-year or three-year plan to work with, to recruit officers, units and so on.

They operate with a different type of approach. They have to get the institutional and administrative structure to fit with the legislation. You cannot have a commissioner of police who, every time he looks at his diary, feels that it is the last week of the month and he does not know what is happening on the first and the second. That cannot work. To go back there is really not progressive. For the Parliament to come every week to say no to somebody is almost making a mockery of the parliamentary process.

6.15 p.m.

Mr. Speaker, the related matter is that the Member for Diego Martin North/East was the first to raise the name of an officer who has already been approved as Deputy Commissioner of Police. The Member for Diego Martin North/East continued—he wasted no time and chose probably to make a good point, I do not know—to bring the name of an individual who is at this time approved as Deputy Commissioner of Police in Trinidad and Tobago. He continued to bring him into the debate, as if to suggest, as the Member for Diego Martin North/East said, that "the Government had a difficulty with Piggott". What difficulty is that? What difficulty do we have? That officer is now a Deputy Commissioner of Police. He is working. The Government must meet and treat with all senior officers. We voted in support of this deputy commissioner. To drag his name now in the debate, when the officer is serving and we would meet and treat with him is to politicize a deputy commissioner of police.

And then—[*Interruption*] you may have more to respond to when I am finished—the Opposition Leader brought his CV. It was found by the Member for Laventille West, who happened to have it on him. He then told us of the training

of Officer Piggott, that it is good training, his experience and the investment of the State in his expertise, as if we were creating some problem with this officer who is in active service; as if it was meant that the Government—the Member for Diego Martin North/East asked the question: whether the Government has a problem with Officer Piggott. We do not have a problem with him. This is why we voted for such an officer. [*Interruption*]

Dr. Rowley: I want to get it clear from the Member for Oropouche, whether he is saying that mention of Officer Piggott's name in the debate; his name having been brought here by the Motion, caused the name to be politicized? I did hear the other side mention many times Officer Williams and is the Member saying to me that making my point and taking issue of the possibility of the qualifications having been disproportionately adjudged, that ought not to have been done if I felt that was a matter that required attention?

Hon. Dr. R. Moonilal: I am saying that Members on the Opposition, two Members spoke today, do not know the qualifications of Mr. Gibbs. They had his profile this week and confessed to not knowing Officer Piggott, but there was an attempt to compare, as if the Government is part of some conspiracy to deny one or the other. Let me leave the matter by saying that it is not our intention of drawing Officer Piggott in any debate in this Parliament. He may be well qualified and well trained. He is now a deputy commissioner of police as supported by the Government of Trinidad and Tobago.

The Member for Diego Martin North/East also raised the issue of the appointment of a foreigner keeping down officers. I want to remind you that for three years we have had an acting commissioner of police whose substantive office, by definition, is not commissioner of police. He would have been keeping down somebody as well, from coming up for three years. It is only when you are confirmed in a position that the vacancy then arises and triggers a process where persons evolve and emerge in the organization. The very continuation of an acting appointment by itself, by definition, stifles promotion and upward mobility in the police service.

I would get now to a few points related to the Leader of the Opposition, who raised a few points which were raised last week and they are very valid issues, as they relate to the process of reform and revision of the law, which we have committed to already, with the hope that the system will certainly not take as long and we will definitely not expend \$8 million to appoint a commissioner of police.

The thing that caught my attention with the Opposition Leader is that he sought to argue, if I read him correctly, that in the law, it may well be, and he used the term "spirit and letter of the law", that the letter requires you to advertise

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

outside of Trinidad and Tobago, whether overseas or internationally, but "spirit" may be when you advertise, you advertise outside of Trinidad and Tobago, to attract nationals living abroad. We all know that there are nationals living abroad and doing very well, as the Opposition Leader indicated and they may very well be found in the security sector, by definition. It is difficult for us to come to that conclusion on two grounds. We did that because when you advertise internationally, it is not an advertisement that would be seen by a citizen of England, but if a national of Trinidad and Tobago is there, he will not see it. He is seeing it. You are also attracting his attention and interest.

When you look at the process that was done, the Member for Chaguanas West spoke to it, you had advertisements in the *Barbados Nation*; the *Grenadian Voice*, the *Antigua Sun*; the *Bahamas Tribune*, the *Starbroek*, *Jamaica Gleaner*; *Daily Telegraph* of London; *Toronto Sun*; *Washington Post*; and a nice one I have here; an Internet advertisement on lawenforcementjobs.com. Wherever in the world you are with a website, go on lawenforcementjobs.com and you can look and see vacancies in the security protective services across the world. I do not think when this was done, it was done in the sense, to attract only nationals living abroad; it would not have been. If you are doing that, there is also an alternative process. You can send your ad or information to the Trinidad and Tobago Diplomatic Mission abroad where they keep a track of nationals in different parts of the world and they can communicate with nationals that there are certain developments in Trinidad, vacancies and so on, and nationals abroad can interface with the diplomatic mission and get to the point of applying. There is no need to put it in lawenforcementjobs.com if it is only nationals that you are seeking. It was also advertised on the website of the Association of Caribbean Commissioners of Police, the International Association of Chief of Police website; websites that many of us cannot be familiar with. The attempt was really to attract applicants who are citizens of other countries and not only nationals of Trinidad and Tobago abroad.

Let me get to this matter once and for all. The Opposition Leader claims that when he heard the name of a certain university, his antenna went up. He was going good all along, quiet and peaceful. He was going to abstain, but upon hearing this name, "watap", well you cannot spell that, suddenly he said: "Ah, we have tuh check on dis because I remember driving with my cousin in California and I remember seeing dis sign." We came to this point and it dominated a fair amount of time by the Opposition Leader and he used the opportunity to raise some related issues.

It is instructive, before I get to that, that the candidate also possesses a Bachelor of Education from the University of Alberta, Canada and a Masters in

Commissioner of Police

Friday, July 02, 2010

Sociology from the University of Alberta, Canada. That did not attract the attention, because I presume you are clear on the University of Alberta. The antenna did not go up, because maybe no cousin in Alberta, Canada, so we did not hear. No cousin there. We got that.

Our friend from Diego Martin North/East quick on the draw; the fastest Blackberry draw in the West, or is it in the North/East, alerted us to an impending crisis here today. I want to indicate that we have some information that I would like to read for Members. Our information, which we also sourced from the website and others in the fields of higher education, who communicated to us that California Coast University holds accreditation through the Accrediting Commission of the Distance Education and Training Council of the United States of America. This is an education association, located in Washington DC, founded in 1926. The DETC is listed by the United States Department of Education as a nationally-recognized accreditation agency. The Secretary of Education is required, by law, to publish a list of nationally-recognized accreditation agencies that the secretary determines to be reliable authorities as to the quality of education provided by the institutions of higher education.

Apart from the fact that if we are successful today in approving this, the Member for Diego Martin West will have an opportunity to go to the face of Mr. Gibbs and ask him whether he has two degrees, where he got them and how he got them. We want to indicate that the research that we have, now suggests to us that this university is properly suited to issue degrees and they are properly suited to give and confer university qualifications on persons.

I know you want to respond, so I would give you one more matter to respond to. Mr. Speaker, I want to read a matter. I am hearing about three months and one year. I remember the Member for Diego Martin North/East in this House telling us about the difference in education and their system, between the United States and England. When we raised in this House, the Member for Caroni East, he said UTT was giving out PhDs and hiring people today who graduated last week and calling them professor. They stood and told us that there is a difference; the American system is not the British. The British is four-year research based PhDs, like the Member for Oropouche East, but in the United States, they operate with a different type of education structure, where you do a research paper in partial fulfillment; you do courses and exams in partial fulfilment. You submit a research paper and you get your PhD. There are American political leaders who are doctors, but they do not carry the title doctor. Mr. Gibbs does not carry the title of doctor. It is not a title as the British—[*Interruption*]

Mr. Warner: Like Dr. Rowley.

Hon. Dr. R. Moonilal:—professorial system. In the United States, for example, unless I am mistaken, we are the four-year batches. There are several secretaries of State/Cabinet Ministers who are doctors by the American system, but they do not carry the PhD title of doctor. It is a different system. We were alerted to this by the Member for Diego Martin North/East, in defence of the hiring process at the University of Trinidad and Tobago—[*Interruption*]

Mrs. Persad-Bissessar: Which is still not accredited.

Hon. Dr. R. Moonilal:—which is still not accredited, neither by the American distance learning training or by the Trinidad and Tobago Training Accreditation Council.

I want, before I give the Member for Diego Martin North/East an opportunity to embarrass himself, now to read:

“December 11, 2008

Judge Herbert’s doctoral title not a ‘diploma mill’ product

County Judge Bob Hebert took no time to send out a press release Wednesday after he received an e-mail from a Los Angeles-based attorney informing him that the controversy surrounding his doctoral title was put to rest by a federal judge in Austin.

Judge Sam Sparks on Dec. 2 ruled academic degrees received from California Coast University valid and legal to use in Texas.”

6.30 p.m.

Mr. Speaker, this matter arose and somebody questioned it, but the Member for Diego Martin North/East did not look at the history trail. When he googled, he looked at the first thing that he found and did not look at the other entries otherwise he would have seen this. So, in the United States of America, they have tested it. It is a federal court that ruled that the doctoral title is valid. Mr. Speaker, it meant that the judge could call himself doctor again.

Hebert had referred to himself as a doctoral recipient on the county’s official website and his personal website. The long and short of the story is that he had defined himself such and it was challenged and the United States Federal Court ruled that it was valid.

Dr. Rowley: Would you give way?

Commissioner of Police

Friday, July 02, 2010

Hon. Dr. R. Moonilal: I now look forward to your positive vote in this debate. [*Desk thumping*]

Dr. Rowley: So, clearly, I am not the first person—my antennas were not the first to go up. Clearly, within America, somebody saw it fit to challenge that accreditation, and I can tell you that it was not a Member of this Bench. It took the intervention of a federal judge to determine that there was something worth acknowledging there. So, clearly, there was some basis for the questioning.

Hon. Dr. R. Moonilal: Mr. Speaker, I think the other tag-team partner wants to get in as well.

Mr. Imbert: I thank the Member for giving way. Is the Government saying categorically that it is satisfied there has never been a challenge to the credibility of degrees from California Coast? [*Interruption*] That is question one. Is the Government saying categorically that California Coast University was not the subject of a congressional investigation and deemed to be a diploma mill? Are you saying that categorically? [*Interruption*] Wait, I have another question for you. Is the Government saying that it is satisfied that the Distance Education and Training Council (DETC) is a reputable regional accreditation institution? Is the Government saying it is satisfied that the PhD acquired by this gentleman in a very short space of time, it appears, from this California Coast University, is an internationally recognized degree?

Hon. Dr. R. Moonilal: Mr. Speaker, I know where he is going. Now, I want to tell you that when you got a PhD in 2006, that was not the year you started it, but that was the year it was conferred upon you. [*Desk thumping*] You do not start a PhD and finish. It is the year it is conferred upon you. You could start it 18 years before. You could begin a PhD and get married and settle down and when your children get big you finish the PhD.

Mr. Speaker, did you see where he went? He came with a more madcap idea. He came first and said that we should come back every Friday and reject everybody. Now he is saying—having raised the issue of the credibility and the integrity of the university—maybe we should look at the integrity of the accreditation council, and then he would say maybe we should look at the credibility of the United States Department of Education, and then we would have to look at the credibility of the United States Government and UNESCO.

Mr. Speaker, they have to now wiggle out of this position that they have found themselves in. I got the commitment that once we clarify this, that they would give their positive support to the matter.

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

Mr. Speaker, let me just go on record with this, because we will not have an opportunity again. The story continued:

“The TV report described Hebert’s doctoral degree in management from California Coast as ‘phony’ and the university that awarded the recognition as a ‘degree mill’.

A local newspaper also amplified the allegation in a report last year.”

They would have done that based on statements made by the Member for Diego Martin North/East.

“Hebert said he began distance learning in 1999 and received the degree in 2004.”

That is five years later.

“‘Diploma mill’ was a term used in 2004 by the U.S. General Accounting Office to describe California and Warren National, another distance-learning institute. The Texas Legislature in 2005 authorized the Texas Higher Education Coordinating Board to create a list of ‘diploma mill’ schools...

An outraged Hebert in January joined California Coast and five other former and current California Coast students from Texas to file a lawsuit against the state and the state agency in January, asking the court to strike down related state statutes that they claimed violated their rights...

Hebert told me Wednesday afternoon that he was happy to feel vindicated. He had this to say:”

I got hammered by somebody resembling the Member for Diego Martin North/East.
[*Laughter*]

“I got hammered by Channel 11 and a local paper called me a disappointment and embarrassment to the county. I thought I’d better put a press release out to let people know if we are right or wrong.

Jeff Daar, the attorney for Hebert and the other plaintiffs, told me that a turning point of the trial came in July when the attorney representing the state told the judge that the state recognizes that it was legal in the state to use degrees from California Coast and asked the judge not to strike down the ‘diploma mill’ statutes...

That position became an essential basis for the judge to eventually determine the validity of California Coast’s degrees in Texas, Daar said.”

Mr. Speaker, what more can I say. We are dealing with the state of Texas and a federal court in the United States of America. What next?

Dr. Rowley: I thank my colleague for giving way. I just want to make it abundantly clear, since my colleague is paraphrasing me or representing me, that in dealing with this matter, I said in English, the language of the Parliament, very clearly and very loudly, that it was our intention to abstain on this matter, but if the Government could not satisfy that the degrees were acceptable, we will vote against it. If you want to call that a commitment to vote for it, then that is you.

Hon. Dr. R. Moonilal: Mr. Speaker, abstinence is apparently their key. I want to continue, because he did not hear me well. It continues:

“Also, the judge also found that Texas Higher Education Coordinating Board had recognized Distance Education and Training Council, a federal Department of Education-recognized accreditor that recognizes California Coast...

That means the state board logically has no basis to not recognize California Coast.”

That is the key.

Mr. Speaker, may I also indicate that we had to do this research quickly, because I think it was the centerpiece of the Opposition’s position. That was the foundation block upon which they were standing, and we had to do this very quickly. Fortunately, the Prime Minister was following this debate in her office, and was able to produce a soft copy and hard copy of the information.

On that note, I want to thank the parliamentary staff for quickly installing a computer and printer in the office of the Prime Minister at the Parliament. [*Desk thumping*] I say this now in all seriousness, this really is what parliamentary debate is about. You debate and raise issues, and once the issues are genuine concerns, we can research them quickly and come with what we believe to be an appropriate response to the issues. That is the nature of our parliamentary debating tradition, and it is something that we should applaud today. So, thank you very much Prime Minister, you could get your Blackberry back. [*Desk thumping*]

Mrs. Persad-Bissessar: Thank you.

Hon. Dr. R. Moonilal: Mr. Speaker, in ending, I want to indicate that this has been, indeed, a historic day in the Parliament and I believe in the country, in the context of our fight against crime. The Opposition Leader is quite correct when he suggests to us that an appointment of a Commissioner of Police alone will not deal with crime and murder. The murder rate would not be expected to decrease overnight or decrease dramatically, because of the appointment of a commissioner of police. It involves many more issues. It involves several issues relating to

Commissioner of Police
[HON. DR. R. MOONILAL]

Friday, July 02, 2010

management policies, the legal environment within which the police operate and it also includes the legislation we intend to bring to this Parliament very quickly to deal with the problem of the high incidence of criminal conduct.

This country is now at war. The people are calling upon us to act and to appoint a Commissioner of Police. In the national debates and discussions, we have found that the population believes that whether it is a local or a foreigner, it does not matter. As one individual told me, whether it is Dwayne Gibbs, Lance Gibbs or Andy Gibbs, once you get a commissioner of police inside, settle the police service and let us move to the next challenge that we face.

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

Question put.

The House divided: Ayes 25

AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar, Hon. K.

Warner, Hon. J.

Dookeran, Hon. W.

McLeod, Hon. E.

Sharma, Hon. C.

Alleyne-Toppin, Hon. V.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Seepersad-Bachan, Hon. C.

Roberts, Hon. A.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Ramadharsingh, Hon. Dr. G.

Ramadhar, Hon. P.

Commissioner of Police

Friday, July 02, 2010

De Coteau, Hon. C.
 Indarsingh, Hon. R.
 Partap, Hon. C.
 Samuel, Hon. R.
 Douglas, Hon. Dr. L.
 Ramdial, Miss R.
 Roopnarine, Miss S.
 Seemungal, J.
 Khan, Miss N.

The following Members abstained: Miss M. Mc Donald, Dr. K. Rowley, Miss D. Cox, N. Hypolite, Mrs. P. Mc Intosh, C. Imbert, F. Jeffrey, Dr. A. Browne, Mrs. J. Thomas, Miss A. Hospedales, Mrs. P Gopee-Scoon.

Question agreed to.

Resolved:

That the notification of the President in respect of the nomination by the Police Service Commission of Mr. Dwayne D. Gibbs to the office of Commissioner of Police be approved.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, may I crave your indulgence to revert to the Introduction of Bills as we had all agreed earlier in the sitting?

Assent indicated.

PETROTRIN PENSIONS (NO. 2) BILL

Bill to restructure the pension arrangements of the Petroleum Company of Trinidad and Tobago Limited [*The Minister of Energy and Energy Affairs*]; read the first time.

ADJOURNMENT

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, July 16, 2010 at 1.30 pm, and to indicate to the Opposition that on that day the Government intends to debate the Motion dealing with the legislative proposals on procurement. If time permits, we will also debate the Petrotrin Pensions Bill.

Leave of Absence

Friday, July 02, 2010

Leave of Absence

Mr. Speaker: Hon. Members, before putting the question for the adjournment, may I inform hon. Members that I have received verbal communication that the Member for Barataria/San Juan, Dr. Fuad Khan, has requested leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.45 pm.